

Government of  
Northwest Territories

Northwest Territories' Nominee Program  
**PROGRAM GUIDELINES**

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Employer Driven Stream  
Entry Level/Semi-Skilled Occupations



If you would like this information in another official language, call us.

English

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Si vous voulez ces informations dans une autre langue officielle, contactez-nous.

French

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Kĩspin ki nitawihtĩn ē nĩhĩyawihk ōma ācimōwin, tipwāsĩnān.

Cree

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Tłjchq yatı k'èè. Dı wegodı newq dè, gots'ō gonede.

Tłjchq

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ʔerihł'ıs Dēne Sųłĩné yatı t'a huts'elkēr xa beyáyatı theʔą ʔat'e, nuwe ts'ēn yółłı.

Chipewyan

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Edı gondı dehgáh got'je zhatié k'éé edat'éh enahddhę nıde naxets'é edahlı.

South Slavey

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K'áhshó got'jne xədə k'é hederı ʔedłhtł'é yerınwę nıde dúle.

North Slavey

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Jii gwandak izhii ginjik vat'atr'ıjáhch'uu zhit yinothtan jı', diits'át ginohkhii.

Gwich'in

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Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqłuta.

Inuvialuktun

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Ĉ'bdĀ ĤĤ'bbΔĊ ĀrLJΔRĊ Δ.đ'ĤĊĊ-Ĥ'ĤLĊĤ'Ĥ, ĐĊĊ'Ĥ'đĊ Đ'ĤĊĊĊ'đĊ'ĤĊĊ.

Inuktitut

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Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

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Aboriginal Languages Secretariat: 867-767-9346

Francophone Affairs Secretariat: 867-767-9343

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## The Northwest Territories Nominee Program

The Northwest Territories Nominee Program supports the recruitment and retention of Foreign Nationals when there are no qualified Canadians or permanent residents available to fill a position.

The Northwest Territories Nominee Program (NTNP) assists Employers in retaining Nominee Applicants who have the skills, education and work experience to contribute to the economy, want to live in the Northwest Territories and who desire to become a permanent resident of Canada. Immigration is a shared responsibility between the Government of Canada and the Government of Northwest Territories. The Government of Canada has the sole responsibility of determining who is admitted to Canada, immigration classes, and annual immigration levels. The Government of Northwest Territories has the responsibility of nominating a Nominee Applicant to fill critical labour shortages. There are two program streams within the NTNP: Employer Driven and Business streams. The Department of Education, Culture and Employment is responsible for administering the Employer Driven stream of the NTNP.

The Employer Driven stream supports Employers in recruiting and retaining Nominee Applicants who meet program eligibility criteria and who possess the skills, education and work experience required. The Employer Driven stream may be used by an Employer when there are no qualified Canadians or permanent residents available to fill the position. Through the NTNP, employers are responsible for submitting an application to nominate a Nominee Applicant for permanent residency.

Employer Driven Stream Categories are:

- Entry Level/Semi-Skilled Occupations
- Skilled Workers
- NWT Express Entry

The NTNP is not designed to support a fully-foreign based workforce. Program staff will assess employers current workforce to ensure that the Nominee Program is not undermining other Labour Market Programs designed to assist the local labour force.

The Department of Industry, Tourism and Investment is responsible for administering the Business stream of the Nominee Program. Information on how to apply to the Business stream can be found at [www.immigratenwt.ca](http://www.immigratenwt.ca).

## Entry Level/Semi-Skilled Occupations Category

These Program Guidelines are for the Entry Level/Semi-Skilled Occupations Category only.

The Entry Level/Semi-Skilled Occupations category is intended to assist Employers with critical labour shortages that cannot be filled by local, permanent residents, or Canadian citizens. This

category is designed to increase the labour pool for entry level jobs within the National Occupational Classification skill levels C and D.

As determined by Immigration, Refugees and Citizenship Canada, Refugee Claimants are not eligible for the Nominee Program.

## Service Standards

Program staff are available to assist Employers throughout all steps of the application process.

Program staff will:

- provide quality and professional service;
- endeavor to respond to all inquiries via email or telephone within two (2) business days;
- endeavor to assess all complete application packages (including all necessary forms and original/certified documentation) within ten (10) weeks of receipt; and
- assess all application packages by date received to maintain fairness and consistency.

