

How to...

Hire an International Student

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By

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Saint John
Board of Trade
Making It Happen For Business

How to... Hire an International Student

This year as you are recruiting part-time and summer workers, why not consider hiring an international student? Many international students enrolled in post-secondary programs in Saint John are eager to find work in order to apply the skills and knowledge they have gained to a Canadian work place setting, earn some money to help defray education costs, make new friends and become part of the community!

Hiring an international student may be easier than you think thanks to a 2006 Government of Canada program. This program provides an opportunity for eligible international students attending post-secondary educational institutions to apply for work permits to authorize them to hold off-campus jobs during their studies.

Below are some answers to FAQ's concerning hiring an international student.

1. How do I recruit an international student?

An international student may respond directly to advertisements you are running for part-time or summer work. For positions in Saint John, you will most likely receive applications from students enrolled at the University of New Brunswick (UNBSJ) or the Saint John campus of the New Brunswick Community College (NBCC).

If you have further questions concerning hiring a foreign student after reading the information contained in this document, you should obtain the student's permission to contact their educational institution to ensure that all the proper steps will be followed in order to allow the student to work legally in Canada. Following is contact information for UNBSJ and NBCC:

UNBSJ

At UNBSJ, any questions you have about hiring an international student may be directed to one of the following individuals:

Boon Kek – International Student Advisor
Telephone: (506) 648-5951

Or

Bonnie Sudul – International Advisor
Telephone: (506) 648-5952

You may wish to recruit a student by contacting UNBSJ's on-campus employment office. The on-campus office is responsible for assisting Canadian and International students in their search for off-campus part-time or summer employment. The contact for UNBSJ's on-campus employment office is as follows:

Sharon Gerrits - Employment Counsellor
Telephone: (506) 648-5690

The following link may also be helpful.

<http://www.unbsj.ca/student services/employment/guidetohiringinternational.htm>

NBCC

At NBCC, your questions concerning hiring an international student should be directed to:

Julian Riva – International Coordinator (St. Andrew’s Campus)
Telephone: 506.529-5027

Mr. Riva can provide you with information concerning the recruitment and hiring of international students attending any of NBCC’s campuses.

2. Why should I consider hiring an international student?

Hiring an international student has the potential to benefit your workplace in several ways:

- Hiring an international student may help you achieve the level of staffing you require to run your business;
- An international student may bring unique knowledge and skills to your workplace that may help you to gain leverage in foreign markets; and
- You may be helping to expand the workforce in Saint John by creating a positive work experience; which may encourage international students to remain in the City.

3. How many hours per week can an international student work?

In accordance with the Citizenship and Immigration Canada (CIC) guidelines international students are eligible to work a maximum of 20 hours per week during regular academic terms and to pursue full-time employment during school vacations, including summer vacations.

4. Are all international students eligible to work?

No, specific criteria must be met for international students to be eligible to work in Canada as indicated on the CIC website. In order to be eligible to work, an international student must:

- Have been a full-time student for at least six of the previous twelve months prior to applying for their work permit participating post-secondary institution and be enrolled in full-time studies at this institution;
- Be in good standing at the educational institution;
- Sign a consent form that allows CIC, the institution and the province to exchange the student's personal information;
- Complete a work permit application provided by the educational institution;
- Have a valid study permit;
- Include an official receipt with the work permit application to show that the application processing fee has been paid.

In some educational programs, students are required to gain work experience as part of their curriculum. In order for an international student to work in these co-op programs:

- The student must have a valid Study Permit;
- The intended employment must be an essential part of the student's course of study in Canada;
- The employment must be certified as part of the academic program by a responsible academic official of the institution;
- The co-op or internship employment cannot form more than 50% of the total program of study.

Sources: <http://www.cic.gc.ca/english/study/guide-faq.html#note1>

<http://www.cic.gc.ca/english/study/work-opps.html#coop>

5. Is approval from CIC necessary before an international student commences work? If so, what steps are involved in obtaining permission?

