



# RECRUITING INTERNATIONAL WORKERS

2024 Guide for Canadian Restaurateurs



# MESSAGE FROM RICHARD ALEXANDER

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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.

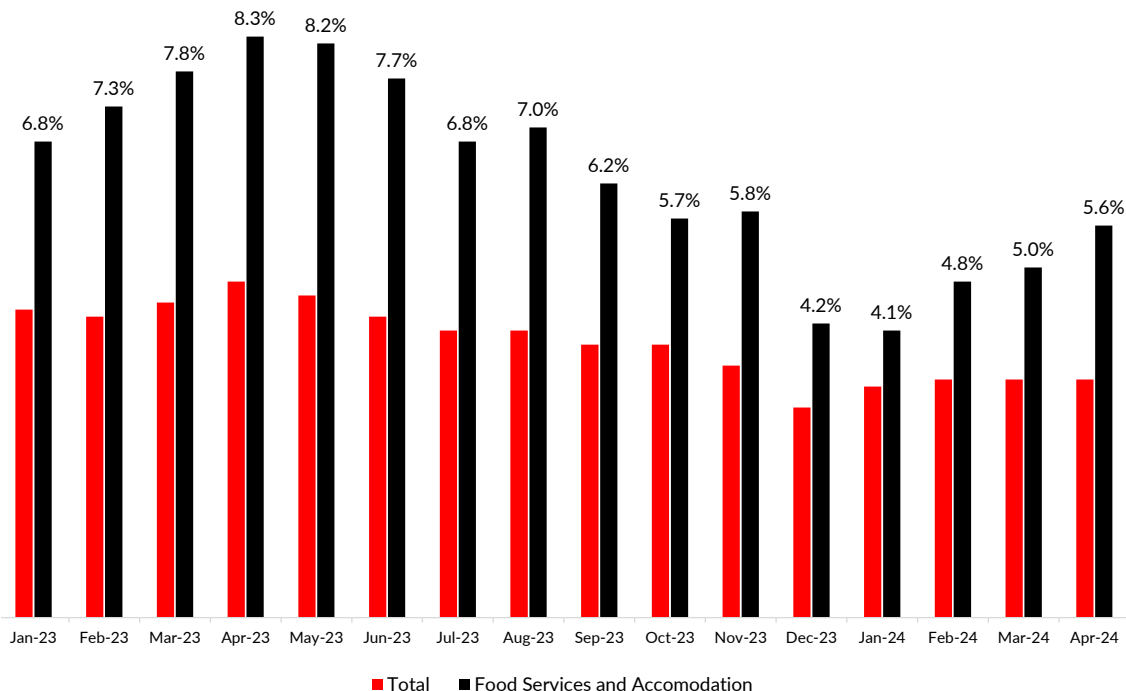
Restaurants have the highest job vacancy rate in the country with over 72,000 open positions, accounting for one of every six private-sector job openings. This is why food service professionals must sometimes look to our immigration streams for solutions, when all else fails.

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 bring clarity to business owners seeking to make sense of 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





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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

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### **CITIZENS & PERMANENT RESIDENTS**

- Does not require a permit to work, live or study in Canada.
- Will have a SIN that starts with 1 to 8

### **REFUGEE CLAIMANTS**

- Must apply to an open work permit to work in Canada
- Will have a SIN that starts with 9
- Are able to live in Canada until a decision is made on their claim

### **TEMPORARY RESIDENTS**

- Must have a work permit or study permit to work in Canada
  - Will have a SIN that starts with 9
  - Can have a Visitor Record to live in Canada but not work
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## Types of permits

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### **CLOSED WORK PERMIT**

- Can only work for 1 employer within 1 economic region
- Requires a positive Labour Market Impact Assessment
- Has to work at least 35 hours per week

### **OPEN WORK PERMIT**

- Can work for any employer
- Has subtypes such as Coop, Post-Graduate, Spousal, etc.
- Can work any amount of hours per week

### **OPEN STUDY PERMIT**

- Permit states if they can work off campus or not
  - Has to work 20 hours or less per week while taking classes
  - Can work more than 20 hours per week during scheduled breaks
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# OPEN WORK PERMIT RECRUITMENT

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## **WORKING HOLIDAY**

Program to encourage young adults (ages 18 to 35) from partnered countries to come work in Canada for any employer. This program requires no action by an employer.

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## **FAMILY SPONSORSHIP**

Program that allows the spouse, common-law partner or child of an existing work permit holder to be granted an open work permit with no employer support or open study permit without proof of acceptance. For existing employees to sponsor their family member, the employer would provide employment verification.

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## **HUMANITARIAN**

Program that provides refugee claimants with an open work permit until a decision is made on their PR application through the protected persons grounds. It can take 1-2 years before a decision is made on their case.

Temporary humanitarian programs can be created based on global events. For example, Canada-Ukraine Authorization for Emergency Travel which offered 3 year open work permits to citizens of Ukraine.