It is the responsibility of the Employer, Nominee Applicant, and/or Authorized Representative to ensure all supporting documents remain valid throughout the application process.

Program staff are unable to assist with applying to or answering questions on federal immigration programs, such as work permits, permanent residency, or Canadian citizenship. Please visit Immigration, Refugees and Citizenship Canada's website ([www.cic.gc.ca](http://www.cic.gc.ca)) for more information.

Immigrating to Canada, including through the NTNP, can be a lengthy process. While all efforts are made to process applications for nomination in a timely manner, processing times may increase with the volume of applications received.

## Eligibility Criteria

### Employer

The Employer must be a Canadian Citizen or permanent resident of Canada. The Employer must also be a registered business, or a local, municipal, First Nation or territorial government, with an office or establishment in the Northwest Territories that is operational year round. The Employer must maintain a place of business in the Northwest Territories where the Nominee Applicant will work. If the Nominee Applicant will work at more than one location, the Employer must maintain a place of business in the Northwest Territories where the Nominee Applicant will report to work. The Employer must have been registered and operational in the Northwest Territories for a minimum of one (1) year on a full-time basis immediately prior to submitting the application package.

In the case of a registered business, the Employer is defined as the owner or designated human resources representative of the establishment. In the case of a local, municipal, First Nation or

territorial government, the Employer is defined as the head or designated human resources representative.

The Employer must be registered and in good standing with the Northwest Territories' Workers' Safety and Compensation Commission and must submit proof of valid registration.

Employers who are subject to the *Northwest Territories' Employment Standards Act* must be in good standing and be operating in compliance with the *Employment Standards Act*. Employers that are not within the jurisdiction of the *Employment Standards Act* must be in compliance with the prevailing union or collective bargaining agreement.

## Employment

The term of employment must be for a permanent, full-time position (minimum 37.5 hours per week). Please include an employment contract from the original date of hire and the current contract that is consistent with the Northwest Territories' *Employment Standards Act* or in compliance with the prevailing union or collect bargaining agreement.

Please visit [www.immigraatenwt.ca](http://www.immigraatenwt.ca) for a sample contract. Employers are strongly encouraged to review the sample contract prior to submitting their application and are invited to use this sample contract for their application. The sample contract is not mandatory.

## Job description

The Employer must provide a detailed job description for the position. The job description must include:

- position title;
- language requirements of the position (only English or French will be accepted any other language will only be considered an asset);
- main duties of the positions;
- educational and work experience requirements of the position;
- and any occupational certification for the position (including any required certification or accreditation).

## National Occupation Classification

The National Occupation Classification (NOC) system is used by the Government of Canada to classify occupations. These occupations are grouped together based on the educational and work experience requirements of the position and the job duties. The skill levels applicable to the Entry Level/Semi-Skilled Occupations stream are:

- Skill Level C – intermediate jobs (usually requiring high school or job-specific training); and
- Skill Level D – labour jobs.

The Employer is required to research and select an appropriate NOC code for the position based on the educational and work experience requirements and job duties. Please visit [www.cic.gc.ca/english/immigrate/skilled/noc.asp](http://www.cic.gc.ca/english/immigrate/skilled/noc.asp) for more information.

## Labour Market Impact Assessment

The Employer must submit a copy of a positive Employment and Social Development Canada's Labour Market Impact Assessment (LMIA) or proof of job advertising (see below). A LMIA is a verification process whereby the federal government's Department of Employment and Social Development Canada assesses an offer of employment to ensure that the employment of a Nominee Applicant will not have a negative impact on the Canadian labour market. Please visit [www.cic.gc.ca](http://www.cic.gc.ca) for detailed information on obtaining a LMIA.

An Employer who employs a Nominee Applicant based on a positive LMIA must adhere to the agreement in all aspects. Employers applying to nominate a Nominee Applicant with an open work permit (under the International Mobility Program) and without submitting a positive LMIA, must instead submit the job advertising requirements (see below).

## Job Advertising

Employers applying to nominate a Nominee Applicant without a positive LMIA are required to submit proof of local and national advertising, as well as a summary of advertising results. Minimum local and national recruitment efforts must have been placed for a minimum of 60 consecutive days within 12 months immediately prior to date of the job offer.

