



LABOUR MARKET OPINION APPLICATION HIGHER-SKILLED OCCUPATIONS

Personal Information Collection Statement

The information you provide on this request for a Labour Market Opinion (LMO) form is collected by Human Resources and Skills Development Canada (HRSDC) under the authority of the *Immigration and Refugee Protection Act* (IRPA) and *Immigration and Refugee Protection Regulations* (IRPR), for the purpose of providing an LMO in accordance with these statutes. Completion is voluntary; however, failure to complete this form will result in your request for an LMO not being processed.

The information you provide may be shared with Citizenship and Immigration Canada (CIC) for the administration and enforcement of the IRPA and IRPR as permitted by the Department of *Human Resources and Skills Development Act* (DHRSD Act), and may be accessed by the Canada Border Services Agency (CBSA) for the purpose of issuing work permits at Ports of Entry. HRSDC may also provide information to CBSA in order for that agency to investigate and enforce the IRPA and IRPR in relation to an LMO.

The information may also be shared with provincial/territorial governments for the purpose of administration and enforcement of provincial/territorial legislation, including employment standards and occupational health and safety legislation, as permitted by the DHRSD Act. The information may also be used by HRSDC for policy analysis, research and evaluation in relation to the entry and hiring of foreign workers to Canada or the IRPA.

The information you provide is administered under Part 4 of the DHRSD Act and the *Privacy Act*. You have the right to access and request correction of your personal information, which is described in Personal Information Bank PPU 440 and PPU 171 of Info Source. Instructions for making formal requests are outlined in the Info Source publication available online at infosource.gc.ca.

PURPOSE OF APPLICATION

A) To support a work permit application ONLY:
This offer of employment is only made to fill a temporary position:

- under the Stream for Higher-skilled Occupation
 - for Academics
 - for Film and Entertainment

B) To support BOTH a work permit application and the permanent resident visa application of a skilled

- worker's application to immigrate under the Federal Skilled Worker Program (not applicable in Quebec)
- trade worker's application to immigrate, in one of the eligible occupations, under the Federal Skilled Trades Program (not applicable in Quebec)

C) To support a permanent resident visa application to immigrate ONLY:
This offer of employment is only made to support a skilled:

- worker's application for permanent residency under the Federal Skilled Worker Program (not applicable in Quebec)
- trade worker's application for permanent residency, in one of the eligible occupations, under the Federal Skilled Trades Program, (not applicable in Quebec)

NOTE:
Employers choosing to support a foreign national's permanent resident visa application only (Option C) are not required to pay the processing fee

THIRD-PARTY, RECRUITER OR EMPLOYMENT AGENCY INFORMATION

<p>1. Are you using the services of a third-party, recruiter or employment agency for the purpose of hiring a foreign worker?</p> <p><input type="checkbox"/> No <input type="checkbox"/> Yes If yes, complete the boxes on the right</p> <p>Note: In some provinces/territories it is mandatory to be registered in order to recruit foreign workers on behalf of an employer. For more information visit: www.hrsdc.gc.ca/eng/jobs/foreign_workers/higher_skilled/general/index.shtml#tab2</p>	<p>2. Name of third-party, recruiter or employment agency:</p> <hr/> <p>3. Registration, license or certificate number:</p> <hr/>
<p>4. Are you appointing a third-party to represent you in completing this LMO application form or to provide advice in an immigration process?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes If yes, complete Schedule A - Third-party representative</p>	<p>5. Name of third-party representative:</p> <hr/>
<p>6. List any type of payment the employer, its third-party representative or recruiter may have received in connection with the job offer or for obtaining a labour market opinion:</p> <hr/>	

