

RECRUITING INTERNATIONAL WORKERS

2025 Guide for Canadian Restaurateurs





MESSAGE FROM KELLY HIGGINSON

President & CEO

At Restaurants Canada, we understand how complex and frustrating it can be to navigate the Canadian immigration system. At the same time, it has become increasingly necessary for our members to understand how the system works to grow their business in the context of systemic labour shortage.

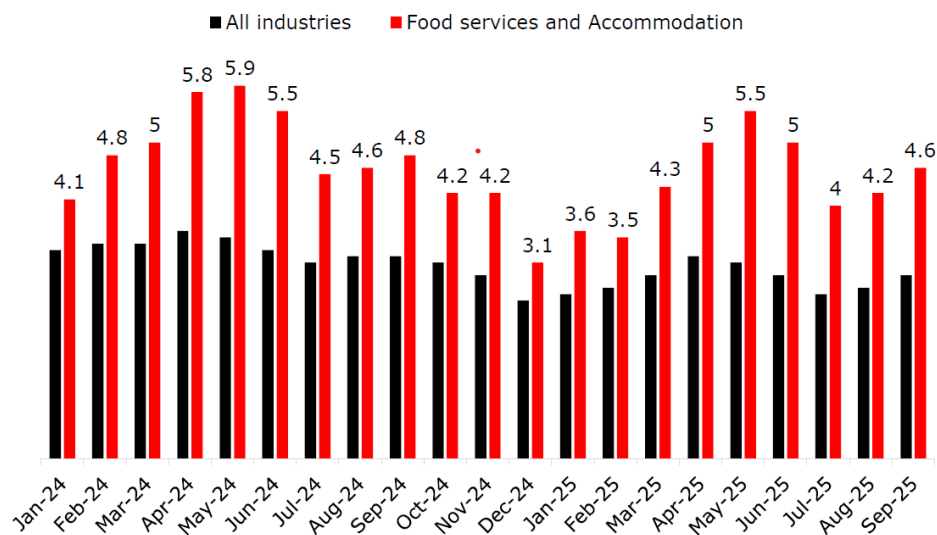
Restaurants have the highest job vacancy rate in the country, with over 59,000 open positions, accounting for one of every six private-sector job openings. This is why food service professionals must sometimes look to our immigration streams for solutions when all else fails.

Restaurants have a strong history of employing newcomers to Canada. In fact, half of all Canadian restaurants are run by

people who came here as immigrants. We understand the importance of immigration; this is why we want to help our members better understand its processes.

This toolkit is designed to provide clarity to business owners seeking to understand the Canadian immigration system. We hope these tips and options will help streamline your recruitment.

Total Job Vacancy Rates in Canada compared to the Food Services and Accommodation Industry



Source: Statistics Canada

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This toolkit was made available thanks to work and expertise of our valued member Recipe and their Head of International Recruitment, Amy Nhan.

On behalf of all members of Restaurants Canada we thank Amy and Recipe for their willingness to share their internal content with the general Restaurants Canada membership.



TYPES OF STATUSES AND PERMITS

Types of statuses

Citizens & Permanent Residents

- Does not require a permit to work, live or study in Canada.
 - SIN begins with a number from 1 to 8.
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Refugee Claimants

- Must apply for an open work permit to work in Canada. SIN begins with 9.
 - May remain in Canada while their claim is being processed.
 - Most will eventually receive an open work permit, but it is not granted immediately, so employers should request a copy before hiring.
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Temporary Residents

- Must hold a work permit or study permit with work authorization to work in Canada.
 - Will have a SIN that starts with 9.
 - May hold a Visitor Record, which allows presence in Canada but not work.
 - Some foreign nationals are eligible to work without a work permit, depending on the activity (e.g., business visitors, performing artists, some athletes, etc.)
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Types of permits

Closed Work Permit

- Authorizes work for one specific employer, often with geographic or occupation restrictions.
 - Requires either:
 - A positive LMIA, or
 - Eligibility for an LMIA-exempt category
 - Issued for full-time roles (minimum 30 hours per week)
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Open Work Permit

- Allows work for any employer, except those listed as ineligible by IRCC or those involving restricted sectors (e.g., medical environments without medical checks, sex-industry roles)
 - Includes subtypes such as Co-op, Post-Graduation, Spousal, Bridging, and others.
 - No hour restrictions unless tied to a study permit.
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Study Permit

(With Work Authorization)

- Specifies whether the student may work off-campus.
 - Students may work up to 24 hours per week during academic terms.
 - May work unlimited hours during scheduled breaks.
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OPEN WORK PERMIT RECRUITMENT

Working Holiday (IEC)

- Youth-mobility program for individuals aged 18-35 from participating countries.
 - Participants receive an open work permit with no employer involvement required.
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Spousal Open Work Permit

- Allows the spouse or common-law partner of a skilled worker to obtain an open work permit.
 - No LMIA or employer support required.
 - Employer may provide simple employment verification to support an existing employee's spouse.
 - Available only to spouses of workers in eligible TEER categories (0, 1, 2, 3)
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Refugee Claimants

