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innovative, cost  
effective solutions  
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Paul is a partner at SimpsonWigle LAW LLP, practicing exclusively in the area of Canadian and US Immigration, Corporate Mobility and Consular matters. Paul is a member of the Ontario and New York bars and is admitted to practice before the United States Court of International Trade. Paul provides counsel to individuals, private and public companies.

## Q

**I cannot find someone qualified for the job, can I bring in a foreign worker?**

## A

The regulations of the Immigration and Refugee Protection Act provide for the employment of a foreign worker in specific circumstances. Employers can bring in a foreign worker on the basis of an approved Labour Market Impact Assessment. The Labour Market Impact Assessment (LMIA) is designed to test the Canadian labour market to ensure protection of Canadian workers. The Employer must conduct minimum recruitment efforts to establish that Canadian candidates are not available with the requisite skills or technical knowledge required to perform in the job. An LMIA assessment is provided if the employment of the foreign worker is likely to have a positive or neutral effect on the labour market in Canada. An LMIA can be approved on the basis that the foreign worker will be filling a labour shortage, the foreign worker's presence will result in direct job creation or job retention for Canadians or the employment of the foreign worker will likely result in the development or transfer of skills and knowledge to Canadians. An LMIA can be sought for the purposes of bringing a foreign worker to Canada for a temporary duration. Additionally, an LMIA can be sought to assist in securing permanent residence for a foreign worker pursuant to Canada's express entry immigrant system. This tool provides employers with the ability to bring in foreign workers with specific expertise not readily available in the Canadian labour market.



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