EMPLOYER INFORMATION					
1. Employer ID # (if applicable)		2. Canada Revenue Agency Business Number (First 9 digits are mandatory for Canadian Employers)		3. Employer Business Name	
4. Employer Legal Name		5. Employer Mailing Address		6. City	7. Province/State
8. Country	9. Postal/Zip Code	10. Business Telephone Number		11. Employer Business Address (if different than mailing address)	
12. City		13. Province/State	14. Postal/Zip Code	15. Country	16. Website Address
17. Date business started (yyyy-mm-dd)		18. Describe the principal business activity:			
19. Primary Contact Name: First Middle Last			20. Job Title		
21. Contact Phone Number		Ext.	22. Fax Number		23. E-mail
24. Preferred Official Language of Correspondence <input type="checkbox"/> English <input type="checkbox"/> French		25. Number of Canadian/permanent resident employees at the work location covered by this LMO:			
26. Answer this question only if you employed a foreign worker in the last two years. Did you provide all foreign workers employed by you in the last two years with wages, working conditions and employment in an occupation that were substantially the same as those that were described in the job offer(s)? <input type="checkbox"/> Yes, I have provided all foreign workers employed by me in the last two years with substantially the same wages, working conditions, and occupation as described in the job offer(s). <input type="checkbox"/> No, I have not provided all foreign workers employed by me in the last two years with substantially the same wages, working conditions, and occupation as described in the job offer(s).					
27. If you are currently employing foreign workers, indicate the number employed at the work location covered by this LMO:					
28. Were any employees laid off in the past 12 months? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, how many? _____ Reason(s) for layoff(s) and occupations affected:					
29. Does your business receive support through any Government of Canada program (e.g. Work-Sharing Program)? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, name the program(s):					
JOB OFFER INFORMATION					
If you are requesting a labour market opinion to fill multiple jobs for the identical position/occupation, provide the job offer information only once. However, if the job is for different positions/occupations, use a separate labour market opinion application form for each job offer.					
1. Job title			2. Number of foreign workers requested for this job offer (same wage, job description, location, etc):		
3. Expected Employment Duration _____ days _____ weeks _____ months _____ years <input type="checkbox"/> permanent (not applicable in Quebec)				4. Expected Employment Start Date (YYYY-MM-DD)	
5. Work Address : Number and Street		City	Province	Postal Code	
6. Describe the Main Duties of the Job:					
7. Educational Requirements of the Job:					
<input type="checkbox"/> Doctorate/PhD		<input type="checkbox"/> Doctor of Medicine		<input type="checkbox"/> Masters Degree	
<input type="checkbox"/> Bachelor's degree		<input type="checkbox"/> College level diploma/certificate		<input type="checkbox"/> Apprenticeship diploma/certificate	
<input type="checkbox"/> Trade diploma/certificate		<input type="checkbox"/> Secondary school		<input type="checkbox"/> Vocational /school diploma or certificate	
<input type="checkbox"/> No formal education requirement					
Additional information:					

8. Experience/Skills Requirements of the Job: (including occupational designations such as CA, CMA, CGA, RN, P.Eng.)

9. Language requirements:
(Indicate the language requirement for this job. If the foreign worker does not meet the stated language requirements, the application will be refused by Citizenship and Immigration Canada, even if the worker is otherwise suited for the position.)

Oral : English English or French Written: English English or French
 French English and French French English and French
 Other Other

If the language required for the job is other than English and/or French, identify the specific language needed and clearly demonstrate why this is an essential requirement of the occupation. If insufficient space, attach a separate signed and dated sheet.

10. Wage in Canadian Dollars and Number of Work Hours

per hour	per day	per month	per year	other	Number of hours per day	Total number of hours per week	Total number of hours per month
\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	_____	_____	_____

Overtime rate of \$ _____ starts after _____ hours of work per week

11. Is this employment seasonal?
 Yes No

12. Benefits:

<input type="checkbox"/> Disability insurance	<input type="checkbox"/> Extended medical insurance (i.e. prescription drugs, paramedical services, medical services and equipment, etc.)	Vacation (if applicable): Days: _____ (# of business days per year or Remuneration: _____ (% of gross salary)
<input type="checkbox"/> Dental insurance	<input type="checkbox"/> Pension	

13. Other benefits (specify):

14. Are there any federal/provincial/territorial certification, licensing or registration requirements for this job?

No

Yes If yes, what is the name of the certifying/licensing/registering body?

Will the foreign worker have all required certification, licensing, or registration prior to entering and starting work in Canada?

No If no, indicate the anticipated period of time to acquire all the required qualification(s) after starting work in Canada:
_____ days _____ weeks _____ months

Yes If yes, the foreign worker must have proof that he/she already has all the required qualification(s).

Note: Securing the necessary documents to practice in Canada is the employer's and the worker's responsibility. CIC must be satisfied that the skilled worker is capable of performing the employment being offered to them. CIC will check to ensure the skilled worker holds the required certification, or licensing to practice in a regulated occupation in Canada. If the applicant is not certified or licensed, CIC will assess whether the applicant is likely to qualify for licensing/certification when in Canada.

15. Is the position part of a union?

No

Yes If yes, what is the name of the union and the local?

Has the union been consulted about the hiring of a foreign worker?

No If no, please explain.

Yes If yes, what is the position of the union? Provide details and attach documentation, if available.

