



As anticipated, Human Resources and Skills Development Canada (HRSDC)/Service Canada recently announced new procedures for Labour Market Opinion (LMO) applications which arise from the new Temporary Foreign Worker Regulations. As of April 1, 2011, a new application form will be available and additional documents not previously required must now be provided in support of a labour market opinion request. HRSDC/Service Canada has also clarified its position on non-compliance. If an employer has not fully complied with the terms and conditions of employment in a previous LMO, HRSDC/Service Canada will provide the employer with an opportunity to provide a rationale and will work with the employer to implement corrective action. However, if the employer is found to be non-compliant, HRSDC/Service Canada may issue a refusal for the LMO and revoke all confirmed LMOs for which work permits have not yet been issued by Citizenship and Immigration Canada (CIC). CIC may then deem the employer ineligible to hire temporary foreign workers for two years and may publish the employer's name, address and period of ineligibility on a list of ineligible employers on the CIC website.

For complete details on the new policies and procedures at HRSDC/Service Canada, please visit their website at [http://www.hrsdc.gc.ca/eng/workplaceskills/foreign\\_workers/lmo\\_irpr.shtml](http://www.hrsdc.gc.ca/eng/workplaceskills/foreign_workers/lmo_irpr.shtml).

For information on the new Temporary Foreign Worker Regulations, please refer to both the [2011 Spectrum HR Law Update](#) and the [2010 Spectrum HR Law Update](#).

If you have questions or would like further information on these changes or on other related topics, please contact any member of the Spectrum HR Law LLP Business Immigration practice group:

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