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# CLOSED WORK PERMIT RECRUITMENT

<b>PROGRAM</b>	<b>WHAT IS THIS PROGRAM?</b>	<b>EMPLOYER COST PER HIRE</b>	<b>TIME TO HIRE</b>
<b>Temporary Foreign Worker Program</b>	Program for employers sponsor international workers to fill positions while on a Closed Work Permit for 2-3 years.	\$4,000-\$8,000	8-18 months
<b>Mobilité Francophone</b>	Program to encourage French-speaking international workers to live and work outside of Quebec on a Closed Work Permit for 2 years. This program is LMIA exempt using code C16.	\$500-\$2,000	3-6 months
<b>International Experience Canada-Young Professionals</b>	Program to encourage young graduates of post-secondary education (diploma, certificate or Canada-Young Professionals degree) to work on a Closed Work Permit for 1-2 years. This program is LMIA exempt using code C21.	\$500-\$2,000	3-6 months
<b>Atlantic Immigration Program</b>	Program that allows candidates looking to work and live in NB, NL, NS or PEI to apply for PR and receive a Closed Work Permit for 1 year. This program is LMIA exempt but there are requirements for the employer, the position and candidate.	\$250-\$1,500	8-18 months
<b>Canada-Peru &amp; Canada-Colombia Free Trade Agreements</b>	Program that allows citizens of Peru and Colombia to work in Canada as Chefs (NOC 62200) on a Closed Work Permit for 2 years. This program is LMIA exempt using code F52 or T25.	\$250-\$1,500	6-8 months



# STUDY PERMIT RECRUITMENT

Employees with Study Permits can work 20hrs per week until their Study Permit expires while at school, and can work as much as they want during holidays and summer when they're not studying.

International students in Canada reached an all-time high in 2023, with a total of 1,040,985. Since then, the federal government has put in place an intake cap on new international student permit applications to stabilize growth for a period of two years. For 2024, the cap is expected to result in approximately 360,000

new permits, a 35% decrease from 2023. Since the cap is on new permits, it is expected that the number of international students open to work will remain stable for the next two years. It is expected that the federal government will continue to engage the provinces to discuss maintaining this cap or lifting it past 2026.

# PERMIT FLOW CHART

## STUDY PERMIT

### They are graduating within 3 month.

1. Ask your employee for the date they expect to receive their Letter of Completion and gauge their career aspirations.
2. Encourage them to apply for their Post-Graduate Open Work Permit the day they receive their Letter of Completion if they graduated from a designated learning institution.

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

1. Obtain their confirmation they applied for a new status update their Implied Status in your records.

## 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

Programs IRCC created temporarily to help address labour shortages.

PROGRAM	WHAT IS THIS PROGRAM?	START	END
<b>Rural and Northern Immigration Pilot – NEW Rural Community Immigration Pilot</b>	<p><b>**Details of the new program to be announced shortly**</b></p> <p>Program to encourage immigration to 11 rural communities in AB, BC, MB, ON and SK by offering PR status to candidates who meet the IRCC and community requirements.</p> <p>Employers must also meet federal eligibility and complete mandatory training.</p> <p>Candidates can receive a Closed Work Permit for 1 year while they wait for PR. This program is LMIA exempt using the code C15.</p>	September 2024	TBD
<b>Recognized Employer Pilot</b>	<p>Program to reduce the administrative burden for repeat TFWP employers who demonstrate a history of complying with program requirements.</p> <p>Food service supervisors, Food counter attendants, cooks and servers are included in the occupations list.</p> <p>Recognized employers can benefit from validity periods of up to 36 months for LMIA applications that receive a positive decision. They can also access a simplified LMIA application when hiring additional workers.</p>	January 2024	Applications Deadline: Sept 2024 Simplified LMIA Ends Fall 2026
<b>Francophone Community Immigration Program (FCIP)</b>	<p>Program to increase the number of French-speaking newcomers settling in Francophone minority communities outside of Quebec.</p>	TBD	TBD



# OUR RECOMMENDATIONS

Given the unique characteristics, challenges, and opportunities of the restaurant industry, as part of the larger tourism sector, the government must introduce immigration policy measures that are targeted and tailored to the sector.

## Primary Restaurants Canada Immigration Recommendation: a matching and training program

In 2018, IRCC introduced the Destination Employment program. This program was designed to help newcomers to Canada gain meaningful employment in hospitality organizations. Through this program, newcomers were able to obtain the experience as well as access industry-specific training courses needed to build a successful future in Canada in their chosen field. Programming included job interview coaching as well as language training specific to working in hospitality. This program targeted open-permit newcomers.

The program was completed and a third-party review recommended expansion. We urge the government to create a similar program for the foodservice industry.

## Other Recommendations:

### SHORT TERM

- Regularize undocumented individuals who are already in Canada to allow them to join the labour workforce. It is estimated that between 300 and 600,000 individuals are currently undocumented in Canada.
- Develop incentives and support for newcomers to settle in rural and northern areas, where labour shortage is higher.

### MEDIUM TERM

- Organize more in-person job fairs to connect hospitality employers with newcomers (e.g., asylum-seekers, international students, TFWP participants).
- Engage with hospitality stakeholders to develop Canada's immigration targets for 2025-2027.
- Build into the 2025-2027 immigration targets an automatic PNP level top up for spots dedicated to tourism occupations.

### LONG TERM

- Create a dedicated stream of temporary foreign workers for the foodservice industry.



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