

BACKGROUNDER

Bill 83

The Foreign Worker Recruitment and Immigration Services Act

More Protection for Immigrants to Saskatchewan

Saskatchewan welcomes newcomers to our province. From 2007 to 2013 (Quarter Two), almost 48,000 new immigrants moved to Saskatchewan. The Government of Saskatchewan wants to ensure newcomers are treated fairly when they come to work in our province.

The new legislation helps protect foreign workers and immigrants during the process of immigrating to Saskatchewan or being recruited here.

The proposed legislation will protect the rights of foreign nationals through the enforcement of the following key requirements:

Licensing/registration requirements:

- licensing of recruiters who recruit foreign workers for an employer;
- licensing of immigration consultants who provide immigration services to a foreign national; and,
- registering employers who hire foreign workers, to ensure they are informed of their obligations under the Act.

General prohibitions:

- directly or indirectly charging recruitment fees to foreign nationals;
- directly or indirectly charging foreign nationals for employment;
- unethical conduct against foreign nationals such as taking or threatening retaliatory action against complaints; taking unfair advantage of a foreign national's trust, fear or lack of knowledge; or holding property without consent.

Employers will be:

- financially accountable for illegal recruitment fees paid by their foreign employees if the employer uses an unlicensed recruiter, or for recruitment costs that are illegally charged to foreign nationals;
- prohibited from requiring a foreign national to use a specific immigration consultant.

Recruiters and immigration consultants will:

- sign open and transparent contracts with employers and foreign nationals that identify their services and costs;
- comply with the Code of Conduct developed by a regulatory body or the Province;
- have their clients sign a disclosure of ethical conduct to ensure they clearly understand obligations of their agent;
- be prohibited from misrepresenting job opportunities or the services or benefits they provide;
- be held financially responsible for actions of their overseas or in-Canada partners;
- obtain written consent from the employer and foreign national if they provide immigration services to a foreign national they recruit for an employer;
- compensate foreign nationals who have experienced a financial loss as a result of a violation of the Act or regulations;
- be required to post financial security if they are within risk categories that will be defined in regulations and policy.

Penalties for recruiters, immigration consultants and employers will include:

- fines;
- suspension, cancellation or amendment of a license/registration; and,
- compensation for illegal fees or financial losses due to their actions.

Where to go for more information about the Act:

www.saskimmigrationcanada.ca/protection-for-foreign-workers-legislation

Phone inquiries can be directed to: (306) 798-7467 and e-mail inquiries can be sent to immigration@gov.sk.ca

Where to go for more information about Saskatchewan immigration programs and services:

Visit www.saskimmigrationcanada.ca

Where to go for related information:

Citizenship and Immigration Canada's information on immigrant protection:

www.cic.gc.ca/english/information/protection/fraud

Saskatchewan labour laws: www.lrws.gov.sk.ca/labour-standards

Immigration Consultants of Canada Regulatory Council: www.iccrc-crcic.ca