



GREEN
AND SPIEGEL_{LLP}
AN IMMIGRATION LAW FIRM

Updated guidelines for compliance,
inspections and AMPs

Presented by Evan Green
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Administrative Monetary Penalty (AMP) regime

- On December 2, 2015, a small Information and Communications Technologies (ICT) company completed offer of Employment to Foreign National Exempt from a LMIA
- Employer did not provide accurate information
- Work Permit issued based on Intra-company transfer for one year
- Entry of Foreign National provided ICT with and economic benefit

Type A Violation

209.2 (1)(b) i- Failure to provide Accurate Information

Severity Criterion- Points 0-6

Compliance History AMP → up to \$8000

Ban → None

Type A- 1st Violation- one point

Administrative Monetary Penalty (AMP) regime

- Large organization has 3 employees on a Labour Market Impact Assessment based Work Permit
- Company promotes all 3 employee's and changes job descriptions
- Company also increases each salary by 10%
- These changes occurred on (a)November 30 and (b)December 2, 2015

Type B Violation

209.3 (1)(a) iv- Provide the foreign national with employment in the same occupation and substantially the same, but not less favourable, wages and working conditions as outlined in the foreign national's offer of employment

Severity Criterion- Points 0-6

Compliance History

AMP → None, prior to December 1, 2015 | Ban → None

Type B- 1st Violation- one point