

Rural Community Immigration Pilot Employer Designation Guidelines

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ACRONYM GLOSSARY

RCIP – Rural Community Immigration Pilot

ECA – Educational Credential Assessment

IRCC – Immigration, Refugees and Citizenship Canada

IRPA – Immigration and Refugee Protection Act

IRPR – Immigration and Refugee Protection Regulations

NOC – National Occupational Classification

EDO – Economic Development Organization

PA – Principal Applicant

SPO – Service Provider Organization

TEER – Training, Education, Experience and Responsibilities

PURPOSE:

This guideline is intended for prospective employers interested in becoming designated to hire skilled workers through the Rural Community Immigration Pilot. This guideline explains the eligibility requirements for becoming a designated employer and step-by-step overview of how to complete the employer designation application form.

EMPLOYER DESIGNATION APPLICATION FORM

The Rural Community Immigration Pilot is a community and employer-driven immigration Pilot aimed at addressing labour market needs in participating rural, small and mid-sized communities across Canada.

Designation is the first step for an employer interested in participating in the Pilot. **The Employer Designation Application Form** must be completed before you can apply for recommendation of a candidate under the Rural Community 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 the community economic development organization (EDO) before designation is granted and prior to any recommendations being issued to any candidates.

EMPLOYER ONBOARDING TRAINING

Mandatory Employer Onboarding training with Immigration, Refugees and Citizenship Canada is required in order to be designated and recommend candidates under the program. In order to maximize the benefit of the training, the individual who attends should be the employer, as defined below. To take the mandatory Employer Onboarding Training, please contact your EDO for a link to the training in English or French. **You will receive a certificate of completion which you should submit along with this application form.**

INTERCULTURAL COMPETENCY TRAINING

Employers hiring newcomers through the Pilot commit to fostering inclusive workplaces. Intercultural competency training can help you to take meaningful steps to welcome and integrate your newcomer employee(s), which will help you to retain internationally trained talent in the long term. As such, each employer – preferably a manager who is involved in supervising the newcomer employees – is required to complete intercultural competency training before you can apply to become designated to participate in the program. **You will receive a certificate of completion which you should submit along with your designation application.** You will receive a certificate of completion which you should submit along with this application form. To take the **Mandatory Intercultural Competency Training**, please contact your EDO for a link to the training in English or French.

EMPLOYER DESIGNATION PROCESS

The Designation process is designed to confirm that:

- The Rural Community Immigration Pilot is the immigration program best suited to address the employer's needs;
- The employer and their business has been in continuous, active operation under the same management for at least two years in the participating community (note: exception can be made for employers relocating to the community under certain conditions) ;
- The employer conducts business in at least one priority occupation and at least 75% of the work is performed within the designated community,
- The employer has successfully completed intercultural competency training;
- The employer has successfully completed mandatory onboarding training;
- The employer wants to hire full-time, permanent, non-seasonal international applicants; at a minimum of 30 hours each week;
- The employer has agreed to and demonstrated their commitment to maintain a welcoming workplace and;
- The employer has committed to supporting the candidate's and their accompanying family members' access to settlement services

The employer understands and agrees to the reporting requirements for the Pilot and, Designated employers are eligible to apply for recommendation of (a)

candidate(s) they wish to hire. For details on the recommendation process and the immigration process for the candidate to apply for Permanent Residence, please refer to: [Rural Community Immigration Pilot - Canada.ca](https://www.ruralcommunityimmigrationpilot.ca)

EMPLOYER DESIGNATION FORM SECTIONS

EMPLOYER INFORMATION

“Employer” in the context of this agreement, is defined as an individual actively involved in the day-to-day management of the company and can undertake all associated Pilot responsibilities. The employer defines the terms of employment, including the salary of employees, the salary schedule, training of employees. The employer is also responsible to address employee performance and facilitate access to training.

An employer cannot be:

- a business or agency that recruits and hires workers in order to establish a pool of candidates that can be later transferred or contracted to separate businesses for staffing purposes;
- a consulate;
- a business owned by an immigration representative (as per IRPA subsection 91(2));
- a business in which a majority of shares or other ownership interests is held, either individually or collectively, by the foreign national or their spouse or common-law partner or that is controlled, directly or indirectly, by the foreign national or their spouse or common-law partner.

