

Employer Designation Guidelines

ATLANTIC IMMIGRATION PILOT



EMPLOYER DESIGNATION APPLICATION FORM

The Atlantic Immigration Pilot is an employer driven immigration program aimed at addressing skills gaps and labour market needs in the four Atlantic Provinces.

Designation is the first step for an employer interested in participating in the program. **The Employer Designation Application Form** must be completed before you can apply for endorsement of a foreign national under the Atlantic Immigration Pilot. You are required to complete this designation once, before accessing the Pilot. Future use of the Pilot will be supported by your initial designation, provided it remains valid. Information provided in this form will be validated by a provincial immigration officer before endorsement is granted and prior to any endorsements being offered to your company. A provincial immigration officer will contact you annually to update the information in your designation and confirm its continued validity.

The Designation process is designed to confirm that:

- The Atlantic Immigration Pilot is the immigration program best suited to address the employer's needs;
- The employer wants to hire full-time, non-seasonal international applicants; at a minimum of 30 hours/week;
- The employer and their business is established and in good standing; and,
- The employer has demonstrated their preparedness to receive and meet the settlement needs of international applicant(s) and accompanying family members.

Designated employers are eligible to apply for endorsement of (a) foreign national(s) they wish to hire. For details on the endorsement process and the immigration process for the foreign national to apply for Permanent Residence please refer to www.canada.ca/atlantic-immigration.

Employer Details

This section requires the employer provide information on the business for which they wish to hire a foreign national, including any temporary foreign workers who may be currently working for your organizations. The application requires that you provide the two-digit North American Industry Classification System (NAICS) code for the Business sector in which your company operates. If you do not know this number, please consult [this link](#) for a list of the 2012 NAICS codes for each sector.

Only the authorized signatory or delegated contact person can submit, receive and communicate on behalf of the company. You are required to notify the Province if there are any changes to your Authorized Signing authorities and/or delegated contact person.

Business location: If you are applying for Designation for multiple locations in Newfoundland and Labrador under the same legal entity, please list the business name, civic address and contact person for each on a separate page. If your business or primary work place changes, you are required to notify us.

Please be aware that home-based businesses and businesses located in residential homes may not be eligible for Designation. If a business is based in a residential home, the Government of Newfoundland and Labrador may ask for additional information, including a zoning verification letter from your Municipal government. A determination of eligibility will be made by the Government of Newfoundland and Labrador's Office of Immigration.

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Please note that as part of the designation process, a provincial immigration officer will confirm the information provided on your workplace and business practice history. Your workplace and business practice history must show compliance with all applicable federal and provincial legislation and regulations related to employment.

To be eligible, employers must currently be in good standing with provincial occupational health and safety and labour authorities and not be in violation of the Immigration, Refugee and Protection Act (IRPA) or Immigration, Refugee and Protection Regulations (IRPR).

Employer **designation will be revoked** where the Province becomes aware that the employer is in violation of the IRPA or the IRPR or, where the Province becomes aware of fraud or misrepresentation in the application for designation or endorsement or the application of the foreign national for permanent residence as it relates to the job offer.

Employer **designation may be revoked**, at the discretion of the Province, where the Province becomes aware of employer non-compliance with provincial and/or federal legislation related to employment standards or occupational health and safety that occur after initial designation.

Employer **designation may be revoked**, at the discretion of the Province, where the Province become aware of employer non-compliance with their employer obligations under the Pilot.

Company Description

This section requires the employer to provide additional details on the business.

When completing this section, please note that there are specific requirements around the length of time an employer must have been in operation:

To be eligible, employers must have been in continuous, active operation under current management for at least two years in the Atlantic Region. To verify you have been in continuous, active operation, the Province may request additional information such as tax records, payroll records and any other information deemed relevant.

Companies who are relocating or expanding to the region may be eligible for the Pilot if they have a pre-existing relationship with the Government of Newfoundland and Labrador's Department of Tourism, Culture, Industry and Innovation (TCII) and have confirmation of approval from TCII signaling endorsement of your plans.

Labour Needs

Employers are asked to provide details on the current and anticipated labour needs of their organization. As the Atlantic Immigration Pilot is limited in time and space, the information provided here will be used to help the province plan and prioritize employer needs.

