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Mr. Adam Arreak Lightstone, M.L.A.
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Legislative Assembly of Nunavut
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By email: alightstone@assembly.nu.ca

Dear Mr. Lightstone:

I am responding to your letter of August 19, 2024, addressed to my colleague, the Honourable Marc Miller, Minister of Immigration, Refugees and Citizenship. You wrote about immigration and the Temporary Foreign Worker (TFW) Program.

I am pleased to provide the information you requested on the TFW Program, which is administered jointly by Employment and Social Development Canada (ESDC), and Immigration, Refugees and Citizenship Canada (IRCC). As you may already be aware, the objective of the TFW Program is to provide Canadian employers with the opportunity to hire temporary foreign workers when qualified Canadians or permanent residents are not available. Through employer compliance measures, the Program also ensures that temporary foreign workers are protected during their stay in Canada.

The TFW Program is designed to be responsive to changing labour market conditions. For example, in 2022 several measures were introduced with the implementation of the Workforce Solutions Road Map, which aimed to address record high post-pandemic labour shortages, while enhancing protections for temporary foreign workers. To consult these measures, please visit www.canada.ca/en/employment-social-development/news/2022/04/government-of-canada-announces-workforce-solutions-road-map--further-changes-to-the-temporary-foreign-worker-program-to-address-labour-shortages-ac.html.

As the labour market shifted and pressures on our social systems increased from higher immigration levels, the Government of Canada began rolling back and adjusting the Road Map measures. On August 26 and September 18, 2024, we announced changes in response to loosening labour market conditions, as evidenced by increases to both national and regional unemployment rates and declining job vacancy rates in several key sectors.

These changes, which came into force on September 26, 2024, reflect our government's intention to further reduce reliance of Canadian employers on temporary foreign workers and to prioritize Canadians and permanent residents, including those from underrepresented groups, for job opportunities. They also align with broader federal objectives to reduce the share of temporary residents to 5% of Canada's population over the next three years.

In your letter, you asked to receive information on employers in Nunavut who are currently participating in the TFW Program for fiscal years 2019–2024. This information can be found in the enclosed Annex A.

You also asked for a community-by-community level breakdown on how the Program is administered in Nunavut. In order to collect program data at the community level, my officials would require the postal codes for the specific communities you are interested in. Otherwise, my officials can only provide program information based on census sub-division.

Should you wish to consult other program details, you can visit the Open Government Portal (<https://search.open.canada.ca/data/>), where ESDC discloses lists of employers that have requested a Labour Market Impact Assessment (LMIA) with the TFW Program and were issued a positive or a negative LMIA. These lists include the number of requested positions, the program stream, the occupation, and the number of LMIA's. Due to privacy reasons, LMIA's are excluded from the employer lists when a personal name is used as the business name.

- TFW Program: Positive LMIA Employers List - Open Government Portal (<https://open.canada.ca/data/en/dataset/90fed587-1364-4f33-a9ee-208181dc0b97>); and
- TFW Program: Negative LMIA Employers List - Open Government Portal (<https://open.canada.ca/data/en/dataset/f82f66f2-a22b-4511-bccf-e1d74db39ae5>).

In your letter, you have asked to describe how the Government of Canada is working to prevent abuse of the TFW Program in Nunavut, including processes by which third parties can report suspected abuse with respect to LMIA submissions. Rest assured that our government takes the integrity of the TFW Program seriously. I have provided information below on several existing measures and on new initiatives that aim to prevent any potential fraud or abuse of the TFW Program by employers and, if applicable, delegated third parties.

For example, through new measures announced on August 6, 2024, employers identified as high-risk for LMIA fraud will be subject to an enhanced assessment to validate the employer's business operations and their human resource needs. High-risk employers are identified by past compliance information and the results of previous inspections, as well as other concerns detected as part of our employer genuineness assessment. In addition, ESDC is actively considering regulatory changes that will also

help address any fraud or misuse of the TFW Program. This includes LMIA fee increases to help cover the increasing cost to taxpayers of administering the TFW Program, including costs related to enhanced compliance activities.

Several measures and processes are already in place to help address fraud and misuse of the TFW Program. For example, reporting mechanisms individuals are encouraged to report suspicious activities through Service Canada's tip line (www.canada.ca/en/employment-social-development/services/foreign-workers/report-abuse.html) and through dedicated pages on IRCC (www.canada.ca/en/immigration-refugees-citizenship/services/protect-fraud/report-fraud.html) and Global Affairs Canada (www.international.gc.ca/country-pays/mexico-mexique/fraud-fraude.aspx?lang=eng) websites.

