

March 16, 2021

To Honourable Minister Carla Qualtrough
Minister of Employment, Workforce Development and Disability Inclusion
House of Commons
Ottawa, Ontario, Canada
K1A 0A6

cc. Honourable Marco E. L. Mendicino
Minister of Immigration, Refugees and Citizenship

Re: Workforce Issues – LMIA Recommendation

Dear Minister Qualtrough,

I am writing to you on behalf of the Ontario Restaurant Hotel & Motel Association (ORHMA). Dating back to the 1920's, ORHMA is the largest not-for-profit provincial hospitality association, representing over 11,000 establishments across Ontario. ORHMA is dedicated to fostering a positive business climate for the hospitality industry and represent the industry's interest at all levels of government.

Prior to the COVID-19 pandemic, workforce availability and development were the number one industry issues experienced by operators irrelevant if located in urban, suburban or resort seasonal settings. The need to fill positions were forcing many hospitality operators to freeze investment while experiencing operational challenges affecting service and employee morale.

Even though current unemployment data is showing thousands of workers not yet re-employed, finding workers in some parts of Ontario is very challenging. COVID-19 has amplified this issue and has made it more critical especially in seasonal destinations.

Realizing the complexity of the Temporary Foreign Worker rules, we are supporting one simple suggestion in making amendments to the Labour Market Impact Assessment (LMIA) approval requirements.

The suggestion comes from one of our accommodation members, Living Waters Resort located in Collingwood, which can be found below. This recommendation calls for a text addition to the official government policy statement as highlighted in the attached proposal and noted as follows:

Positions in Accommodation and Food Services and Retail Trade sectors:

*In an economic region with an unemployment rate of 6% or higher (as defined by the Program-specific Statistics Canada data used by Service Canada for the purposes of the Temporary Foreign Worker Program) **excepting the Accommodation and Food Services trade sectors in specific tourism regions as determined by Ministerial instructions (including Collingwood, the Blue Mountains, Niagara ...)***

The inclusion in the yellow highlighted text would render the blue highlighted "refuse" statement null and void. Additional tourism regions can be added as determined.

This simple targeted change offers a fair response to a troubling issue in parts of Ontario and anywhere else the issue is experienced without comprising other regions. A Ministerial directive would add changes as needed.

Thank you,



Tony Elenis
President & CEO
Ontario Restaurant Hotel & Motel Association (ORHMA)

A Simple Proposal to Unblock the LMIA Logjam for the Tourism Industry

One suggestion to “keep it simple” that would enable LMIA approval for TFW’s in regions that exceed 6% unemployment but are unable to find local Canadians to perform the role.

Make one simple text addition to the official government policy statement as illustrated in yellow below.

The inclusion of the yellow highlighted text (or some variant) highlighted in yellow would render the blue highlighted “refuse” statement null and void. Additional tourism regions can be added as determined.

This would end our problem and the problem for the Canadian Tourism industry. This is a specific, targeted change for tourism regions that need this change. Toronto, for example, likely does not have this problem, Ottawa likely not.

A simple, change for the benefit of the resort industry, workers and government. It would also demonstrate the government’s caring heart for all.

Ministerial instructions

As a result of public policy considerations as determined in Ministerial instructions, we may refuse to process your Labour Market Impact Assessment application for:

- certain [positions in the accommodation and food services and retail trade sectors](#)
- [low-wage positions above the current cap](#)
- [most positions in the province of Alberta](#) (unless they are listed as exempt occupations under the Alberta Refuse to Process or if the application is otherwise exempted)
- [in-home caregiver positions where there is a live-in requirement](#)
- any position if you have had a [Labour Market Impact Assessment revoked](#) in the past 2 years

Certain positions in accommodation and food services and retail trade sectors

Positions in Accommodation and Food Services and Retail Trade sectors:

- in an economic region with an unemployment rate of 6% or higher (as defined by the Program-specific Statistics Canada data used by Service Canada for the purposes of the Temporary Foreign Worker Program) **excepting the Accommodation and Food Services trade sectors in specific tourism regions as determined by Ministerial instructions (including Collingwood, the Blue Mountains, Niagara ...)**
- in the Accommodation and food services sector (North American Industry Classification System (NAICS) code 72) or Retail trades sector (NAICS codes 44 to 45); and
- classified under the National Occupational Classification (NOC) codes 6541, 6611, 6622, 6711, 6721, 6731, 6732, 6733, 7611 and 8612

We will refuse to process your LMIA application when all three conditions apply.