



# **Guidelines for Designation and Endorsement**

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Atlantic Immigration Pilot

New Brunswick Population Growth Division

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## OVERVIEW

The Atlantic Immigration Pilot is a three-year employer driven immigration program aimed at addressing skills gaps and labour market needs in the four Atlantic Provinces. These guidelines have been developed to assist employers with the Pilot's Designation and Endorsement process.

The Designation process is designed to confirm that:

- The Atlantic Immigration Pilot is the immigration program best suited to address the employer's needs;
- The employer wants to hire full-time, non-seasonal international candidates;
- The employer and their business is established and in good standing; and
- The employer has demonstrated their preparedness to receive and meet the settlement needs of international candidate(s) and accompanying family members, and has agreed to do so.
- The employer understands and agrees to the reporting requirements of the program.

Designated employers who have identified a foreign national able to fill an existing vacancy are eligible to apply for Endorsement. Endorsement is required before an applicant can apply to Immigration, Refugees and Citizenship Canada.

The Endorsement process confirms:

1. Application Category
2. Position description
3. Recruitment efforts
4. Foreign National human capital
5. Settlement Needs Assessment, including the resulting Settlement Plan

For details on the immigration process for the foreign national to apply for Permanent Residence please refer to [\[web address\]](#).

## APPLYING FOR DESIGNATION

Designation is the first step for an employer interested in participating in the program. Only designated employers can apply for endorsement of a foreign national under the Atlantic Immigration Pilot Program. Once approved, an employer's designation is for the length of the Pilot, unless it is earlier revoked by the Province.

Information provided in the Designation Application form will be assessed by a Provincial immigration officer before designation is granted and prior to any endorsements being offered to your company. A Provincial immigration officer will contact you annually to update the information in your designation and confirm its continued validity.

### Employer Details Section

This section requires the employer to provide information on the business for which they wish to hire a foreign national, including any temporary foreign workers who may be currently working for your organizations. The application requires that you provide the two digit North American Industry Classification (NAICS) code for the Business sector in which your company operates. If you do not know this number, please consult: <http://www23.statcan.gc.ca/imdb/p3VD.pl?Function=getVDPPage1&db=imdb&dis=2&adm=8&TVD=118464> for a list of the 2012 NAICS codes for each sector.

Please note that as part of the designation process, a provincial immigration officer will confirm the information provided on your workplace and business practice history. Your workplace and business practice history must show a history of compliance with applicable federal and provincial legislation and regulations related to employment.

**To be eligible**, employers must be in good standing with provincial occupational health and safety and labour authorities and not be in violation of the Immigration, Immigration and Refugee Protection Act (IRPA) or Immigration, Refugee and Protection Regulations (IRPR).

Employer designation will be revoked where the Province becomes aware that the employer is in violation of the IRPA or the IRPR or, where the Province becomes aware of fraud or misrepresentation in the application for designation or endorsement or the application of the foreign national for permanent residence as it relates to the job offer.

Employer designation may be revoked, at the discretion of the Province, where the Province becomes aware of employer non-compliance with provincial and/or federal legislation related to employment standards or occupational health and safety that occur after initial designation.

### Company Description Section

This section requires the employer to provide additional details on the business. Note that there are specific requirements around the length of time an employer must have been in operation.

**To be eligible, employers must have been in continuous, active operation under current management for at least two years in the Atlantic Region. Companies who may be relocating or expanding to the region are also eligible for the Pilot if they have confirmation of approval from the Opportunities New Brunswick signaling endorsement of your plans.**

### Labour Needs Section

This section asks for details on the current and anticipated labour needs of your organization. As the Atlantic Immigration Pilot Program is limited in time and spaces available, the information provided here will be used to help the province plan and prioritize employer needs.

Please complete the information to the best of your ability. Failure to complete the section will not have a direct impact on your eligibility for the program, but may impact the province's ability to assist you in addressing all of your labour needs.

### **Commitment to Settlement Supports Section**

The Commitment to Settlement Supports section provides you with information on the commitments you are agreeing to regarding support of foreign nationals recruited by you under the program and their family members.

A distinguishing feature of the Atlantic Immigration Pilot is the increased focus on settlement and retention of newcomer employees and their families in the region. Employers, in coordination with federally - or provincially - funded immigrant settlement service provider organization(s) play a significant role in supporting this settlement, and ultimately, retention. As such, employers are required to commit to three settlement-related obligations, including:

- Collaboration with an immigrant settlement service provider organization;
- Supporting newcomers' (the foreign national and their family) access to settlement services, including possible related financial commitments; and,
- Fostering a welcoming workplace.