### Local Advertising in at least two or more of the following:

- Recognized internet employment sites such as:
  - Jobs North Edge <https://www.edgenorth.ca/jobsnorth/>;
  - Workopolis <https://www.workopolis.com/en/>;
  - LinkedIn <https://ca.linkedin.com/>;
  - Monster <https://www.monster.ca/>, etc.;
- In a local Northwest Territories newspaper such as;
  - The Yellowknifer, The Hub, etc.
- Local and regional employment centers; and
- Industry job board such as:
  - Aviation industry job boards; and
  - Healthcare job boards.

If choosing to advertise locally in a Northwest Territories newspaper, the advertisement should be posted for a minimum of once per week for eight (8) weeks.

### National Advertising:

- Advertising on the Government of Canada's Job Bank at [www.jobbank.gc.ca](http://www.jobbank.gc.ca) .

Advertisements must clearly specify the position title, minimum qualification/education (as per the NOC), the hours per week and the wage. When submitting proof of advertisements ensure that copies of the job advertisements, as well as the dates they were posted, are clear and legible. Employers are strongly encouraged to continue to actively seek Canadians and permanent residents to fill the position until a decision is reached on their application.

The summary of advertising results must include a list of all applications received in response to the advertised position and a detailed list of reasons for refusal of employment. Employers must demonstrate that the Nominee Applicant applied directly to the position as advertised and provide rationale as to why they are the best suited candidate. The summary of advertising results must be dated and signed by the Employer. Do not submit the resumes you received for the position posted, however, please date stamp them and keep on file in case requested by program staff.

Program staff have the discretion to refuse or request further information on job advertisements or the summary of advertising results to identify if a critical labour shortage exists for the occupation.

### **Wage Rate**

The Employer must provide a comparable industry wage based on Job Bank wage information, the businesses' existing workforce, as advertised, and as per the terms and conditions in the Labour Market Impact Assessment (if applicable). The wage must always be equal to or more than the current minimum wage of the Northwest Territories.

For Job Bank wage information please refer to the Government of Canada's Employment and Social Development Canada website at [www.jobbank.gc.ca](http://www.jobbank.gc.ca) as a guide. This resource provides detailed information on wage rates by National Occupation Classification (NOC) code and region.

Please refer to the median wage rates for the Northwest Territories. If the wage information for the NOC code is not available for the Northwest Territories, please refer to wages from these regions in the following order: Yukon, Northern Alberta, Alberta, Canada.

The Employer must submit their pay stubs and corresponding time sheets for the past six (6) months to demonstrate that the wage has been paid accordingly. These pay stubs must clearly note the wage rate, the hours worked for that pay period, and any deductions taken from the payment amount. Program staff may request additional pay stubs for the position and/or wage information for other similar positions within the registered business, industry association, or local, municipal, First Nation or territorial government.

Additionally, Program Staff may use discretion on refusing wages based on industry rate of pay for similar occupations.

### **Nominee Applicant**

#### **Personal Documentation**

A Nominee Applicant is required to submit the following documentation in original or certified true copies and translated into English or French. Copies of documents must be clear and legible.

- Nominee Applicant valid work permit;
- Nominee Applicant passport (biographical page only);
- Nominee Applicant birth certificate;
- Nominee Applicant marriage certificate or declaration of common-law union; and
- Birth certificate(s) and passport(s) for dependent(s).



- Bank statements, stamped by the financial institution, for 3 months prior to submitting an application.

It is the responsibility of the Nominee Applicant to ensure all personal documentation remains valid (including the certification period) while their application is being processed.

### Work Permits

Nominee Applicants currently in Canada must have legal status to work and must have a valid work permit for the duration of the application process. Nominee Applicants with a closed work permit must meet the terms and conditions of the work permit. If the Nominee Applicant's work permit expires during the application period they will not be considered for nomination. Nominee Applicants must also satisfy the Nominee Program that they intend to settle permanently in the Northwest Territories.

