



# Employment and Social Development Canada

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## Stream for High-wage Positions

The Stream for High-wage Positions allows employers to hire temporary foreign workers (TFW) for full-time positions (minimum of 30 hours of work/week) where the wage being offered is at or above the provincial/territorial median hourly wage where the job is located.

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### Recruitment and advertisement

Employers are required to conduct recruitment efforts to hire Canadians and permanent residents, before offering a job to TFWs.

#### Recruitment

Recruitment is the process of finding and selecting qualified employees. All employers are encouraged to conduct ongoing recruitment efforts, including advertising the job and/or contacting the [underrepresented groups](#) that face barriers to employment.

Employers do not need a third-party representative or recruiter to conduct recruitment on their behalf in order to hire a TFW. However, if employers choose to use the services of a third-party representative or a recruiter, they must pay for all the fees associated with this service, and comply with provincial/territorial standards, if applicable.

**Note:** Under no circumstances, can the employer recover the advertising or recruitment costs from the TFW.

#### Variations to the advertisement requirements

There are variations to the recruitment and advertisement requirements for specific occupations and in particular provinces/territories. For a complete listing of exceptions, consult the [Variations to the Minimum Advertising Requirements](#).

**Note:** Employers hiring foreign workers in higher-skilled occupations in Quebec should consult the [Facilitated Labour Market Impact Assessment \(LMIA\) Process](#) for that province.

#### Advertisement

A job posting is an announcement of an employment opportunity in a public medium such as in newspapers, on job posting websites, etc. It provides a broad exposure of the vacancy to Canadian and permanent residents who would be potential candidates for the position.

To meet the minimum advertising requirements set by the Program, employers must advertise:

1. On the Government of Canada's [Job Bank](#) or its provincial/territorial counterpart in [British Columbia](#), [Saskatchewan](#), the [Northwest Territories](#), [Quebec](#).

- The advertisement must be posted for a minimum of 4 consecutive weeks starting from the first day the ad appears and is accessible to the general public.
- The advertisement must be posted during the 3 months prior to the employer applying for an LMIA.
- The advertisement must remain posted to actively seek qualified Canadians and permanent residents until the date a positive or negative LMIA is issued.

Employers may choose **not** to use the Job Bank or its provincial/territorial counterparts because it is **not**:

- considered an effective method of recruitment for the particular position being recruited or
- permitted as the positions do not meet the Job Bank's terms of use policy and therefore cannot be posted (e.g. advertisements for fee for service physicians).

Employers who choose not to use Job Bank must submit a written rationale and explanation of the alternative method or national source used along with their LMIA application.

2. Using 2 or more additional methods of recruitment consistent with the normal practice for the occupation.

- as a minimum, employers must choose one method that is national in scope, since people in higher-skilled positions are often mobile and willing to re-locate for work; and
- employers can choose one or more recruitment methods among these:
  - print media (national or provincial/territorial newspapers, national journals, magazines with national coverage, specialized journals, professional associations magazines, newsletters, etc.);
  - general employment websites (workopolis.com, monster.ca, etc.); and
  - specialized websites dedicated to specific occupation profiles (accounting, marketing, biotechnology, education, engineering, etc.).
- The advertisement must be posted for a minimum of 4 consecutive weeks starting from the first day the ad appears and is accessible to the general public;
- The advertisement must be posted during the 3 months prior to the employer applying for an LMIA.

**Note:** Employers must demonstrate that the print media and websites used to advertise, target an audience that has the appropriate education, professional experience and/or skill level required for the occupation.

The advertisement must include the:

- Company operating name
- Business address
- Title of position
- Job duties (for each position, if advertising more than one vacancy)
- Terms of employment (e.g. project based, permanent position)
- Wage
  - a wage range can be used for the purposes of complying with the advertisement requirements; however, the minimum wage in the range must be the prevailing wage;
  - refer to the [Wages, Working Conditions and Occupations](#) tab to determine the established prevailing wage for the specific occupation and geographic area
- Benefits package being offered (if applicable)
- Location of work (local area, city or town)
- Contact information: telephone number, cell phone number, email address, fax number, or mailing address; and

- Skills requirements:
  - Education
  - Work experience

Employers should know that:

- for privacy and personal security reasons, employers hiring in-home caregivers are not required to include in the job advertisement:
  - the business address (e.g. home address). However, these employers must include information in their additional methods of recruitment and advertising regarding the location of work, such as the community, neighbourhood or major intersection, so that prospective job applicants can reasonably identify the approximate work location. The Job Bank currently only allows employers to post the city where the position is located.
  - their full name, but rather can use their first name only or other reasonable identifier (e.g. Smith Family, Mrs. Smith, Lucie and Charles)
- if they are hiring an in-home caregiver and wish to identify the availability of optional live-in accommodation, they are strongly encouraged to:
  - on Job Bank, select the following checklist option: "Optional accommodation available at no charge on a live-in basis. Note: This is not a condition of employment."; and
  - in their additional methods of recruitment and advertising, use the statement: "Optional accommodation available at no charge on a live-in basis. Note: This is not a condition of employment."
- third-party representatives or recruiters can be the main contact for any job advertisements posted on behalf of the employer. However, the ad must be listed under the employer's Canada Revenue Agency business number.

Other methods of recruitment could include:

- Participation at job fairs;
- Partnering with training institutions or offering internships;
- Use of professional recruitment agencies;
- Consultations with unions for available labour;
- Advertising through professional associations; or
- Recruitment within the company (e.g. considering internal candidates for the position).
  - A Human Resources Plan may outline:
    - the training opportunities for existing employees;
    - include a list of competencies for employees;
    - workshops and/or programs for professional development and career management; or
    - specific programs to target specific employees for advancement.

**Note:** Employers must continue to advertise the available position and actively seek qualified Canadians and permanent residents until the date they receive notification that a positive or negative LMIA has been issued.

### **Additional advertisement efforts**

Employers may be required to conduct alternative or additional advertisement efforts such as, increased duration (length of time) or broader advertisement (whether local, regional or national). These additional efforts would be required if Employment and Social Development Canada (ESDC)/Service Canada determines that it would likely yield qualified Canadians and permanent residents who are available to work in the occupation and region.

## **Proof of recruitment and advertisement activities**

Employers must demonstrate that they meet the advertising requirements by providing proof of their recruitment and advertisement efforts to find qualified Canadians and permanent residents. The proof must include: a copy of the advertisement and information to support where, when and for how long the position was advertised.

Records of the employers' efforts must be kept for a minimum of 6 years. This documentation can be requested at any time by ESDC/Service Canada, as the Department has the authority to conduct inspections to verify an employer's compliance with the conditions in the *Immigration and Refugee Protection Regulations* (IRPR) (and confirmed in the LMIA letter and annexes) for a period of 6 years, beginning on the first day of the period of employment for which the work permit is issued to the TFW.

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