Please complete the information to the best of your ability. Failure to complete the section will not have a direct impact on your eligibility for the program, but may impact the province's ability to accommodate all of your labour needs.

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Use of Representative

If you used the services of an immigration representative, please complete this section.

If designated, you must be diligent if using the services of an immigration representative, third-party recruiter, or recruitment/placement agency to hire employees. Employers must follow fair recruitment practices, be cautious in their hiring practices and respect applicable laws regarding the use of representatives and recruiters, where they exist.

Commitment to Settlement Supports

The Commitment to Settlement Supports section provides you with information on the commitments you are agreeing to make to foreign nationals recruited by you under the program, as well as to the Province, and the Government of Canada when you recruit foreign nationals through the Atlantic Immigration Pilot.

A distinguishing feature of the Atlantic Immigration Pilot is the increased focus on settlement and retention of newcomer employees and their families in the region. Employers, in coordination with federally - or provincially - funded immigrant settlement service provider organization(s) play a significant role in supporting this settlement, and ultimately, retention. As such, employers are required to commit to three settlement-related obligations, including:

- Establishment of a partnership with an immigrant service provider organization;
- Supporting newcomers' (the foreign national and their family) access to settlement services, including possible related financial commitments; and,
- Fostering a welcoming workplace.

Your signature at the end of this application indicates your agreement in principle with the obligation to establish a partnership with an immigrant settlement service provider organization, supporting newcomers' (including the foreign national and their family) access to settlement services, including possible financial commitments, and fostering a welcoming workplace.

More information on the required commitments is provided in the *Settlement and Integration section of the Application for Endorsement*. More detailed information on the settlement needs of each individual will be identified as part of the needs assessment required for each individual within the needs assessment and settlement plan submitted as part of the endorsement application.

Employer Declaration

The employer declaration section provides the provinces assurances that you have read, and understand, the commitment you are making as an employer recruiting foreign nationals for your organization through the Atlantic Immigration Pilot.

Should you have any questions about the commitments, or a part of the declaration section, please contact the provincial representative for Atlantic Immigration Pilot in your province.

Your initials beside each statement and signature at the end of this section indicates that you agree to:

- Identify and hire qualified foreign nationals.

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- Provide a full-time, non-seasonal genuine offer of employment to employees brought in to Atlantic Canada through this program.
- Cover the costs associated with a candidate's return to their country of origin, where that individual would have applied for the Intermediate Skilled (NOC C) class and where this designation has been revoked and Newfoundland and Labrador is unable to find the worker alternate employment.
- Report on the number of foreign nationals recruited under the Atlantic Immigration Pilot, their employment status, details on their position/wage/hours, and the settlement supports provided to them for up to three years after you hired them, or the duration of their employment if less than three years.
- Comply with the Immigration and Refugee Protection Act (IRPA), the Immigration and Refugee Protection Regulations (IRPR), and provincial and federal occupational health and safety and employment standards legislation.
- Fulfill your obligations to partner with an immigrant service provider organization to support and provide access to settlement services for newcomer employees and their family members as stated in the commitment to settlement supports section above.
- Notify the Province if there are any changes in the ownership structure of the company, if the company is sold or if it closes, permanently or temporarily.
- Notify the Province immediately, in writing, if the candidate quits, is terminated or is laid off from their position.
- Notify the Province if there are any changes to your business location.

Failure to declare your intention to meet the commitments outlined in this section will make you ineligible for the Pilot. In addition, any non-compliance with the Atlantic Immigration Pilot requirements related may result in your suspension from further use of the Atlantic Immigration Pilot.

SUBMITTING THE APPLICATION

Submit completed applications to the address below:

Postal Box Address (Mail)

Atlantic Immigration Pilot
Advanced Education, Skills and Labour
Office of Immigration and Multiculturalism Confederation
Building, West Block
P.O. Box 8700, St. John's, NL A1B 4J6

Civic Address (In person)

Atlantic Immigration Pilot
Advanced Education, Skills and Labour
Office of Immigration and Multiculturalism Confederation
Building, West Block
P.O. Box 8700, St. John's, NL A1B 4J6

QUESTIONS

If you have questions, please contact the Newfoundland and Labrador Office of Immigration and Multiculturalism by email (immigration@gov.nl.ca) or by phone at 1 (709) 729-6607.