News

Changes to Temporary Foreign Worker Program Announced

Date: April 30, 2013

On April 29, 2013, the federal government announced significant reforms to the Temporary Foreign Worker Program ("TFWP"). Jason Kenney, Minister of Citizenship, Immigration and Multiculturalism, commented that the "reforms will require that greater efforts be made to recruit and train Canadians to fill available jobs … [and to] help ensure the Temporary Foreign Worker Program is only used as intended – to fill acute skills shortages on a temporary basis."

The government has proposed legislative, regulatory and administrative amendments that will:

- require employers to pay temporary foreign workers at the prevailing wage – eliminating the 15% wage flexibility previously applicable to foreign workers;
- temporarily suspend the Accelerated Labour Market Opinion process;
- increase the government's ability to suspend or revoke work permits and Labour Market Opinions ("LMO") if the TFWP program is misused;
- revise employer LMO applications to ensure that the TFWP is not being used to facilitate the outsourcing of Canadian jobs; and
- introduce employer fees to process LMOs and increase fees for related work permits

A consultation process across Canada regarding the TFWP has also been announced. The government has indicated that it will seek input from businesses, industry and trade organizations, unions and others regarding additional changes to the TFWP.