

Update from ESDC:

We are pleased to inform that The Temporary Foreign Worker (TFW) Program is proceeding with the processing to allow workers to continue working beyond their end-date as identified on their employer's LMIA and, for some workers, extend the work duration beyond 8-months for applications under the Seasonal Agricultural Worker Program (SAWP) for the 2020 Season.

As we have committed to and confirming here in writing, worker extensions are not intended to be used in lieu of employers utilizing the existing pool of source country workers that are ready to travel, in line with commitments they have made in their request for workers. **To this end, any extensions will be limited to one-month.** This recognizes the investments already made by workers and the foreign governments to prepare workers to travel.

The process is currently not available for positions located in Quebec as consultations are still ongoing. We appreciate your patience as clarification on the conditions of the Certificat d'acceptation du Québec (CAQ) requires further review. We will communicate to everyone once our review is complete.

Employers should use this step-by-step checklist to ensure that all the documents required are submitted, otherwise there will be delays in processing the request.

1. Written request by employer for extension.

- a) Employer's Canada Revenue Agency (CRA) Business Number and legal business name
- b) Original LMIA number
- c) Extension details
 - Name(s) of the workers to be extended
 - Their initial date of arrival and initial work duration
 - Extended duration and new end date of employment (not to go beyond December 15, 2020)
- d) Brief explanation of the rationale for the request
- e) Confirmation of continued full-time employment in the same position for the extended period
- f) Attestation to not exceed the maximum occupancy of approved housing.

2. Signed consent form for each TFW to be extended (see below)

3. Housing Inspection Report for where the TFW will reside.

4. Employers must send all required documentation to the [Service Canada Centre SAWP processing centre](#).

Note: A copy of the signed consent form is to be retained by the employer, TFW(s), and the Foreign Government Agent.

In addition, the attached consent form will be a mandatory requirement to validate that workers are participating in an extension only on a voluntary basis. We will share the French and Spanish version of this document in the coming days.

For workers that will require a new work permit due to their work duration will be longer than 8 months, they will need to submit an extension application (i.e.: using the in-Canada IMM 5710 application) the application is processed in Canada.

<https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/permit/temporary/extend.html>

The employer will pay the cost of the work permit processing fee directly to IRCC and may not recover any costs related to the fee from the worker.

Consent for Employment of a Work Term Extension – Amendment to the Contract for the Employment in Canada of Seasonal Agricultural Workers in 2020

The purpose of this letter is to confirm approval to extend the work duration of the agreement for the employment in Canada for the Seasonal Agricultural Worker Program in 2020.

By signing this consent form, the Parties agree to continue the term of employment with this same employer in the same position longer than the term indicated in the LMIA. This is a voluntary decision and there shall not be any negative consequences to the worker should they decide to not continue in employment.

Worker agrees to continue employment with the Employer for a maximum of one month until _____ (yyyy/mm/dd) or completion of the work for which the Worker is hired or assigned, whichever comes sooner. The last possible end date of employment remains as December 15.

LABOUR MARKET IMPACT ASSESSMENT #:

NAME OF EMPLOYER:

ADDRESS:

CORPORATE NAME:

TELEPHONE:

FAX NO

EMPLOYER'S SIGNATURE

WITNESS:

NAME OF WORKER:

WORKER'S Identity Card No.

WORKER'S address in Canada:

WORKER'S SIGNATURE:

WITNESS:

***Copies: Worker, Employer, Employer to submit form to applicable Service Canada LMIA Processing Centre.**