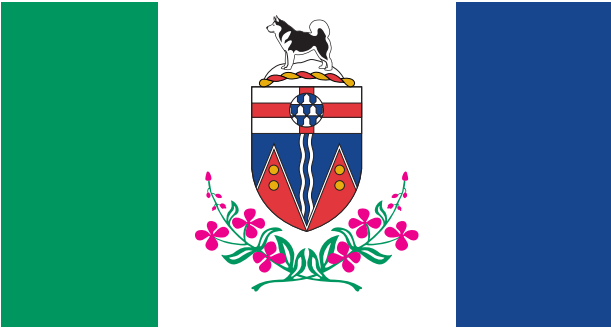

YUKON NOMINEE PROGRAM APPLICATION HANDBOOK



OVERVIEW

The Yukon Nominee Program (YNP) is administered by the Yukon Government in partnership with Immigration, Refugees, and Citizenship Canada (IRCC) under the 'Agreement for Canada-Yukon Co-operation on Immigration'. The purpose of the Yukon Nominee Program is to help the Yukon Government respond to labour market needs in a sustainable way, while at the same time ensuring that job opportunities are safeguarded for Yukoners and Canadians. Please review the following guidelines to increase the chances of a successful application to the YNP.

THE PROCESS

The YNP is an economically based program that is employer driven in nature. Yukon employers who meet certain criteria may submit applications to the program to nominate qualified foreign nationals for employment and residence in Canada. If attempts to hire locally or nationally are unsuccessful and an employer is looking outside of Canada to fill labour shortages for permanent, full-time positions, the YNP is an option that is available to them. The YNP allows qualified foreign nationals the opportunity to work and settle in Yukon with the long-term goal of establishing themselves as permanent residents (PR) of Canada. There are four programs the Yukon Nominee Program offers: the [Skilled Worker Program](#), the [Critical Impact Worker Program](#), the [Yukon Express Entry](#) and the [Business Program](#).

Hiring a foreign national to come and work in Yukon can be a lengthy process. The typical processing time for Skilled Worker / Critical Impact Worker applications is 8-10 weeks from receipt of a **complete** application. Processing times will increase with the volume of applications received. Once an application has been approved the foreign national must apply to Immigration, Refugees, and Citizenship Canada (IRCC) for a temporary work permit (see www.cic.gc.ca). Processing times for temporary work permits vary by country of origin. A temporary work permit allows the foreign national to come and work in Yukon while his/her application to IRCC for permanent residency is being processed.

YUKON NOMINEE PROGRAM PROCESS



NOTE: IRCC is responsible for assessing each nominee's eligibility for both Work Permits and Permanent Residency. The Yukon Nominee Program and the Yukon Government are not responsible for IRCC's decision to grant or deny Work Permits or Permanent Residency and cannot appeal those decisions.

1) EMPLOYER REQUIREMENTS

To be eligible to make an application under the YNP, an employer must meet the following criteria:

- the employer must be a permanent resident of Canada;
- the employer must have been operating in Yukon as:
 - ♦ a registered Yukon business with an office in Yukon for at least one year prior to the application to the YNP; or
 - ♦ an industry association with an office in Yukon for at least one year prior to the application to the YNP; or
 - ♦ a municipal, First Nation or territorial government for at least one year prior to the application to the YNP; or
 - ♦ a non-profit organization for a minimum of three years, with funding secured for at least one year following the application to the YNP;
- the employer must have current and valid required licenses in accordance with all applicable federal, territorial, and municipal requirements;

Employers must have been registered and operating the business for which the application has been submitted for, in the Yukon for a minimum of one year, on a full-time basis.

The federal and provincial/territorial governments have various initiatives to promote the hiring of underrepresented groups. These initiatives are intended to help:

- employers hire Canadian citizens and permanent residents from underrepresented groups before applying to hire temporary foreign workers;
- employers locate organizations that may assist them in finding workers from underrepresented groups;
- individuals who may have more difficulty than others in finding employment.

Employers are also encouraged to contact local agencies or community groups that assist these individuals with integration into the labour market.

IMPORTANT

Employers hiring foreign nationals who are exempt from the Labour Market Impact Assessment (LMIA) process such as the Yukon Nominee Program will be required to submit the offer of employment and pay a compliance fee to Immigration, Refugees, and Citizenship Canada (IRCC).