### Education and Work Experience

A Nominee Applicant must have the required certification or accreditation for the occupation based on the Employer's job description, the job advertisements (if applicable) and the National Occupational Classification's employment requirements. If applicable, the Nominee Applicant must also meet the Northwest Territories' certification, licensing, or registration requirements of the job. For non-regulated occupations, the Employer is responsible for ensuring that the Nominee Applicant meets occupational standards and has the required work experience for the specific occupation. Furthermore, the Nominee Applicant must have worked in the same position with their nominating Employer for a minimum of six months full-time immediately prior to submitting an application.

Nominee Applicants that completed education outside of Canada must have their international educational credentials assessed to compare them to educational standards in Canada. For the purposes of consistency, the NTNP will only accept the IRCC approved Educational Credential Assessment (ECA) organizations to verify educational credentials. An Educational Credential Assessment, or ECA, is a report issued by an organization designated by the federal Minister of Immigration, Refugees and Citizenship Canada that verifies the authenticity of a foreign diploma, certificate or credential, and assesses its equivalence to a Canadian educational credential.

There are 7 organizations designated as acceptable ECA providers for immigration purposes, which are listed below:

- World Education Services (WES): Date of Designation: April 17, 2013
- Comparative Education Service: University of Toronto School of Continuing Studies: Date of Designation: April 17, 2013
- International Credential Assessment Service of Canada: Date of Designation: April 17, 2013
- Medical Council of Canada: Date of Designation: April 17, 2013
- Pharmacy Examining Board of Canada (PEBC): Date of Designation: January 6, 2014
- International Credential Evaluation Service (ICES): Date of Designation: August 6, 2015
- International Qualifications Assessment Service (IQAS): Date of Designation: August 6, 2015. Please note that this service is currently on hold until April 2020.

## Language Requirements

Nominee Applicants must be able to communicate in one of Canada's official languages, English or French. Nominee Applicants being supported under the Entry Level/Semi-Skilled Occupations stream, National Occupational Classification skill levels C and D, must undergo mandatory language testing and achieve a minimum language standard of the Canadian Language Benchmark Level (CLB) 4, in either English or French, across all four categories: listening, speaking, reading, and writing. The minimum language standards must all be achieved in one testing session. Test scores for different categories cannot be combined from multiple tests.

There are four language tests approved by the Government of Canada. A Nominee Applicant is able to write one of the following four tests:

- The International English Language Testing System (IELTS) General Training;
- The Canadian English Language Proficiency Index Program (CELPIP-General);
- The Test d'Évaluation de Français (TEF Canada- to test proficiency in French); or
- The [Test de connaissance du français](#) (TCF Canada- to test proficiency in French).

Other language tests or methods will not be accepted. Language tests are valid for two years from the date of the test results.

## Settlement Income

A Nominee Applicant must demonstrate they have sufficient funds to establish and maintain themselves and any dependents within the Northwest Territories. Bank statements stamped and signed by a Canadian financial institution in the Nominee Applicant's name for the three months prior to application submission need to accompany the application as proof of settlement funds.

Nominee Applicants are required to have \$10,000 CAD for themselves, and an additional \$2,000 CAD for each accompanying dependent. For example, if a Nominee Applicant's dependents include a spouse and two children, the settlement income required would be \$16,000 CAD.

## Important Notes on submitting an application

Employers are responsible for ensuring that their application meets mandatory eligibility criteria. Program staff may request additional supporting documentation to verify that the application meets criteria. This may include documents such as financial statements, T4A's, Lease agreements, Canada Revenue Agency Schedules 125 (Income Statement Information), financial statements, and other relevant documentation related to eligibility criteria.

Nominee Applicants are responsible for ensuring that their personal documentation remains valid for the duration of the application process. This includes, work permits, language test results, and other personal documents that may expire during the application process will not be accepted as proof of meeting mandatory eligibility criteria. Program staff may request additional supporting documentation to verify that the application meets eligibility criteria.

Information must be consistent on all documentation submitted in the application package, including all necessary documents such as; employment contract, and Labour Market Impact Assessment, job advertising etc.

Nominee Applicants who own/operate or invest in a business within the Northwest Territories are not eligible under the Employer Driven streams. Nominee Applicants are prohibited from applying to both the Business and Employer driven streams at the same time.

If the Employer is in violation of the Memorandum of Understanding (MOU), the Nominee Program will not accept applications from the Employer to nominate any future Nominee Applicants under the Employer Driven streams for up to 3 years, depending on the severity of the issue.

