

## Annex A: Difference between TFWP & IMP

### Temporary Foreign Worker Program (TFWP) (ESDC-led; jointly administered by ESDC and IRCC)

- Fills temporary labour needs that cannot be met locally.
- All streams subject to a labour market test (LMIA)– ensures that Canadians and permanent residents have first chance for job opportunities, and that job offers are consistent with Canadian wages and working conditions.
- Two-step process (except in Quebec where a Certificate of Acceptance is also required): the employer must first obtain a positive LMIA from ESDC before the foreign worker can apply for a work permit to IRCC.
- ESDC develops policy relating to the labour market test and stream design of the TFW Program, and conducts Labour Market Impact Assessments (LMIAs).
- For positions in Quebec, must also assess the potential impact on the labour market in Quebec and provide a Certificate of Acceptance (CAQ) before an LMIA is issued.
- Once a positive LMIA has been obtained, a foreign national may apply to IRCC (or to the CBSA at a port of entry) for a work permit. IRCC or CBSA will assess the work permit applications and issue work permits to workers. IRCC is responsible for setting work permit and admissibility requirements.
- ESDC works in partnership with IRCC and CBSA on employer compliance activities under the TFWP.
- Program requirements vary by stream (high wage stream and low wage stream).
- Lower-skilled workers represent majority of workers under the program, largely due to the high numbers of agricultural workers and caregivers.
- As proof of their effort to hire Canadians, employers are required to conduct different recruitment activities (advertise on Job Bank, conduct at least two additional methods of recruitment such as participation at job fairs, professional recruitment agencies, etc.).
- LMIA is valid for 6 months (ESDC assesses the Canadian labour market for 6 months only).
- Applicants are required to submit their work permit application within 6 months.

### International Mobility Program (IMP)

#### International Mobility Program (IMP) (IRCC-led)

- Advances Canada's broader economic, social and cultural interests.
- All streams exempt from any labour market test based on the broader benefits they provide.
- Foreign nationals may also be issued open work permits allowing them to work for any employer for a specific period of time.
- Two step process: the employer must first submit their offer of employment and pay the employer compliance fee through the employer portal (except where an open work permit is required) before the foreign worker can apply for a work permit to IRCC.
- IRCC develops policy relating to LMIA exemptions, work permits and admissibility requirements, etc.
- IRCC and CBSA assess work permit applications and issue work permits to workers.

- IRCC works in partnership with ESDC and CBSA on employer compliance activities under the IMP.
- Program aims to balance employer and employee needs.
- Open worker permits are not covered by the compliance regime as the holder can leave an abusive employer.
- Complexity of the program is a reflection of its flexibility to respond to emerging needs.

#### Two types of permits

- Open: Allows the individual to work for any employer, no compliance regime applies.
- Employer-specific: Ties a foreign national to an employer, employer compliance regime applies. Employer-specific work permits may be issued under the IMP without LMIA or under TFWP with LMIA.

Note: Work permit exemptions are available in situations that do not negatively affect the Canadian labour market (e.g., business visitors, clergy, foreign diplomats, touring musicians, health care students, emergency service providers, etc.).