AFTER YOU ARE APPROVED THROUGH THE YNP:

All employers must submit the offer of employment information and pay the employer compliance fee of \$230 using the IRCC Employer Portal: <http://www.cic.gc.ca/english/e-services/employer-portal.asp>

Consult the IRCC Employer Portal Enrolment Guide if you need more information:
<http://www.cic.gc.ca/english/e-services/employer-enrolm.asp>

Advertising: A job posting is an announcement of an employment opportunity in a public medium such as newspapers, job posting Internet site, bulletin boards, etc. It provides a broad exposure of the vacancy to Canadian citizens and permanent residents in Canada who would be potential candidates for the position.

Employers must demonstrate proof of two local and one national recruitment efforts.

To meet the minimum advertising requirements set by the Yukon Nominee Program, employers must advertise on the national Job Bank, and on at least two or more of the following medium:

- on recognized Internet employment sites such as Monster, Workopolis;
- in local and regional newspapers, newsletters;
- in ethnic newspapers and Internet sites;
- in local and regional employment centres.

The advertisement must be posted for a minimum of 4 weeks prior to the employer applying for the Yukon Nominee Program.

The advertisement must remain posted to actively seek qualified Canadians and permanent residents until a decision is issued by YNP.

- Advertising must clearly specify

-
- A. The position title (as per the NOC)
 - B. Minimum qualification/education as per the NOC
 - C. The hours per week
 - D. The median wage as per [ESDC](#) the National Occupational Classification code (NOC)

Information on NOC codes and position descriptions can be found at <http://www5.hrsdc.gc.ca/NOC/English/NOC/2011/Welcome.aspx>;

If the wage information for the NOC is not available for Yukon. Please refer to the wages in Northern BC, in the following order:

1. North Coast
2. Nechako
3. Northeast
4. British Columbia

Minimum advertising time is four weeks during the three months period prior to receipt of the application. Advertising requirements must be satisfied prior to submittal of the application; Employers must continue with their advertising efforts until the application is approved.

Please indicate how many Canadian or permanent resident workers applied for the position and why you did not hire them. Do not submit their résumés with your application, but do keep them on file for at least two years, in the event this documentation is requested by Employment and Social Development Canada (ESDC).

- Employers must provide free to nominees health insurance that gives similar coverage to what a Yukon resident gets under the *Health Care Insurance Plan Act* until the nominee is eligible for insured health card under the *Health Care Insurance Plan Act*. <http://www.hss.gov.yk.ca/yhcip.php>
- Employers must pay for the air travel costs for the nominee to come to the Yukon from his/her place of permanent residence (but not for the travel costs of family or dependents) if they are not already present in Yukon.
- Employers must pay for the return air transportation for the nominee from Yukon to their country if the nominee does not obtain permanent residency or is no longer participating in the Yukon Nominee Program.
- Employers are responsible for the information/documents they submit. Please ensure to verify the foreign national's credentials, employment/work experience and education, prior to submitting the application.
- **Screening Interview (if applicable):** If the foreign national is already in Yukon, the employer must arrange for a screening interview with an officer. Both the foreign national and employer must be present.

2) FOREIGN NATIONAL REQUIREMENTS

Eligibility: If in Canada at the time of application, the foreign national must have legal status in Canada. Only foreign nationals with a valid Temporary Work Permit (TWP) or a student visa, with the course of study completed, will be allowed. Foreign nationals cannot be refugee claimants or visitors. Any foreign national who is in Canada on a student permit needs to demonstrate completion of all the requirements of the academic program before being considered for the YNP.

Foreign workers who are currently in Canada, must maintain a valid work permit throughout the YNP application and assessment process. If you are unable to provide the YNP with a valid work permit your application will be declined. Please be advised that if you are under [Implied Status](#), you are not eligible to apply for nomination through the YNP.

Keep your work permit valid

You must have a valid work permit and valid temporary resident status to remain eligible for the YNP. It is extremely important that you do not let your work permit and temporary resident status expire while you wait for your YNP application to be assessed. You are responsible for maintaining your status to work in Canada. The processes to renew your [work permit](#) and [temporary resident status](#) are separate from your YNP application.

Potential nominees must satisfy the YNP that it is their intent to settle permanently in Yukon and undertake the process to become a permanent resident of Canada within 3 to 6 months of the signing of the TPA.

Employers must ensure that the foreign national has legal status in Canada throughout the YNP assessment process. (i.e. at the time of submission of application and during the YNP assessment, up until YNP has reached a decision).

