

## **Appendix A STATEMENT OF WORK**

### **1. Title**

Immigration Services for the National Research Council (NRC)

### **2. Background**

Given the NRC's specialized research, it is often not possible to find qualified Canadians or Permanent Residents to fill our research positions. Due to this challenge, the NRC, supported by the Human Resources Branch, often needs to recruit internationally. Employers must demonstrate numerous requirements to both ESDC and CIC when hiring foreign workers, and these requirements are continually evolving and have become increasingly detailed and complex. Foreign workers may be hired to work in any NRC location across Canada.

Typically, a foreign worker is offered a position at the NRC following an advertised competition or through a recruitment program where, through either process, there were no successful Canadian Citizens or Permanent Residents.

In most cases, the NRC is not required to submit an LMIA when hiring foreign workers into research positions. Instead, exemption code C31 is used as appropriate: Work related to a research, educational or training program [R205(c)]. Specifically, section 5 which states "*persons sponsored by the National Research Council of Canada (NRC) and the Natural Sciences and Engineering Research Council of Canada (NSERC) as distinguished scientists or scholars coming to participate in research for the NRC and the NSERC.*" When the C31 exemption code is not appropriate, other exemptions are considered (i.e. CUSMA) or an LMIA is submitted.

### **3. Objective**

NRC is seeking an experienced **immigration consulting firm** to support the recruitment and retention of foreign workers.

### **4. Scope of Work**

The immigration consulting firm will, upon request, assist the NRC in meeting its immigration related employer-responsibilities for term and continuing positions. Additionally, the service provider will, upon request, assist new hires and existing term and continuing employees in obtaining or extending their work permit and visa. When employees are appointed into continuing positions, the service provider will assist the individual in applying for permanent residency.

## **5. Tasks**

The immigration consulting firm must perform, but not limited to, the following tasks:

### **5.1 Support services**

- 5.1.1 Assist the NRC in navigating the immigration system
- 5.1.2 Review existing NRC internal guidelines and templates for accuracy
- 5.1.3 Advocate on behalf of the NRC or its employees as necessary

### **5.2 Information provider**

- 5.2.1 Inform the NRC on changes to immigration policies that may impact recruitment and retention
- 5.2.2 Provide up to date information and guidance pertaining to travel/border restrictions

### **6.3 Ensure compliance with all legal requirements**

## **6. Deliverables:**

The immigration consulting firm must deliver the following services to:

### **6.1 Employer (NRC Project Authority) Services:**

- 6.1.1 Recommend Labour Market Impact Assessment (LMIA) exemption when appropriate
- 6.1.2 Prepare applications and support documents including but not limited to:
  - I. Application for LMIA Exemption Opinion to CIC International Mobility Unit (IMWU)
  - II. LMIA Application to Employment and Social Development Canada (ESDC) (regular processing)
  - III. LIMA Application to ESDC (advertising variation)
  - IV. Offer of Employment to a Foreign National Exempt from a LMIA form (IMM 5802)
- 6.1.3 Advise the NRC of mechanisms and programs to support employees seeking permanent residency

## **6.2 New Hire/Employee Services:**

6.2.1 Recommend the best immigration stream for the individual

6.2.2 Prepare applications and supporting documents including but not limited to:

- I. Work Permit (initial)
- II. Work Permit (renewal)
- III. Visa (initial)
- IV. Visa (renewal)
- V. Express Entry Permanent Residency (application)
- VI. Express Entry Permanent Residency (invitation to apply)

6.2.3 Advise the new hire/employee on other important information about coming to and working in Canada (i.e. SIN, insurance, etc....)

## **7 Reporting Requirement**

7.1 Provide a detailed report on the services rendered at the end of each individual contract or provide access to a supplier portal in order for the NRC to review each case summary once complete.

7.2

Provide access to up to date ad hoc reporting either by:

- I. accessing a supplier portal to produce a report independently
- II. if not available through a supplier portal, supplier must provide the requested report within 48H (business days)

## **8 Language of services**

8.1 The consulting firm must provide services (writing, spoken & orally) in French & English as requested.

8.2 The services must be provided and delivered with equivalent quality in both official languages.

## **9 Constraints**

9.1 The immigration consulting firm only offer immigration services to the new hire or employee under this contract.

9.2 The immigration consulting firm must Contact the employee or employer representative within 48 hours (business days).

9.2.1 review the case initially

9.2.2 reach out to the employee to make contact

9.2.3 request any missing necessary information,

9.2.4 have an initial conversation with the employee of what needs to occur.

9.3 Each Consultants working on a file must be accredited as Regulated Canadian

Immigration Consultants **and** members in good standing of the Immigration Consultants of Canada Regulatory Council.

## **10 Security Requirement**

**10.1** The firm and his consultant will have access to protected information as required

**10.2** The firm will receive and store at their premises protected information as required

**10.3** The firm must have the capability to send & receive materials via encrypted email or secure portal.

## **11 Work Location**

The services will be provided at the supplier premises. All communication will be by phone, email or other video calling service.

## **12 Out of Scope**

**12.1** The immigration consulting firm will not offer services under this contract for:

- i. Supplementary workers (including students)
- ii. Short-term employees
- iii. Visitors or non-salaried workers
- iv. Contractors

**12.2** The immigration consulting firm will not provide services and assistance with spousal or dependent immigration support for new hire or employee under this contract.

**12.3** Should a new hire or employee requires additional assistance with spousal or dependent immigration support, they are free to establish their own contract with the immigration consulting firm.

## **Glossary:**

### **Employer-**

### **Employee**

#### **Continuing Employee** (*Employé continu*)

An employee whose tenure is for an unspecified period.

#### **Term Employee** (*Employé nommé pour une période déterminée*)

An employee whose tenure is for a specified period of time.

#### **Short-Term Employee** (*Employé à court terme*)

An employee who is appointed to a position without competition where the tenure is limited to less than one (1) year.

#### **Supplementary Worker** (*Travailleur supplémentaire*)

A person whom the NRC employs:

- A. for a specified term of not more than three (3) months;
- B. for a specified term, to work less than one-third (1/3) of the straight time hours of a full time employee of the same classification; or
- C. as a student hired through NRC's Student Co-op Employment Program or Student Employment Program.

#### **Visitor** (*Visiteur*)

A person whom enters into a relationship with the NRC to acquire work experience and contacts, pursue personal interests, access new knowledge and specialized equipment, etc.

- A. Visitor is a person who is not:
- B. an employee of NRC under any tenure or a contractor of NRC,
- C. an employee or person acting on behalf of a contractor, tenant, collaborator or client of NRC, who is permitted to carry out authorized activities at NRC or within the facilities operated by NRC; or
- D. a person seconded to NRC from another organization.

#### **With Competition** (*Avec concours*)

A hiring action whereby a notice is posted and applications are solicited for consideration.

#### **Without Competition** (*Sans concours*)—

A hiring action where an appointment is made without soliciting applications for consideration.