**Your signature at the end of this application indicates your agreement to collaborate with an immigrant settlement service provider organization in making an application for endorsement, supporting access to settlement services for the foreign national and his or her family, including financial support where necessary, and fostering a welcoming workplace.**

More information on the required commitments is provided in the *Settlement and Integration section of the Application for Endorsement*. More detailed information on the settlement needs of each individual will be identified in the pre-endorsement needs assessment required for each individual and their family members as part of the Endorsement application.

### **Employer Declaration Section**

**The employer declaration section confirms that you have read, understand, and accept the commitments you are making as an employer recruiting foreign nationals for your organization through the Atlantic Immigration Pilot Program.**

Should you have any questions about these commitments, or a part of the declaration section, please contact the Population Growth Division at 1-506-453-3981

Your signature at the end of this section indicates that you agree to:

- Identify and hire qualified foreign nationals
- Apply for an endorsement from New Brunswick for any foreign national I am prepared to hire under the Atlantic Immigration Pilot, and accept the terms and conditions of the endorsement application.
- Provide a full-time non-seasonal genuine offer of employment to employees brought in to Atlantic Canada through this program
- Cover the costs associated with a temporary work permit holder's return to their country of origin, where that individual applied for the Intermediate Skilled (NOC C) class and where this designation has been revoked and New Brunswick is unable to find an alternate employment.

- Fulfill your obligations to collaborate with an immigrant settlement service provider to support and provide access to settlement services for newcomer employees and their family members
- Report on the number of foreign nationals recruited under the Atlantic Immigration Pilot, their employment status, details on their position/wage/hours, and the settlement supports provided to them for up to three years after you hired them or the duration of their employment whichever is less.
- Comply with the IRPA, IRPR, the Province's labour standards and Occupational Health and Safety legislation as well as applicable Federal labour legislation for federally regulated companies etc.
- Provide further information as requested by the Population Growth Division.

**Failure to declare your intention to meet the commitments outlined in this section will make you ineligible for the Program. In addition, any non-compliance with the Atlantic Immigration Pilot Program requirements may result in your suspension or termination from further use of the Atlantic Immigration Pilot Program.**

## APPLYING FOR ENDORSEMENT

Designated employers who have identified a foreign national able to fill an existing vacancy are required to complete **the Application for Endorsement Form** for each applicant. Endorsement is required before a foreign national can apply to Immigration, Refugees and Citizenship Canada for permanent resident status.

As part of the endorsement process, employers must assist foreign national candidates to connect with a designated immigrant settlement service provider organization to complete a pre-endorsement settlement needs assessment for each foreign national (i.e., Principal Applicant) and their accompanying adult family member(s). The foreign national is to provide a copy of each completed needs assessment, which includes an individualized settlement plan, to the employer. The list of immigrant service provider organizations designated to provide pre-endorsement needs assessments for Pilot participants is smaller than those designated to provide other settlement services; employers should refer the attached list of service provider organizations for additional details.

**The employer must include a copy of the needs assessment and settlement plan with the application for Endorsement. The Population Growth Division will assess the settlement plan to ensure that it addresses the needs of the foreign national as identified in the pre-endorsement needs assessment.**

Note that the foreign national candidates and their accompanying family member(s) or the immigrant settlement service provider organization conducting the pre-endorsement needs assessment have the right to exclude information that they deem sensitive from the version of the individualized needs assessment provided to the employer for the purpose of Endorsement. The settlement plan may be updated once the foreign national and family members arrive in Atlantic Canada if they receive an in-person needs assessment at their local immigrant settlement service provider organization. Employers are required to assist foreign national candidates and their accompanying family member(s) with any in-person needs assessments that follow a pre-endorsement needs assessment.

The province will review the Endorsement Application. Applications that do not include a pre-endorsement needs assessment and settlement plan completed by a designated immigrant settlement service provider organization will not be processed. The province will refuse to endorse an application if the settlement plan does not adequately address the settlement needs of the foreign national and his or her accompanying family members, or if the settlement plan is inadequately supported by available resources.

The Provincial Government will monitor the employer commitments; failure to support access to settlement services as per the settlement plan may result in de-designation from the Pilot.

### Application Category Section

Employers must indicate under which application category the foreign national will be applying. If you do not know the category, please consult the website [welcomenb.ca](http://welcomenb.ca) for information on the various immigration categories.

### Position Description Section

The Province will require information on the position that the applicant is expected to fill if their application for permanent residence is approved by Immigration, Refugees and Citizenship Canada. Please complete the position description section to provide these details.

**You must attach a copy of the offer of employment / conditional job offer, as well as a completed Offer of Employment to a Foreign National form, with this Endorsement application.**

Once the endorsement has been approved, you will be required to provide a copy of the accepted job offer for the Provincial files. To be eligible for the Pilot, wages must fall within the range of wages for the region in which the newcomer employee will be employed. If you are uncertain as to what this wage is in your region, please consult the p Population Growth Division.

