



# IMMIGRATION MATTERS



DAVID AUJLA, Immigration Lawyer

## BEING PROACTIVE IN INTERNATIONAL RECRUITMENT

No company should be without it!

Whether you are a large company or a sole proprietor, you must have an international recruitment policy in place.

With statistics indicating that by the year 2011, 100% of our work force will be replenished through immigration, no employer can sit idle. You must be proactive NOW. The competition to obtain foreign workers will be fierce internationally and so careful planning must be worked into a company's overall management policies.

Here are the six steps that any employer must implement in order to be proactive.

1. Analyze your own business development over the next five, ten or twenty years. What jobs will your company need to fill as workers retire or as your company grows? What skill sets will potential employees require for these jobs? What is the projected availability of Canadians or graduates to fill such jobs?
2. Learn about the various government programs both on a federal and provincial basis. Have your HR staff learn and keep updated about such programs from the excellent government websites. These programs, which are monitored by Service Canada and the Provincial Nominee Program will impact the quality and the number of workers you will be able to recruit. Knowing the regulations and the policy changes with respect to hiring foreign workers is an essential element of successful ongoing recruitment.
3. Learn how to recruit. There is a choice employers must make. Either you will be involved personally in recruiting such workers by advertising and traveling overseas to conduct interviews personally or you will be relying on recruiters. Recruiters, as any other professional bodies, should be screened for competence, reliability and trustworthiness. Establish and develop relationships with recruiters and determine the recruiter's track record for placement, attrition and retention. What has the success rate been? What percentage of retention have such recruiters confirmed? What are their policies regarding replacement?

4. Learn about the various jurisdictions from where talented foreign workers have come. There may be certain countries which produce workers with specific skills sets you need. Learn by both word of mouth and through employers who have hired foreign workers about the reliability and the skill level of such workers. Foreign workers already in Canada also can be a good source of referrals.
5. Learn the legal aspects of hiring foreign workers. Although employment standards legislation is applicable equally to foreign workers as it is to Canadians or permanent residents, there may be certain issues where employers may become liable for greater damages if the foreign worker does not work out. Given the expense involved in having foreign workers relocate, an employer must ensure tight contractual arrangements. Know your legal remedies with regards to employment legislation and plan for eventualities when relationships go south.
6. Develop an internal settlement policy for your new employees who come from overseas. Changing countries, leaving a family, becoming accustomed to new cultural mores, all demand cultural sensitivity and understanding on part of the employer. Recruitment may be one issue, but retention is equally important to any foreign worker policy. Develop retention policies ahead of time so that the foreign workers' needs are anticipated and that you have a happy employee.

All off these issues take time, patience, organization and forethought. Canadian employers are now competing on an international scale for foreign workers. Canada has a tremendous amount to offer in terms of safety and security, lifestyle, and wealth so the groundwork has already been established. The employer can use Canada's positive benefits to recruit and retain foreign workers.

DAVID AUJLA, PRACTISES CANADIAN IMMIGRATION LAW WITH OFFICES IN VANCOUVER AND VICTORIA.

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