Furthermore, the TFW Program's compliance regime aims to prevent and stop any abuse or misuse of workers or any fraud related to the Program. Under amendments made to the *Immigration and Refugee Protection Regulations* in September 2022, the TFW Program prohibits employers from charging or recovering recruitment fees from workers and holds employers accountable for the actions of recruiters in this regard. As such, buying or selling positions within LMIAs is fraudulent and illegal. These activities are reported to the appropriate law enforcement agencies for potential criminal prosecution. To consult the Regulations in full, please visit <https://laws-lois.justice.gc.ca/eng/regulations/sor-2002-227/>.

In closing, I have noted the creation of your new Immigration Division under the Government of Nunavut's Department of Executive and Intergovernmental Affairs. My departmental officials will be sure to reach out to the new Immigration team in Nunavut as we continue our engagement activities with our provincial and territorial counterparts. I also want to take this opportunity to thank you for sharing information on the Government of Nunavut's Business Plan for 2024–2026, and related data on poverty levels and food security issues within Nunavut's population.

The Government of Canada will continue to monitor labour market conditions to ensure that the TFW Program reflects current economic needs, while safeguarding the rights of temporary foreign workers in Canada, and prioritizing jobs for Canadians.

Should you wish to provide further information, such as specific postal codes for community level program data, or have any additional questions, please feel free to connect with Michael MacPhee, Assistant Deputy Minister of the TFW Program at michael.macphee@servicecanada.gc.ca.

Thank you for taking the time to write, and I trust this information has been useful.

Please accept my best wishes.

Yours sincerely,



The Honourable Steven MacKinnon, P.C., M.P.
Minister of Employment, Workforce Development and Labour

Enclosure: 1

c.c. The Honourable Marc Miller, P.C., M.P.
Minister of Immigration, Refugees and Citizenship

Michael MacPhee
Assistant Deputy Minister
Temporary Foreign Worker Program Branch

Annex A: Data Requested on Nunavut's participation in the TFW Program

Top Employers by Approved Temporary Foreign Worker Positions, Nunavut, 2023-2024	
Employers	Approved Positions
Arctia IceBreaking Oy	66
The North West Company LP	30
Osauhing TS Shipping	30
953731 NWT Ltd	3
Nasaijit Services Ltd.	3

Top 10 Occupations, Nunavut, 2023-2024	
National Occupational Classification (NOC)	Positions
74201-Water transport deck and engine room crew	24
72602-Deck officers, water transport	22
62010-Retail sales supervisors	15
65102-Store shelf stockers, clerks and order fillers	15
72603-Engineer officers, water transport	15
72201-Industrial electricians	14
63200-Cooks	11
65201-Food counter attendants, kitchen helpers and related support occupations	8
12011-Supervisors, finance and insurance office workers	3
21222-Information systems specialists	3

Number of Employers on Positive Labour Market Impact Assessments (LMIAs), with Associated LMIAs and TFW Positions, by Stream, Nunavut FY 2019-2020 to 2023-2024															
Stream	2019-2020			2020-2021			2021-2022			2022-2023			2023-2024		
	LMIAs	Positions	Unique Employers	LMIAs	Positions	Unique Employers	LMIAs	Positions	Unique Employers	LMIAs	Positions	Unique Employers	LMIAs	Positions	Unique Employers
Global Talent Stream	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1
High Wage	16	29	3	15	30	7	26	50	5	4	4	4	26	46	5
Low Wage	45	105	11	12	20	7	28	45	8	24	50	11	62	92	8
Primary Agriculture															
Permanent Resident Only	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	61	134	12	27	50	13	54	95	11	28	54	14	89	139	11

Notes:

1. The source for all information in this report is ESDC LMIA System. File Extracted on 2024-09-12. File Reference Period, 2019-04-01 to 2024-03-31.
2. Each LMIA application submitted is restricted to a single occupation, as defined by the NOC; however, it may be for any number of positions (for example, five welders).
3. Effective February 2024, LMIAs in support of 'Permanent Residence Only' are included in TFW Program statistics, unless indicated otherwise. Dual-intent LMIAs and corresponding positions are included under their respective TFW Program stream (e.g., low-wage, high-wage, etc.). This may impact program reporting over time.
4. The LMIA System tracks temporary foreign worker positions only, not temporary foreign workers who are issued a work permit or who enter Canada. Not all positions approved result in a work permit or a temporary foreign worker entering Canada. For information on the number of work permits issued, please consult IRCC's Facts and Figures:
<http://www.cic.gc.ca/english/resources/statistics/menu-fact.asp>
5. The number of LMIAs appearing in this release may differ from those reported previously due to periodic updates. Additionally, there have been LMIA processing delays since 2018, which has changed the magnitude of these updates. For more information, please consult:
<https://www.canada.ca/en/employment-social-development/corporate/notices/processing-delay.html>