### Recruitment Activities Section

Employers must demonstrate that they have attempted to find workers through domestic recruitment activities prior to hiring foreign nationals. The recruitment activities section asks that you provide details on those efforts.

You must also disclose whether you have obtained the assistance of an immigration representative or recruiter for any part of your recruitment or application process. Immigration representatives whose services you obtain must be a member, in good standing, of one of the following designated bodies:

- Lawyers and paralegals who are members in good standing of a Canadian provincial or territorial law society;
- Notaries who are members in good standing of the Chambre des notaires du Québec; and,
- Immigration consultants who are members in good standing of the Immigration Consultants of Canada Regulatory Council.

### Foreign National Information Section

This section is to provide additional details on the foreign national, including his or her family accompanying family members. Additional details will be required as part of the pre-endorsement needs assessment and settlement plan. Please ensure that a completed pre-endorsement needs assessment and settlement plan are completed for each individual over the age of 18.

While settlement information is only required for those individuals over the age of 18, details on all accompanying family members must be provided in this section.

### Settlement and Integration Section

The Settlement and Integration Section identifies all employer responsibilities related to settlement services for a foreign national.

**Employers are required to commit to the specific objectives outlined here and to ensure that a pre-endorsement needs assessment and settlement plan is completed by a designated immigrant settlement service provider organization for each individual over the age of 18 and attached to this form. The application will not be considered by New Brunswick if such information is not provided.**

Employers must read the specific settlement commitments outlined in this section carefully. By signing the Employer Declaration section of this form, you are committing to providing the supports and services outlined in this section, including a commitment to support up to 300 hours of language training required to reach Canadian Language Benchmark (CLB) 5, within the first three months of arrival, for each foreign national (i.e., Principal Applicant) whose first official language ability is below a CLB level 5 in one of the four competencies (i.e., speaking, reading, writing and listening).

It is important to note that, in cases where the foreign national (i.e., Principal Applicant) is accessing government-funded language training programming, they are NOT entitled to priority access to these services. If government-funded service providers do not have the capacity to provide services to the Pilot Applicants within the first three



months of arrival, employers will be responsible for arranging alternative language training options. Please contact your local immigrant settlement service provider organization(s) to discuss availability of language and other settlement services.

### Temporary Work Permit Section

Employers may request a provincial letter of support which would enable the foreign national to apply for a temporary work permit to support early entry and work in Canada while the application for permanent residence is processed.

**Employers should consider whether a temporary work permit will be required. Immigration, Refugees and Citizenship Canada has committed to expedite processing of all applications for permanent residence processed under the Atlantic Immigration Pilot Program. Consequently, Immigration, Refugees and Citizenship Canada expects that 80% of applicants will be provided with a decision on their application for permanent residence within 6 months.**

New Brunswick requires the following to issue a letter of support:

- Job offer from a designated employer that is not seasonal or part-time, wages offered fall within the permitted range of wages for that particular occupation.
- Endorsement application, including pre-endorsement needs assessment and settlement plan for the applicant and family members signed by both designated employer and applicant.
- Commitment by the applicant to submit an eligible permanent residence application within ninety (90) days from submission of application for a temporary work permit.

Contact the Population Growth Division to discuss whether a letter of support would be beneficial in your case. Should you wish the applicant to enter on a temporary basis while their application for permanent residence is processed, you will be required to pay a \$230 employer compliance fee to Immigration, Refugees and Citizenship Canada.

### Employer Declaration Section

**Your declaration in this section indicates that you have read, understand and agree to all of the commitments outlined in this application form.**

Should you not fully understand any aspect of the form, please contact the Population Growth Division.

As an employer of a foreign national, you are responsible for ensuring, to the best of your ability, that the information provided in this form is truthful, complete and correct. You are also agreeing that you have discussed the commitments required of the applicant under the Pilot, with the applicant.

### Foreign National Declaration Section

The foreign national declaration indicates that the foreign national agrees to participate in the pilot per the commitments outlined above.

### Submitting the application

A completed application, with all accompanying documents, can be submitted to:

Government of New Brunswick

Department of Post- Secondary education, Training and Labour  
Population Growth Division  
PO Box 6000  
E3B 5H1

If approved, you will be required to submit confirmation of job acceptance to the Population Growth Division at the same address.

### Contact

Any outstanding questions not addressed by these guidelines may be directed to the Population Growth Division.

### Approvals

A decision on this endorsement will be provided to the Employer (signatory to the form).

**Only endorsed foreign nationals will be eligible to submit an application for permanent residence to Immigration, Refugees and Citizenship Canada.**

Applicants to the Department will be required to cite the endorsement number provided in the notice of approval, and provide a copy of the endorsement certificate in their application to IRCC.