## Definitions

### **Immigration, Refugees and Citizenship Canada (IRCC)**

The federal government department authorized to sign agreements with provincial/territorial governments to facilitate the coordination and implementation of immigration policies and programs, such as the NTNP. Final authority rests solely with the Government of Canada in issuing work permits, permanent residency, and granting Canadian citizenship.

### **The Government of Northwest Territories, Department of Education, Culture and Employment**

The Government of Northwest Territories department that delivers the Employer Driven stream of the NTNP. The Government of Northwest Territories is responsible for assessing the impacts that nominations will have on the Northwest Territories labour market.

### **The Employer**

In the case of a registered business, the employer is defined as the owner or designated human resources representative of the establishment. In the case of local, municipal, First Nation or territorial government, the employer is defined as the head or designated human resources representative of the association or government.

### **The Foreign National**

A person who is not a Canadian citizen or a permanent resident.

### **The Nominee Applicant**

The Foreign National that is being nominated by an Employer.

### **The Nominee**

A Foreign National who has been approved and nominated under the NTNP.

### **The Authorized Representative**

An individual that an Employer and/or a Nominee Applicant appoint to conduct business on their behalf with the NTNP and/or advises them throughout NTNP application process.

## Authorized Representatives

An Authorized Representative can be paid or unpaid. Paid representatives must be disclosed to the NTNP by submitting the Use of a Representative Form (NTNP Employer/Nominee Applicant). If the Employer and/or Nominee Applicant wishes to authorize an unpaid representative to formally act on one's behalf in conducting business or communicating with the NTNP, they must also submit a Use of a Representative Form (NTNP Employer/Nominee Applicant). Using an Authorized Representative does not change the application process or guarantee an application will be approved.

Paid representatives must be:

- Immigration consultants who are full members in good standing of the Immigration Consultants of Canada Regulatory Council; or
- lawyers who are members in good standing of the Law Society of BC or another Canadian Law Society, the Nova Scotia Barristers' Society, or the Chambre des notaires du Quebec.

Only one individual can be authorized to act as a representative at a time. An appointment of a new authorized representative will cancel any previously appointed representative.

## How to Submit an Application Package

### *Application Process*

Before applying to the Entry Level/Semi-Skilled Occupations category, please review these Program Guidelines thoroughly. These guidelines outline the eligibility criteria, application process and how to submit an online application.

### *What is the online application system?*

The NT Nominee Program now has an online application system that allows the Employers to submit applications online through the NT Nominee Program portal. The online application system will bring an improved experience for employers submitting applications and support better program delivery.

Applications must be submitted electronically through the NTNP online application portal. The Employer is responsible for completing the online application and submitting all required information. The application must be completed in full and include all of the required documents listed on the Entry Level/Semi-Skilled Occupations Category checklist.

### *How does the online submission work?*

If you, the employer, are prepared to support an application, and you and the Nominee Applicant meet program eligibility requirements you can proceed directly to the application via NTNP online.

Employers must register by creating an Employer User ID with the NTNP Online Application Portal. After you complete your registration, you will receive a confirmation email with your User ID and a link to verify and activate your account. . The registration is free of charge. Once an application is fully completed it will be submitted to program officers for assessment. Once a fully completed application has been submitted, an automatic email will be sent to the employer.

Only under exceptional circumstances may an employer request to submit a paper based application. Please contact program staff for an application package. Please note that employers submitting an application in French will have to submit a paper based version. The francophone application package may be obtained at [www.immigraatenwt.ca](http://www.immigraatenwt.ca) or at Nominee Program's office: 1st Floor Lahm Ridge Tower, 4501 - 50th Avenue. Tour Lahm Ridge, rez-de-chaussée, 4501, 50<sup>e</sup> Avenue, Yellowknife NT

### ***Registering as an Employer***

Employers must register by creating an Employer User ID for each application. Employers can use the same name, phone number and email address each time they register but must always use a different User ID. It is recommended that Employers use the Nominee Applicants name for the User ID. This is important should an employer want to have more than one application submitted at a time. Employers can only have one active application attached to each User ID.

Employers log into their profile using the User ID created. At this stage employers can add an Authorized Representative. This will allow the authorized representative to be the main point of contact for the application.

