EMPLOYER COMPLIANCE

All departments hiring a foreign worker (including paid AND non-paid positions) must meet the specific requirements and uphold the conditions as set out in the Immigration and Refugee Protection Regulations (IRPR). Employers of temporary foreign workers are expected to be aware of their responsibilities and obligations under the Immigration and Refugee Protection Act (IRPA), and the IRPR.

Further details can be found through Immigration Refugees and Citizenship Canada (IRCC) and Employment and Social Development Canada.

SUMMARY

EMPLOYERS RESPONSIBILITIES

- Providing the foreign worker with employment in the same occupation as that set out in the offer of employment and with wages and working conditions that are substantially the same. *(ANY CHANGE TO THE CONDITION OF EMPLOYMENT WILL REQUIRE A NEW WORK PERMIT)*

- Providing a workplace that is free of physical/sexual/psychological/financial abuse

- Keeping all records associated with the foreign worker and any other document that demonstrates compliance with the program conditions for a period of six years.

RECORD KEEPING:

Documents departments may be asked to provide to demonstrate compliance include the following:

<table>
<thead>
<tr>
<th>Employment Contract</th>
<th>Jointly-signed employment contract including job description and work conditions. (*) (paid or non-paid)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work Permit (S)</td>
<td>Initial and extended work permit (s) (if applicable) for the duration of employment.</td>
</tr>
<tr>
<td>Social Insurance Number</td>
<td>Ensure the foreign worker holds a SIN to legally work in Canada.</td>
</tr>
<tr>
<td>Time Sheets</td>
<td>Ensure the worker is working the number of hours set out in their offer of employment.</td>
</tr>
<tr>
<td>Payroll Records</td>
<td>Ensure the appropriate wage/overtime are being paid and deductions (EI, CPP etc.) are being made.</td>
</tr>
<tr>
<td>Insurance coverage</td>
<td>Proof of health insurance coverage for the duration of employment. (if applicable)</td>
</tr>
</tbody>
</table>

(*) The letter must be signed by the foreign worker AND the hiring department, faculty member or Human Resource department.
This is not an exhaustive list. Departments should keep a record of all documentation in order to demonstrate compliance with program requirements.

**INSPECTIONS**

- One in four employers of temporary foreign workers will be inspected each year

- Inspections may be onsite, conducted without a warrant or through documents-based employer compliance review

- Employers will be required to produce any document necessary to demonstrate compliance with employment and immigration regulations.

**CONSEQUENCES FOR NON-COMPLIANCE**

- A ban of, one to ten years or permanent ban of hiring foreign workers campus-wide.

- Administrative monetary penalties ranging from $500-$100,000 per violation up to a maximum one million over a year.

- Named publicly on government’s blacklist.

*ANY CHANGE TO THE CONDITION OF EMPLOYMENT (JOB DUTIES, SALARY, WORK HOURS, ETC.) WILL REQUIRE A NEW WORK PERMIT.*