YNP will contact the foreign national's former employer(s) and educational institution(s) to verify the information provided. If the verification information is not received within four weeks of that request, the application will be deemed incomplete and will be returned to the employer. If the information provided by the foreign national does

NOT match the information provided by the former employer(s) or educational institution(s) the application will be denied. YNP will share the information with Immigration, Refugees, and Citizenship Canada (IRCC) and Canada Border Services Agency (CBSA).

Criteria: Foreign nationals must meet all YNP criteria. This includes:

Education and work experience that satisfies all the requirements of the job as per the criteria specified in the National Occupational Classification (NOC) (the minimum acceptable level of education is completion of high school)

- Proof of a minimum of six months directly related work experience for the position being nominated for a: critical impact worker, one year for a skilled worker;
- Proof of education/ credentials - the applicant must submit their high school certificate or its equivalent in order to meet the minimum education requirement. If higher education is required for the position/NOC, please submit educational diplomas, certificates, degrees, etc.
- Language proficiency results meeting YNP minimum language requirements from a language test administered by a designated testing agency. Accepted tests are the International English Language Testing System (IELTS) General Training, the Canadian English Language Proficiency Index Program (CELPIP) General, and the Test d'évaluation de français (TEF). **NOTE: Language tests are valid for two years from the date of the test; therefore, language tests must be less than two years old when you submit your application for the Yukon Nominee Program.**

A. Skilled Worker Category (Skill Level 0 and A)

Foreign nationals who are seeking employment in jobs that fall in Skill Level 0 or A, are required to have minimum scores in each category (Reading, Writing, Listening, Speaking). These scores are:

- Canadian English Language Proficiency Index Program (CELPIP):
7 for CELPIP-General Tests in each of the four abilities (listening, speaking, reading and writing)
- International English Language Testing Score (IELTS):
6 for IELTS-General Training test in each of the four abilities (listening, speaking, reading and writing)
- Test d'évaluation du Français (TEF) (to test proficiency in French):
4 for TEF in each of the four abilities (listening, speaking, reading and writing)

B. Skilled Worker Category (Skill Level B)

Foreign nationals, who are looking to work in jobs that fall in Skill Level B, are required to have minimum scores in each category (Reading, Writing, Listening, and Speaking). These scores are:

- Canadian English Language Proficiency Index Program (CELPIP):
5 for CELPIP-General Tests in each of the four abilities (listening, speaking, reading and writing)
- International English Language Testing Score (IELTS):
5 for IELTS-General Training test in each of the four abilities (listening, speaking, reading and writing)
- Test d'évaluation du Français (TEF) (to test proficiency in French):
3 for TEF in each of the four abilities (listening, speaking, reading and writing)

C. Critical Impact Worker Category (Skill Level C or D)

Foreign nationals, who are looking to work in jobs that fall in Skill Level C or D, are required to have minimum scores in each category (Reading, Writing, Listening, and Speaking). These scores are:

- Canadian English Language Proficiency Index Program (CELPIP):
4 for CELPIP-General Tests after in each of the four abilities (listening, speaking, reading and writing)
- International English Language Testing Score (IELTS):
4 for IELTS-General Training test in each of the four abilities (listening, speaking, reading and writing)
- Test d'évaluation du Français (TEF) (to test proficiency in French):
3 for TEF in each of the four abilities (listening, speaking, reading and writing)

Documentation: Foreign nationals must provide documentation showing they meet all YNP criteria. All supporting documents must be submitted as notarized copies with contact information for the notary included. Documents in languages other than English or French must be translated by an accredited translator (with contact information for verification) to one of Canada's official languages. **The notarized document in the original language needs to accompany the translation.** Required documentation includes:

-
- Proof of previous work experience with letter(s) confirming previous employment. **Notarized copies only. Documentation must include letters of reference from the supervisor or Human Resources officer identified by name and title.** Letters must meet the following criteria:
 - ♦ Must be on company letterhead
 - ♦ Must indicate start and end date of employment
 - ♦ Job title
 - ♦ Job duties
 - ♦ Contact information of the **supervisor or Human Resources officer** issuing the letter (phone number, fax number, e-mail, company website)
 - Additional documents may be requested by the assessing officers, such as:
 - ♦ Pay stubs
 - ♦ Income tax records
 - ♦ Other documents as requested by the assessing officer
 - Proof of education/ credentials. The applicant must submit their high school certificate or its equivalent in order to meet the minimum education requirement. If higher education is required for the position/NOC, please submit educational diplomas, certificates, degrees, etc. mentioned under criteria. If you are seeking a credential evaluation or assessment, please refer to credential assessment agencies such as [BCIT](#).