16. Have you attempted to recruit Canadian citizens/permanent residents for this job?

No If no, explain.

Yes If yes, you must provide proof of recruitment (e.g. copy of advertisements and information to support where, when and for how long the position was advertised).

In addition, if you advertised on the Job Bank (or the provincial/territorial equivalent), provide the order number:

17. What are the potential benefits to the Canadian labour market for offering this job to a foreign worker (s)?

Filling a labour shortage Transfer of new skills or knowledge to Canadians/permanent residents Direct job creation or retention of Canadians/permanent residents Other

Provide details:

18. Provide a rationale for the job offer you are making to the foreign worker(s) and describe how this will meet your employment needs:

19. Do you plan to train Canadians citizens/permanent residents for the position(s) for which you are requesting an LMO?

No If no, please explain:

Yes If yes, provide a brief description of the training plan.

IMPACTS ON THE CANADIAN LABOUR MARKET

The questions in this section are to be completed by all employers. The responses to these questions will assist the Program to determine the impact a temporary foreign worker will have on the Canadian labour market.

For the purpose of the Program:

Offshoring - is the relocation by a company of a business process from Canada to another country. This would include an operational process, such as manufacturing, or supporting processes (e.g. accounting or IT services). More recently, offshoring has been associated with technical and administrative services supporting domestic and global operations from outside Canada.

Outsourcing - is the contracting out of a Canadian business process to a foreign or Canadian third party organization resulting in the entry of Temporary Foreign Workers into Canada.

1. Will the entry of these temporary foreign workers lead to job losses, now or in the foreseeable future, for Canadians and/or permanent residents as a result of lay-offs, outsourcing, offshoring or other factors related to utilizing temporary foreign workers?

No

Yes If yes, provide a summary of the impact of hiring these temporary foreign workers, on your workforce (e.g. lay-offs, relocation, etc.) and the Canadian workforce more generally.

2. Is this job offer related to an activity, contract or a subcontract that will facilitate outsourcing or offshoring?

No, go to the next section and continue to complete the applicable questions

Yes If yes, you must:

- complete the following questions (a to c) and
- have each employer with whom you have a contractual arrangement to provide services, complete a separate **Schedule B – Impacts on the Canadian Labour Market**.

a.) Provide a summary of the contractual arrangement between the employer of record and the company receiving services including (but not limited to) information on: the purpose and scope of the project, the project timelines, the expertise required, and the number of Canadians and permanent residents working on the project.

b.) Provide details on how Canadians or permanent residents with whom you have a contractual arrangement for services will be positively and/or negatively affected by this arrangement? (e.g. lay-offs, relocation, displacement, promotions, restructuring, transfer of skills and/or knowledge etc.)

c.). As part of this contractual arrangement, have you hired any foreign nationals through any work permit-exempt or Labour Market Opinion-exempt processing stream?

No

Yes, complete the following two questions (i) and (ii.)

c-i.) Provide details on efforts in the past two years to hire and/or train Canadians or permanent residents for positions where a foreign national has entered under a work permit-exemption or labour market opinion-exemption?

c-ii.) Provide a summary of the impact of hiring these foreign nationals on Canadians or permanent resident workers within the company receiving services under this contractual arrangement (e.g. lay-offs, relocation, etc.).

FILM AND ENTERTAINMENT REQUEST ONLY

1. Name of the production	2. Total number of people involved in the production:
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3. Type of Production

4. A copy of the contract between the employer and the foreign entertainer must be included with this application form, except for film and TV requests. Is the contract included with application? Yes No If no, please explain:

FEDERAL SKILLED TRADES PROGRAM REQUEST ONLY

NOTE:
The Federal Skilled Trades Program is not applicable in the Province of Quebec

Is the offer of employment for continuous full-time work of at least 30 hours of work over a period of one week? Yes No (If no, please explain)

FOREIGN WORKER INFORMATION

If you are hiring more than one foreign worker, use separate sheets to identify each worker coming to work for you in Canada. If the foreign worker information is not available, leave this section blank.

NOTE: After the positive LMO letter and annex have been issued, six months will be allocated to the:

- employer to provide HRSDC/Service Canada with the names of the foreign workers; and
- Foreign workers to submit their applications for a work permit or a permanent resident visa in the case of a foreign worker applying under the Federal Skilled Trades Program or the Federal Skilled Worker Program to Citizenship and Immigration Canada.