### ***Submitting an Application***

*Employers can contact program staff by email at [immigration@gov.nt.ca](mailto:immigration@gov.nt.ca) if they need assistance in using the Online Application Platform.*

To start an application Employers log in to the Online Application Portal and select 'Start an application'. Employers then choose the category they want to apply to and review the mandatory eligibility criteria. The online application is designed for Employers to first complete an Employer application and then complete the Nominee Applicant application. All required fields of information must be completed and all required documentation must be submitted. Employers may save an application at any stage and return to it at a later time to complete. Applications cannot be submitted until all of the required information and documents are attached to the application. The system will not accept an application until it is fully completed. If a section on the Employer or Nominee Applicant online forms does not apply, please write 'not applicable' or 'N/A'.

All documentation submitted online must be:

- Clear copies of original or certified true copies of the original document;
- Valid (and remain valid while the application package is being assessed by the NTNP); and
- Clear and legible.

NTNP may request the original or certified copy of any of the required documents to be submitted in mail or in person for verification purposes. If any of the submitted information needs to be changed or updated throughout the application process the Employer will need to submit the changes to the NTNP via email.

Application packages will not be accepted by email or fax.

Employers submitting an application in French will have to submit a paper-based version. Application package in French may be obtained at [www.immigraatenwt.ca](http://www.immigraatenwt.ca) or at Nominee Program's office. 1<sup>st</sup> Floor Lahm Ridge Tower, 4501 – 50<sup>th</sup> Avenue. Tour Lahm Ridge, rez-de-chaussée, 4501, 50<sup>e</sup> Avenue, Yellowknife NT

### *Contact Information*

Employers can contact the Nominee Program by phone or email at:

Toll Free Number: 1-855-440-5450

Email: [immigration@gov.nt.ca](mailto:immigration@gov.nt.ca)

Submitting or dropping off paper documents/application at:

Nominee Program Employer Driven Streams

Government of the Northwest Territories

1<sup>st</sup> Floor of the Lahm Ridge Tower

4501-50<sup>th</sup> Avenue

## **Application Assessment Process**

### *Confirmation of Receipt*

All application packages received will be acknowledged by an automated email receipt to the Employer, the Nominee Applicant and/or Authorized Representative's email addresses, as provided in the application. The Employer (or Authorized Representative) is responsible for providing (and updating) accurate and current email addresses on the application forms.

### *Screening Process*

All application packages are pre-screened by the online application system to determine if all mandatory fields have been completed. Incomplete applications will not be submitted into the system for assessment.

To ensure your application package contains all required forms and documentation, please use the Entry Level/Semi-Skilled Occupations category checklist provided at [www.immigraatenwt.ca](http://www.immigraatenwt.ca).

### *Process for Incomplete Application Packages*

Incomplete application packages will not be submitted into the system since all forms and required documentation are necessary to determine eligibility for the NTNP. Incomplete application packages will stay in the online application system indefinitely.

### *Process for Complete Application Packages*

Complete application packages will be assessed through a review and verification of all forms and documentation submitted against eligibility criteria. Once the assessment is completed, a decision will be made as to whether or not the Nominee Applicant is eligible for nomination to the Government of Canada for permanent residency. Each application will undergo an assessment to determine the impacts that nominating a Nominee Applicant is likely to have on the Northwest Territories labour market.

If, during the assessment of an application, program staff request further information, documentation and/or clarification, an email will be sent to the Employer and/or Authorized Representative and a 14 calendar day deadline will be given to submit what is requested. Program staff will use discretion when granting an extension if the 14 day deadline cannot be met (e.g.: if delays are expected in securing and submitting third party documents).

If the information, documentation and/or clarification are not received by the deadline given, the application will be withdrawn and the Employer must submit a new application to begin the NTNP application process again. Submitting a complete application does not automatically result in a nomination. Program staff have the right to render a denial based on the impacts the potential nomination may have on the local labour market. The Employer, the Nominee Applicant, and/or Authorized Representative will receive letters by email communicating the decision.

The assessment of complete applications will take up to ten (10) weeks from the date a complete application was received by the NTNP. For clarity, the ten-week service standard applies only from the point when a complete application is submitted. Processing times may increase depending on the volume of applications received and for applications that require an extension for requested information.