- Most refugee claimants receive an open work permit shortly after submitting their claim.
 - No employer restrictions or geographic limits.
 - Settlement agencies can be valuable partners for connecting with this group.
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Post-Graduation Work Permit (PGWP)

- International graduates of eligible Canadian institutions may receive an open work permit valid for 1-3 years.
 - Can work for any employer, anywhere in Canada.
 - Many graduates plan to apply for Permanent Residence, and work aligned with their field of study can strengthen their application.
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CLOSED WORK PERMIT RECRUITMENT

Temporary Foreign

Worker Program (TFWP-LMIA Required)

- Used when no Canadian or permanent residents are available to fill the role.
 - Low-wage positions: Work permits valid up to 12 months.
 - High-wage positions: Work permits valid for up to 36 months, depending on the stream.
 - Employer responsibilities include:
 - LMIA fee
 - Mandatory recruitment efforts
 - Wage and working-conditions compliance
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Mobilité Francophone (LMIA-Exempt)

- Attracts French-speaking workers to communicate outside Quebec.
 - Closed work permits valid for 1-3 years. Employer submits an Offer of Employment through the Employer Portal and pays the compliance fee.
 - No LMIA required.
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Atlantic Immigration Program (AIP)

- For designated employers in Atlantic Canada.
 - LMIA-exempt closed work permits typically valid for up to 2 years.
 - Job offer must meet AIP skill and wage requirements.
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Canada-Peru & Canada-Colombia Free Trade Agreements (FTAs)

- Certain professionals, technicians, and intra-company transferees may receive LMIA-exempt closed work permits.
- Validity ranges from 1-3 years, depending on the category.
- Employer must submit an Offer of Employment and pay the compliance fee.

STUDY PERMIT RECRUITMENT

International students with a valid Study Permit may work:

- Up to 24 hours per week during academic terms
- Unlimited hours during scheduled breaks

These conditions apply only if the student remains enrolled and meets all Study Permit requirements.

In 2023, Canada had over one million international students. To manage growth, the federal government introduced a temporary intake cap on new study permit applications. For 2024, approximately 360,000 new permits are expected, about a 35% decrease from 2023.

Because the cap affects new applications only, the number of international students already in Canada (and eligible to work) is expected to remain steady through 2024-2025.

Federal and provincial discussions will determine whether the cap continues, changes, or ends after 2026.

PERMIT FLOW CHART

STUDY PERMIT

They are graduating within 3 months.

1. **Confirm timing and plans:**
Ask when they expect their Letter of Completion and discuss their post-grad goals
2. **Advise immediate PGWP application:**
If they studied at a DLI, encourage them to apply for the PGWP the same day they receive their Letter of Completion.

They applied for a new status before their Study Permit expired.

1. Obtain confirmation they applied for a new status and update their Implied Status in your records
2. Once they apply – while their study permit is still valid and they met off-campus work rules – they can generally work full-time while their PGWP is processing

WORK PERMIT

- ☐ Check the Government of Canada Newsroom to see if an extension has been announced.

They have an Open or Closed Work Permit expiring within 6 months and want to apply for a Closed Work Permit.

Consider the following:

- ☐ Is the employee a high performer and you'd like to retain their employment?
- ☐ Decide if you'd like to use an immigration consultant or not.
- ☐ Can you afford the costs for an LMIA application, recruitment fee and possible consultant fees?
- ☐ Can you and the employee meet the conditions for a minor modification

They have an Open or Closed Work Permit expiring within 6 months, and they want to apply for Permanent Residence.

Does the employee meet the requirements for any immigration programs for permanent residency?

If their points are not high enough, consider supporting them by:

- ☐ Filling out the Employer Form if the employee meets Provincial Nominee Program requirements
- ☐ Helping to improve their Canadian Language Benchmark
- ☐ Submitting a Permanent Residence LMIA

PILOT PROGRAMS

PROGRAM	DESCRIPTION	START DATE	END/STATUS
Rural Community Immigration Pilot	Encourages immigration to designated rural communities across AB, BC, MB, ON and SK. Offers PR to skilled candidates who meet federal + community criteria. Employers must meet federal eligibility and complete mandatory training. Candidates may receive a <i>closed work permit for up to 1 year</i> while PR is processing. LMIA-exempt (often cited as C15, though not clearly confirmed by IRCC).	September 2024	TBD
Recognized Employer Pilot	Reduces administrative burden for repeat TFWP employee with strong compliance history. Includes occupations such as food service supervisors, counter attendants, cooks, and servers. Offers LMIA validity up to 36 months and simplifies LMIA applications for additional hires.	January 2024	Applications Deadline: Sept 2024; Simplified LMIA Ends Fall 2026
Francophone Community Immigration Program (FCIP)	Aims to increase French-speaking newcomers in Francophone minority communities outside Quebec.	TBD	TBD



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