This section requires the employer to provide information on the business for which they wish to hire a candidate, including any temporary foreign workers who may be currently working for your organization.

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 2022 NAICS codes for each sector.

The application requires that you provide the first level occupational group that your company operates under. Please choose between 1-9. If you do not know

which occupational group your business falls under, please refer to the following link: [Hierarchy and structure - Canada.ca \(esdc.gc.ca\)](https://www.esdc.gc.ca/en/immigration-refugee-protection/information/immigration/occupational-groups/Pages/Hierarchy-and-structure-Canada.ca.aspx)

1. Business, finance and administration
2. Natural and applied sciences
3. Health
4. Education, law and social, community and government services
5. Art, culture, recreation, and sport
6. Sales and service
7. Trades and transport
8. Natural resources and agriculture
9. Manufacturing and utilities

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

Please be aware that home-based businesses and businesses located in residential homes may not be eligible for Designation. A determination of eligibility will be made by the participating community economic development organization.

Please note that as part of the designation process, the community economic development organization 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).

Employers must have been in continuous, active operation under the same management for at least two years in the community. To verify you have been in

continuous, active operation, the EDO may request additional information such as tax records, payroll records and any other information deemed relevant.

Employer designation can be revoked at the discretion of the community, where the community becomes aware:

- a) the economic development organization becomes aware that a designated employer is in violation of the employer compliance regime under the Act or the Regulations and an order or administrative monetary penalty is issued;
- b) the economic development organization becomes aware of fraud or misrepresentation in a designated employer's application for designation or recommendation or the offer of employment;
- c) the economic development organization has program integrity and quality assurance concerns or becomes aware of fraud, misrepresentation or non-compliance by a designated employer with provincial or federal legislation related to employment standards or occupational health and safety that occur after initial designation;
- d) the economic development organization becomes aware that the designated employer no longer meets the designation criteria set out in subsection (3);
- e) the economic development organization becomes aware that a designated employer has been found to be non-compliant with the Canadian Human Rights Act, provincial labour and employment legislation or provincial human rights legislation by the body responsible for the administration of the federal or provincial legislation, as applicable;
- f) the designated employer or any person who recruits the foreign national for the designated employer has, directly or indirectly, charged or recovered fees from the foreign national; or
- g) the designated employer has voluntarily requested withdrawal from participating in the rural community immigration class.

Process for de-designation of an employer

Once the EDO becomes aware, investigates, and has evidence to confirm that a designated employer should be de-designated, the EDO is required to:

- h) Promptly provide notice in writing to the employer, clearly citing the reason(s) for revoking the employer's designation, the evidence supporting the determination, consequences and next steps, and will inform the employer that the process of de-designation is commencing and that a sixty (60) day probationary status is in effect;

- i) The EDO will notify the employer that they cannot submit applications for recommendation to the EDO during this sixty (60) day period. The EDO will notify IRCC immediately of the investigation and affected permanent residence applications and will follow-up with IRCC to communicate the outcome of the process;
- j) If the employer wishes to appeal the de-designation decision, they will be required to submit a written response within thirty (30) days of receipt of notice regarding any discrepancies relating to the suspected violation, the proposed consequence, or both;
- k) After the sixty (60) day period, if the employer does not appeal the decision, they will be formally de-designated, and the EDO will inform the employer in writing. During the sixty (60) day period, the employer can voluntarily withdraw from the pilot;
- l) Employers who have been de-designated will be unable to access the pilot for a period of at least one (1) year and up to a maximum of two (2) years. It is at the discretion of the EDO to determine the length of time the employer will be ineligible from the pilot, and this should be communicated to the EDO in writing after the sixty-day period;
- m) The EDO will make all reasonable efforts to notify, in writing, all affected foreign nationals of the decision and next steps. This should include the EDO's assessment of whether to revoke a recommendation from a candidate that holds a job offer from the employer that is no longer designated. If the applicant, through no fault of their own, has a job offer with a de-designated employer, the candidate can find a new job offer with a new designated employer, and retain their recommendation.