YNP will verify any educational credential submitted with a YNP application with the organization that produced or issued it. Please provide the following information along with each of your educational credentials.

- ♦ Name of the organization
 - ♦ Physical address
 - ♦ Email address
 - ♦ Website address
 - ♦ Contact name
 - ♦ Contact phone number
- If previously self-employed, certificates proving the establishment and good standing of the business for the period in question are required;
 - Passport for Foreign National must be valid. Submit notarized copies of all pages of the passport.
 - Spouse: Passport/Marriage Certificate/Divorce Certificate, must be valid notarized copies. Submit notarized copies of all pages of the passport. This information must be included whether the spouse is accompanying the nominee or not;
 - Common-Law: Passport / Statutory Declaration of Common-Law Union must be valid notarized copies. Submit notarized copies of all pages of the passport. This information must be included whether the common-law is accompanying the nominee or not. To prove common-law relationship please fill out the Statutory Declaration of Common-Law Union Form <http://www.cic.gc.ca/english/pdf/kits/forms/IMM5409E.pdf> and include it with the application;
 - Dependants: Passport/Birth Certificate/custody papers and/or permission from the other parent (if divorced or separated) must be valid notarized copies. This information must be included whether the child/dependent is accompanying the nominee or not;
 - If applicable, a notarized copy of the foreign national's current Temporary Work Permit. Please note: refugee claimants and foreign nationals on visitor visa are not eligible for the Yukon Nominee Program.
 - If the foreign national is to be employed in the transportation industry as a long haul trucker, etc. the following requirement must be met: Applicants who hold a driver's license outside of Canada within the past 3 years must obtain their own driver's record that would show information about recent collisions, violations, or suspensions. Every country has a different procedure for this, but we recommend contacting the agency which issued your license.
 - If marital status changes after you have been approved as a nominee no change can be made to add dependent(s). (Spouse and/or children).
 - If the foreign national is to be employed in the daycare industry, they must obtain the Child Care Certificate from the Yukon Health and Social Services Department. Please visit the Child Care Services website for designation guidelines for a Child Care Worker, http://www.hss.gov.yk.ca/pdf/cc_designation_guidlines.pdf Child Care Services

unit is responsible for assessing educational transcripts to determine the level of certification for child care professionals who work in licensed child care programs in Yukon. (<http://www.hss.gov.yk.ca/childcareunit.php>)

3) YNP FORMS

i) Application Form - Section 1

http://www.gov.yk.ca/forms/forms/2500/yg6019_e.pdf

The Application Form must be complete, signed and dated. The Application Form includes the stream (Skilled Worker or Critical Impact Worker), company information, position information (including the NOC code, hours per week, wage rate and a brief description of the position), advertising information, foreign national information, and declarations by the employer and the foreign national. Original signatures are required by both the employer and the foreign national.

ii) Guaranteed Employment Offer - Section 2

The Guaranteed Employment Offer outlines all conditions of the position. The median wage must be provided (see <http://www.workingincanada.gc.ca> for wage information) and Low Income Cut-Off (LICO) levels must be met as determined by Statistics Canada whether the dependents are accompanying the nominee or not. The Guaranteed Employment Offer must specify an hourly and yearly salary, the number of hours of work per week (minimum 35-40 hours/week), vacation (or vacation pay), and all other relevant employment details. Original signatures are required by both the employer and the foreign national.

iii) Settlement and Retention Plan - Section 3

The Settlement and Retention Plan includes questions on accommodation, information and resources, health and safety, and retention in order to determine how employers will help their potential future nominees settle and stay in the Yukon. Original signatures are required by both the employer and the foreign national.

iv) Tri-partite Agreement -

http://www.gov.yk.ca/forms/forms/0000/YNP_TPA_EN.pdf

- Employers and nominees must comply with all terms and conditions of the Tri-partite Agreement (TPA), an agreement signed by the employer, the employee/nominee and Advanced Education that helps ensure all parties understand their rights and responsibilities. YNP also conducts monitoring to verify compliance with the TPA. If nominee is already in Yukon, they must arrange for a meeting with Immigration staff to sign the TPA **within 14 days from the issuance of the acceptance letter;**
- If the nominee is not in Canada, they must arrange for a meeting with Immigration staff to sign the TPA **within 14 days of the nominee's arrival in Yukon;**
- Nominee is required to bring:
 - ♦ Passport
 - ♦ Work Permit
 - ♦ Current Yukon address and phone number

v) Authority to Release Personal Information to a Designated Individual Form -

http://www.education.gov.yk.ca/pdf/immigration/release_personal_info.pdf

- This form is for foreign nationals who wish to authorize the Yukon Nominee Program and Yukon Temporary Foreign Worker Program to release their personal information to an individual they designate. The individual you designate will be able to obtain information on your case file, such as the status of your application. However, he or she will not be a representative who can conduct business on your behalf with the Yukon Nominee Program or Yukon Temporary Foreign Worker Program.