Yes, as indicated in FAQ 4 above, international students need to obtain a document called a "work permit" from CIC before commencing off-campus employment. In order for a

student to obtain a work permit, generally, the prospective employer must sign a declaration indicating that the employing company agrees to conform to certain conditions. See the following link for an employer declaration form:

<http://www.cic.gc.ca/english/applications/work-students.html>

In cases where students are enrolled in a co-op program, essentially the institution will be the employer and the student will receive a work permit stating so. This provides the international student the opportunity to acquire work experience from various employers throughout his/her education.

Also as indicated in FAQ 4, the educational institution will assist the student in obtaining a work permit for part-time, summer or co-op work.

6. Are international students covered by Medicare?

No, international students are generally not eligible for Medicare. At UNB, health coverage for international students or faculty members is provided through an insurance plan administered by the University. NBCC ensures that all of its international students have adequate health insurance coverage.

Sources: <http://www.gnb.ca/0394/eligibility-e.asp>

<http://www.unb.ca/services/financialservices/students/interhealth.htm>

7. Are international students covered by workers compensation?

Yes, international students are employees under the New Brunswick *Occupational Health and Safety Act* and regulation.

8. Are international students protected by the New Brunswick's *Employment Standards Act*?

Yes, a person who performs work for or supplies services to an employer for wages is considered an "employee" and is therefore protected by the *Employment Standards Act* and regulations.

9. Can an international student continue to work for my company after graduation?

Yes. An international student who has successfully completed a program from an eligible post-secondary institution is eligible to work for up to two years after graduation. There are two categories for post-graduation work programs.

The first allows international students to work for one year or less. Some of the criteria for this program are: the work must be related to the course of study they have completed and an application for a work permit is submitted to CIC within ninety days of program completion.

The second program allows international students to work up to two years; they not only need to meet the criteria for the one year program but also several additional requirements such as successful completion of a minimum two year full time program and obtain written documentation from their educational institute of successful completion.

Students are only eligible to work for up a period no greater than the length of their study period. For example, one year MBA students are only eligible to work for up to one year after graduation.

Please review the CIC's website for full criteria on these programs.

<http://www.cic.gc.ca/english/study/work-opps.html>

International students may apply for a one-year extension to a one-year or less post-graduate work program. In order for students to obtain permission from CIC, to work beyond the original work permit end date, they must submit an "Application for a Work Permit" to CIC's Case Processing Centre in Vegreville, Alberta. This application should be submitted two to three months before the expiry date of the international student's initial work permit and must be contain a formal job offer from the prospective employer.

For more information concerning this extension of work for international students please refer to the following link:

<http://www.cic.gc.ca/english/study/work-opps.html>

10. What if I wish to continue to employ the international student (now a foreign worker) after the two years has elapsed?

All of the following must be completed before the students work permit runs out, therefore, it is advisable to begin the process early as it may require months to complete.

Before you make a formal job offer to the worker you must submit a Human Resources and Skills Development Canada (HRSDC) Foreign Worker Application for a labour market opinion from Service Canada. For further information please visit the HRSDC website at:

<http://www.hrsdc.gc.ca/en/epb/lmd/fw/tempOffers.shtml>

Once HRSDC has made a decision the worker can then apply to CIC for Permanent Residence status.

If you want this to take place, you and the foreign worker need to do some planning early on as the foreign worker will need to be approved for Permanent Residence in Canada in order to continue to work here after the allowable post-graduate employment has ended. Once a worker has Permanent Resident status, he or she may work in Canada, for any employer, without the need to obtain a work permit.

If you are planning to make a permanent job offer to the foreign worker, you should consider contacting Business New Brunswick to see if they will accept the foreign worker as a “Provincial Nominee.” Permanent Residence applications submitted under this program are often processed in a nine month to one year period, which would mean that the worker will have been approved for Permanent Residence before the two year post graduate period has ended. For more information about the Provincial Nominee program, please refer to the attached link:

<http://www.gnb.ca/immigration/english/FAQ/index.asp>

You may also contact a representative of the Provincial Nominee Program at the telephone number (506) 453-3981.

The foreign worker may choose to file an “Application for Permanent Residence” directly with CIC, rather than going through the Provincial Nominee Program. Applications filed using this method are taking from thirteen to twenty-eight months to process, it is less likely that the foreign worker’s application will have received approval before the end of the two year period of allowable post-graduate work has ended.

Please Note: The foregoing is provided for informational purposes only and is not intended as legal advice.

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