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, at the time of application, employers must have been in continuous, active operation under the same management for at least two years in the community. To verify you have been in continuous, active operation, the community may request additional information such as tax records, payroll records and any other information deemed relevant.

Companies who are relocating or expanding to the area may be eligible for the Pilot if they have a pre-existing relationship with the local EDO/community. Please reach out to the community EDO for more information.

LABOUR NEEDS

Employers are asked to provide details on the current and anticipated labour needs of their organization. This information provided here will be used to help the community plan and prioritize employer needs. When an employer submits an application and identifies anticipated labour needs, it is not guaranteed that they will receive the requested amount of recommendations.

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 Pilot but may impact the community's ability to accommodate all your labour needs.

USE OF IMMIGRATION 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 candidates. 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 candidates recruited by you under the program, as well as to the community, and the Government of Canada when you recruit candidates through the Rural Community Immigration Pilot.

A key feature of the Rural Community Immigration Pilot is the focus on settlement and retention of candidates and their families in the community. Employers, in coordination with other community partners, play a significant role in supporting this settlement, and ultimately, retention. As such, employers are required to commit to the following settlement-related obligations, including:

Mandatory Settlement Supports

Guidelines for Designation – Rural Community Immigration Pilot

Although some newcomer employees may have already been working for an employer for some time, all candidates should be connected with settlement services.

1. **Completing Intercultural Competency Training before you get designated** (please see page 3 for more details).
2. **Connecting newcomer employees with immigrant settlement services in your community:** Designated employers are responsible for referring their newcomer employees and their families to relevant services in the community. This includes a local settlement service provider organization that provides services in the newcomer's preferred official language. You should familiarize yourself with the available newcomer services in your community in preparation for the arrival of your newcomer employee.

Additional Settlement Supports

There are many additional ways you can support and retain your newcomer employees.

In addition to taking Intercultural Competency Training, you can...

1. Encourage your staff to take Intercultural Competency Training.
2. Build social connections through mentoring and team building.
3. Establish a workplace diversity and inclusion committee.

In addition to helping newcomers integrate by connecting them with a local settlement service provider, you will be asked to indicate 1-2 concrete actions you will undertake to create and foster a welcoming workplace and/or support your candidate and their accompanying family members. Below are examples of ways to support your candidate.

1. Help them find housing and feel at home.
2. Help them with transportation:
 - a. pick them up from the airport
 - b. help them get to work, to a local SPO and other essential services;
 - c. give them public transit information.
3. Refer them to key services in the community (i.e. health card and school registration)
4. Connect them with local groups of interest.

EMPLOYER DECLARATION

The employer declaration section provides the local community EDO assurances that you have read and understand the commitment you are making as an employer recruiting candidates for your organization through the Rural Community Immigration Pilot.

Should you have any questions about the commitments, or a part of the declaration section, please contact your local economic development organization in your community.

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

- Identify and hire qualified candidates (including assessing federal eligibility criteria) ;
- Provide a full-time, non-seasonal, genuine offer of employment to employees brought into the community through this program;
- Completing the mandatory onboarding training provided by Immigration, Refugees and Citizenship Canada (IRCC);
- Completing the mandatory intercultural competency training;
- Report on the number of candidates recruited under the Rural Community 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 candidates and their family members, recognizing their preferred official language, as stated in the commitment to settlement supports section above;
- Notify the community EDO 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 community EDO if you would like to request to voluntarily withdraw from the Pilot;

- Notify the community EDO immediately, in writing, if the candidate quits, is terminated or is laid off from their position;
- Notify the community EDO if there are any changes to your business location;
- Report to the community EDO on the arrival status of the candidate;
- Designation status will be reviewed by the community
- Employer commits to being respectful towards all organizations involved in the program, including the community EDO and IRCC.

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 Rural Community Immigration Pilot requirements related may result in your suspension from further use of the Rural Community Immigration Pilot.

SUBMITTING THE APPLICATION

Employers must submitted their Designation Application to their local participating economic development organization (EDO). For more information on how your participating EDO would like to receive Employer Designation Applications please contact your EDO or visit their website.