4) AN APPLICATION IS SUBMITTED BY THE EMPLOYER TO THE YNP FOR REVIEW

The processing time for YNP applications is eight to ten weeks from receipt of a complete application. Processing times vary and depend on the volume of applications received at any given time.

Incomplete application: if an application is incomplete, a letter will be sent to the employer stating that the application cannot be processed. The employer will be given a period of 30 days to submit the required information. If, after a period of 30 days the necessary information has not been provided, the application will be refused and returned to the employer. Employers are welcome to resubmit when an application is complete.

Refused applications: if an application is refused, a letter will be sent to the employer stating the reasons for refusal. The application will be returned to the employer in 30 days from the date of the issuance of the refusal letter.

5) APPLICATION REVIEW PROCESS

If the employer and the foreign national meet all program criteria, a recommendation is made to the Manager of Yukon Immigration Programs for acceptance or refusal of the application. The Assistant Deputy Minister of Advanced Education (ADM) has final signing authority on application decisions. In instances where an application is refused and the employer feels an error was made or requested information was not considered, he/she can request an administrative review of the decision. This request must be made to the Manager of Immigration Programs in writing within 30 days of the issuance of the refusal letter.

6) APPLICATION IS APPROVED

Upon approval of an application to the YNP, the foreign national obtains nominee status and nomination information is sent to IRCC. As a Territorial Nominee, he/she receives two letters from Advanced Education. One letter is in support of an application for a temporary work permit, allowing the individual the opportunity to begin (or continue) working for the employer while the application for permanent residency is being processed. The second letter is to be included with the application for permanent residency and informs the individual he/she is accepted to the YNP.

7A) TEMPORARY WORK PERMIT APPLICATIONS

A temporary work permit is required for anyone who is not a citizen or a permanent resident of Canada to legally work in Canada. The issuance of temporary work permits is the responsibility of the Government of Canada. Please see Immigration, Refugees, and Citizenship Canada's website, www.cic.gc.ca, for more information on how to apply for a temporary work permit. Processing times for temporary work permits vary; please refer to CIC's website for approximate timelines.

7B) TEMPORARY WORK PERMIT APPLICATION AND EXTENSION

Temporary Work Permit Applications or Extension of Work Permits are available on line <http://www.cic.gc.ca/english/work/extend-stay.asp>

A temporary work permit is required for anyone who is not a citizen or a permanent resident of Canada to legally work in Canada. The issuance of temporary work permits is the responsibility of the Government of Canada. Please see Immigration, Refugees, and Citizenship Canada's website, www.cic.gc.ca, for more information on how to apply for a temporary work permit. Processing times for temporary work permits vary; please refer to IRCC's website for approximate timelines.

8) PERMANENT RESIDENCE APPLICATIONS

Applications for permanent residence are to be submitted within three to six months of the nominee's arrival to Yukon. Please see Immigration, Refugees, and Citizenship Canada's website, www.cic.gc.ca, for information on how to apply for permanent residence.

9) PERMANENT RESIDENCE GRANTED

It is a requirement to notify the YNP once you have become a Permanent Resident in Yukon. Fax, email or drop off a copy of the Permanent Resident (PR) card as soon as possible.

After a nominee has become a Permanent Resident, the YNP will contact them to complete brief surveys at one, two and five-year intervals, as required by IRCC.

P O Box 2703

Whitehorse, Yukon

Y1A 2C6

Phone: 867-667-5131 or 1-800-661-0408 ext. 5131

Note: If you lose or quit your job during the nomination process, you will lose your nomination and your Permanent Residence application will be canceled. If you are experiencing issues with your employment, contact Advanced Education Office immediately.

Note: Any activity potentially constituting fraud will be investigated and may result in the employer and/or nominee being banned from the YNP, revocation of the nomination and/or criminal proceedings.