1. Surname (family name) as Shown on the Passport:	2. Given Name(s) as Shown on the Passport:
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3. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	4. Date of Birth (yyyy-mm-dd)	5. Location of Residence Outside Canada: City _____ Country _____	6. Citizenship (s)
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7. If the foreign worker is currently in Canada, please indicate his/her location (City and Province) and immigration status:

City: _____ Province: _____

Visitor Temporary foreign worker Refugee claimant Student

DECLARATION OF EMPLOYER

I am an unincorporated employer, sole proprietor or partnership. Yes No

If you answered "YES" to the above:

I understand that some provinces and territories operate, pursuant to agreements with the federal Department of Citizenship and Immigration, provincial nominee programs. I hereby consent to HRSDC providing the personal information contained in this request for a Labour Market Opinion to the provincial/territorial government(s) of the province(s) or territory(ies) where I carry on business to be used by the province(s) or territory(ies) for the administration of their Provincial Nominee Programs.

Yes No

Check each box to declare that you comply (or will comply) with the statements below:

- I will provide the foreign worker(s) I hire with the wages, working conditions and employment in an occupation that are substantially the same as those described in the positive Labour Market Opinion letter and annex.
- I will immediately inform Service Canada of any subsequent changes related to the foreign workers' terms and conditions of employment, as described in the positive Labour Market Opinion letter and annex.
- I am compliant with, and agree to continue to abide by the relevant federal/provincial /territorial laws that regulate employment in the occupation specified and, if applicable, the terms and conditions of any collective agreement in place. I recognize that any terms and conditions of the attached offer of employment are considered null and void if they are less favourable to the foreign worker than the standards stipulated in the relevant Labour Standards Act.
- I am compliant with, and agree to continue to abide by federal/provincial/territorial legislation related to the foreign worker's recruitment applicable in the jurisdiction where the job is located. I declare that all recruitment done or that will be done on my behalf by a third-party, was or will be done in compliance with federal/provincial/territorial laws governing recruitment. I am aware that I will be held responsible for the actions of any person recruiting foreign workers on my behalf.
- There is no ongoing or pending labour dispute at my business, and I will inform Service Canada in the case that one should develop.
- I am compliant with, and agree that, the information provided is accurate, complete, and to the best of my knowledge the entry of any temporary foreign worker into Canada is likely to have a positive or neutral effect on the Canadian labour market, and is not expected to lead to job loss by any Canadian or permanent resident for the duration of this Labour Market Opinion and for two years thereafter
- I agree to pay the total required fee as indicated in the Labour Market Opinion Application – Processing Fee Payment section, either by credit card or a certified cheque/money order. I also acknowledge that if I do not submit my payment, my application **will not be processed**.

NOTE:
This attestation is NOT applicable to employers choosing to support a foreign national's permanent resident visa application only (Option C), as they are not required to pay the processing fee.

SIGNATURE OF EMPLOYER (applicable to all employers)

I have read and I understand the Personal Information Collection Statement found at the beginning of this application. I declare that the information provided in this application is true and accurate.

_____ Signature of Employer	_____ Printed Name of Employer
_____ Title of Employer	_____ Date (YYYY-MM-DD)

SIGNATURE OF EMPLOYER SUPPORTING A SKILLED WORKER'S APPLICATION TO IMMIGRATE UNDER THE FEDERAL SKILLED WORKER PROGRAM APPLICATION ONLY

I, _____ commit to hire the worker covered by this application on a permanent basis as per the job offer described above upon issuance of permanent resident visa(s).
(name of employer)

_____ Signature of Employer	_____ Printed Name of Employer
_____ Title of Employer	_____ Date (YYYY-MM-DD)

SIGNATURE OF EMPLOYER SUPPORTING A TRADE WORKER'S APPLICATION TO IMMIGRATE IN ONE OF THE ELIGIBLE OCCUPATIONS, UNDER THE FEDERAL SKILLED WORKER PROGRAM APPLICATION ONLY

I, _____ commit to hire the workers(s) covered by this application on a full-time basis for a period of at least one year as described in the job offer.
 (name of employer)

Signature of Employer

Printed Name of Employer

Title of Employer

Date (YYYY-MM-DD)

DOCUMENTATION REQUIRED IN REFERENCE TO THE PURPOSE OF APPLICATION

Check the boxes to indicate that the required documents are included with the application and being provided (by each employer in the case of a joint application under the Federal Skilled Trades Program). If a required document is not attached, please explain:

