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Permanent Residency for Foreign Engineers

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Government labour market forecasts indicate that Canada will face a shortage of professionals in the coming years. One solution to this problem is to recruit foreign engineers and geoscientists to work in Canada to complement an employer's Canadian work force.

Permanent resident or temporary work permits; What is the smartest way to recruit from overseas?

Permanent residency is an immigration status that allows a foreign national to live and work in Canada on a permanent basis. Unfortunately, the process of achieving permanent residency can take months and even years to complete. As a result, it is usually better at the outset to bring a foreign engineer or geoscientist to Canada as a temporary foreign worker. The foreign professional is then given a permit to work in Canada, which normally restricts them to work for a specific employer and at a specific location for a finite amount of time. Once in Canada, the foreign professional can apply for Canadian permanent residency.

When recruiting from overseas, Manitoba employers should first look at candidates from countries with which Canada has signed free trade agreements. Foreign professionals who are hired to work in Canada pursuant to these free trade agreements are given expedited processing to work here.

What are the advantages of permanent residency?

The biggest advantage of permanent residency is that foreign professionals will have virtually the same workplace mobility as Canadian citizens. In other words, while work permits usually restrict a foreign professional to work in a specific location and for a specific employer, a foreign professional who becomes a Canadian permanent resident

will likely be able to work for any employer at any location. For firms and companies who may be looking to promote or relocate a foreign professional, permanent residency is beneficial.

What are the disadvantages of permanent residency?

The big disadvantage employers face with permanent residency is that the foreign professional is no longer restricted to working for a specific employer. Foreign professionals who are working in Canada on work permits typically have to go through a process to change employers. For foreign professionals who are working here pursuant to free trade agreements, the process can be completed in days or weeks. Foreign professionals from other countries may face longer waits.

Permanent residency – Which immigration option should be chosen?


At the present time, the two most applicable programs for immigration to Manitoba are the Canadian Experience Class and the Manitoba Provincial Nominee Program.

While these programs are identical in the end result – both lead foreign nationals to permanent residency – the criteria are somewhat different. The challenge is choosing the correct option.

At present, the best option for foreign professionals and their Canadian employers is the Canadian Experience Class. The main

reason for this is that Canadian Experience Class allows most Manitoba employers to recruit foreign professionals without having to register under provincial immigration legislation known as the Worker Recruitment and Protection Act.

While registration under this Act is not onerous, it does require employers to take certain steps and keep certain records, and opens up the potential of Employment Standards investigations. By recruiting foreign professionals to whom this Act does not apply, employers can avoid the costs associated with compliance.

Another reason why the Canadian Experience Class should be chosen is that applicants under Manitoba's nominee program must show that they intend to live and work in Manitoba not only at the time an application is filed but up to and including the date that they complete the permanent residency process. As a result, if a foreign professional is already working in Canada and their employer wishes to relocate him or her to work in another Canadian province or territory, a Manitoba Provincial Nominee Program application is not advisable. 

This Article is prepared for general information purposes only and should not be viewed as legal advice or opinion. Reis is a partner with Aikins Law and practices in the areas of immigration law. If you have any questions on this article please contact Reis at (204) 957-4640 or rrp@aikins.com.