

MASTERING THE LABOUR MARKET IMPACT ASSESSMENT APPLICATION

Course Summary: This course will provide an in-depth discussion of the most common types of LMIA applications, including low and high wage LMIA's, LMIA's supporting permanent residence and the Global Talent Stream. Particular attention will be devoted to practical tips for immigration practitioners, including arriving at the determination of the right wage, choosing recruitment platforms and documenting recruitment efforts, dealing with foreign worker caps, transition plans and the Labour Market Benefits Plan. We will review the elements of an LMIA cover letter and how to instruct clients following the submission of an LMIA application in preparation for communications with ESDC.

Course Outline:

1. The Initial client assessment
 - Who will be the client – employer vs. employee
 - Work permit exemptions
 - LMIA exemptions
 - Permanent residence alternatives
 - Timing of application
 - Getting the right facts from employer and employee
2. The Temporary Foreign Worker Program – statistical overview
3. LMIA applications generally and 2014 changes
4. Determining the stream
 - Provincial median wage
 - LMIA supporting permanent residence
 - Refusal to process instructions for certain applications
 - Online guidelines
5. Ministerial Instructions and Refusal to process LMIA application

6. Initial considerations

- Initial client checklist
- Determining the wage
- Advertising requirements
 - Platforms
 - Content
 - August 2017 changes: mandatory use of Job Match and targeting vulnerable populations
 - Advertising variations
- Documenting recruitment efforts
- Completing the LMIA forms

7. Low Wage LMIA considerations

- Foreign worker cap and exemptions

8. High Wage LMIA considerations

- The Transition Plan

9. LMIAs supporting Permanent Residence applications

10. Global Talent Stream

- Categories A and B
- Labour Market Benefits Plan
 - Activities
 - Progress Reviews

11. The LMIA application cover letter

- Client instructions following submission
- Dealing with ESDC/Service Canada and preparing clients for communications with government officers

12. Refusals

13. Common mistakes made by LMIA applicants

14. Employer compliance and voluntary disclosure