Documentation Required	Federal Skilled Trades Program Application (not applicable in Quebec)	Federal Skilled Worker Program Application (not applicable in Quebec)	Application for other positions
Job offer (signed by the employer and the foreign worker)	<input type="checkbox"/>	<input type="checkbox"/>	
Proof of recruitment (e.g. copy of advertisement and information to support where, when and for how long the position was advertised)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business registration or legal incorporation documents (if first LMO application)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provincial/municipal business license (where applicable and if first LMO application)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Canada Revenue Agency- PD7A Statement of Account for Current Source Deductions (for the 12-month period preceding the application)		<input type="checkbox"/>	
Canada Revenue Agency - T4 Summary of Remuneration Paid (most current year ending)		<input type="checkbox"/>	<input type="checkbox"/>
Applications for other positions - only required for positions located in Quebec and only if this is the employer's first LMO application. Does not apply to film and entertainment		<input type="checkbox"/>	<input type="checkbox"/>
Canada Revenue Agency - Schedules 100 and 125 T2 Corporation Income Tax Return (for corporations only – two most recent returns filed).		<input type="checkbox"/>	<input type="checkbox"/>
Applications for other positions - only required for positions located in Quebec and only if this is the employer's first LMO application. Does not apply to film and entertainment		<input type="checkbox"/>	<input type="checkbox"/>
Canada Revenue Agency - T2125 Statement of Business or Professional Activities (for sole proprietorships/partnerships – two most recent returns filed)		<input type="checkbox"/>	<input type="checkbox"/>
Applications for other positions - only required for positions located in Quebec and only if this is the employer's first LMO application. Does not apply to film and entertainment		<input type="checkbox"/>	<input type="checkbox"/>
Commercial lease agreement (where applicable and if first LMO)	<input type="checkbox"/>	<input type="checkbox"/>	
Film and Entertainment – copy of employment contract (except film and TV)			<input type="checkbox"/>
Provincial documentation requirements (for the provinces noted below): ALBERTA - Employment Agency Business Licence (Alberta's Fair Trading Act) if applicable BRITISH COLUMBIA - Employment Agency License (<i>British Columbia's Employment Standards Act</i>) if applicable MANITOBA - Certificate of Registration (<i>Manitoba's Worker Recruitment and Protection Act</i>) NOVA SCOTIA - Employer Registration Certificate (<i>Labour Standards Code</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Send Application and all Supporting Documentation to:

Applications for labour market opinions are processed in different locations across Canada depending on the occupation or program.

Employers must complete, sign, and send the completed application and all required documentation to the Service Canada Centre responsible for processing applications for labour market opinions.

A list of LMO Processing centres is available on the HRSDC website:

www.hrsdc.gc.ca/eng/jobs/foreign_workers/scc.shtml



For office use only

LABOUR MARKET OPINION – PROCESSING FEE PAYMENT

Employers must pay a processing fee for each position requested, except applications that involve on-farm primary agriculture occupations such as farm managers/supervisors and specialized livestock workers (specifically NOC codes 8251, 8252, 8253, 8254 and 8256), and those solely to support a foreign national's immigration application.

The total processing fee, where applicable, must be paid before the employer's LMO application can be processed.

Step 1 – Complete employer information section:

Employer Business Name:	
Canada Revenue Agency Business Number: <i>(First 9 digits are mandatory for Canadian employers)</i>	

Step 2 – Calculate total labour market opinion processing fee in Canadian dollars:

Number of positions requested _____ X \$275 =TOTAL processing fee payment of \$ CAD _____

Step 3 – Select method of payment:

- Certified cheque or money order (postal or bank) made payable to the Receiver General for Canada
- Credit card (Visa, MasterCard, American Express)

For payment by credit card, complete and sign this section

CREDIT CARD INFORMATION AND PAYMENT AUTHORIZATION			
Name of cardholder (as it appears on the credit card):		Employer primary contact name:	
Credit card type: <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> American Express		Credit card number:	Expiry date: MM YYYY
Enter the card security/card verification value code (CVV) (a three or four digit number found on the back or front of the credit card): _____			
AUTHORIZATION: I authorize HRSDC/Service Canada in the name of the Receiver General for Canada to charge _____ \$ CAD to my credit card This is permission for a single transaction, and does not provide authorization for any additional charges.			
Signature of cardholder:		Date: YYYY MM DD	

Send this form to Service Canada only

NOTE:
Refunds will only be provided if a fee was collected in error (e.g. an incorrect fee amount was processed). There will not be refunds in the event of a negative labour market opinion since the fee covers the process to assess an application and not the outcome.