### *Application Approval and Nomination Process*



When an application is approved, a formal letter (also known as a nomination certificate) will be sent by email to the Employer, Nominee Applicant and/or Authorized Representative, which indicates that the application has been approved.

The letter (also known as a nomination certificate) provides the approved Nominee with instructions to submit their application for permanent residency to Immigration, Refugees and Citizenship Canada within the validation period for the nomination. The validation period is six (6) months for the Entry Level/Semi-Skilled Occupations stream from the date the nomination approval was issued.

Nominees are strongly encouraged to apply for permanent residency as soon as possible after their nomination certificate is received. The Nominee Program will not grant nomination extensions under any circumstances. The letter will also outline the responsibility of the Employer and the Nominee to sign a Memorandum of Understanding (MOU) with the Department of Education, Culture and Employment for the Entry Level/Semi-Skilled Occupations category. This MOU outlines the conditions of the nomination and the responsibilities of both the Employer and the Nominee.

### *Application Denial*

When an application is denied, a formal letter will be sent to the Employer, the Nominee Applicant and/or the Authorized Representative notifying them that the application has been denied. The letter will also include the reason(s) for denying the application.

Reasons an application will be denied may include:

- the Employer or Nominee Applicant does not meet the required program criteria;
- the Employer and/or Authorized Representative submitted an application package that is inadequate, outdated and/or expired;
- the Nominee Applicant no longer resides and/or works in the Northwest Territories when a decision was made;
- the Employer is not in good standing with the Employment Standards Office;
- the Employer is not in compliance with the prevailing union or collective bargaining agreement;
- program staff are not satisfied that a critical labour shortage exists for the occupation;
- program staff are satisfied that the nomination may negatively impact the Northwest Territories labour market;
- there are grounds to believe misrepresentation at any phase of the application process has occurred; and
- other reasons for denying an application will be referenced in the denial letter.

Please Note: Where program staff has reason to believe that an Employer, Nominee Applicant and/or Authorized Representative has intentionally misrepresented or withheld material information, either directly or indirectly, that is relevant to the application or the decision to nominate, the application will be placed on hold and additional information or clarification will be requested from the Employer, Nominee Applicant and/or Authorized Representative. Where it is found that intentional misrepresentation has occurred, the Employer, Nominee Applicant and/or



Authorized Representative will be barred from using or applying to the Employer Driven streams for a period of one (1) year.

## **Appeals**

Only an Employer may appeal the decision of a denied application. The appeal must be made, in writing, to the Department of Education, Culture and Employment, within 15 calendar days of the date on the denial letter. The letter must clearly state the reason(s) for appealing the decision. The appeal will be based solely on the forms and/or documentation provided in the original application package.

Decisions on appeals will be rendered by an independent senior departmental official who is not involved in the application process. The decision on appeals is final and will be communicated to the Employer or the Employers Authorized Representative by email.

### Important Notes:

- Any new or revised forms, supporting documentation and/or other information will not be accepted as part of the appeal.
- An appeal based on eligibility criteria will not be considered.

## **Supporting Documents**

### **Language of Documents**

The Nominee Program will accept documents in both English and French. Documents not in English or French must be translated to either English or French and include an affidavit from the individual who completed the translation. The Employer will also need to include the original or certified copy of the document.

### **Certified True Copies**

To provide the Nominee Program with certified true copies an authorized person must compare the original document to the photocopy you expect to submit. The authorized person must include the following information on the certified true copy, the:

- phrase “I certify that this is a true copy of the original document”;
- name of the original document;
- date of the certification;
- name of the person certifying the document;
- certifying person’s official position or title; and
- certifying person’s signature.

### **Who can Certify Documents**

You can get your documents certified in Canada or outside of Canada. From within Canada, the Nominee Program will only accept certified documentation from:

- a commissioner of oaths (authority to certify varies by province and territory),
- a notary public; or
- a justice of the peace.

The Nominee Program will accept certified documentation from outside of Canada from:

- a judge;
- a magistrate;
- a notary public;
- an officer of a court of justice; or
- a commissioner authorized to administer oaths in the country in which the commissioner is living.

Note: Employers, Authorized Representatives, friends, and family members may not certify copies of documents.