



# Yukon Nominee Program

## YNP Application Handbook

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### DEFINITIONS

CELP	–	Canadian English Language Proficiency Index Program
ESDC	–	Employment and Social Development Canada
IELTS	–	International English Language Testing System
IRCC	–	Immigration, Refugees and Citizenship Canada ( <i>previously known as Canadian Immigration and Citizenship (CIC)</i> )
NOC	–	National Occupational Classification
TEF	–	Test d'évaluation de français
TPA	–	Tripartite agreement
YNP	–	Yukon Nominee Program

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## Overview

The Yukon Nominee Program (YNP) is administered by the Government of Yukon's Department of Economic Development Immigration Unit, in partnership with Immigration, Refugees and Citizenship Canada (IRCC) under the '[Agreement for Canada-Yukon Co-operation on Immigration](#)'. The purpose of the YNP is to help the Government of Yukon respond to labour market needs in a sustainable way, while ensuring job opportunities are safeguarded for Yukoners and Canadians.

Please review the following guidelines to increase the chances of a successful application to the YNP.

## Process

The YNP is an economically based program that is employer driven in nature. Yukon employers who can offer year-round, full-time employment (35-40 hrs/week) and meet certain criteria may submit applications to the program to nominate qualified foreign nationals for employment and residence in Canada. If attempts to hire locally or nationally are unsuccessful and an employer is looking outside of Canada to fill labour shortages for permanent, full-time positions, the YNP is an option that is available to them. The YNP allows qualified foreign nationals the opportunity to work and settle in Yukon with the long-term goal of establishing themselves as permanent residents of Canada. The YNP offers: the [Skilled Worker Program](#), the [Critical Impact Worker Program](#), and the [Yukon Express Entry](#).

Hiring a foreign national to come and work in Yukon can be a lengthy process. The typical processing time for Skilled Worker / Critical Impact Worker applications is 12-14 weeks from receipt of a complete application. Processing times will increase with the volume of applications received. Once an application has been approved the foreign national must apply to [IRCC](#) for a temporary work permit. Processing times for temporary work permits vary by country of origin. A temporary work permit allows the foreign national to come and work in Yukon while their application to IRCC for permanent residency is being processed.

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Yukon Nominee Program can only be accessed by employers who are offering full-time, permanent positions.

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## Yukon Nominee Program process

- 1** Eligible employers **advertise** the position locally and nationally; no qualified Canadian or permanent resident applies.
- 2** Employer **offers full-time, permanent position** to eligible foreign national.
- 3** Employer and foreign national **complete all required forms** for YNP.
- 4** Employer **submits complete application** to YNP, ensuring all forms and documents are included.
- 5** If employer is approved, **foreign national information is reviewed**.
- 6** If a foreign national is approved, the individual becomes a **territorial nominee**.
- 7** Once the application is approved, both the employer and nominee must sign a **Tri-Partite Agreement (TPA)** with the Government of Yukon.
- 8** Nominee submits application to IRCC for a **Temporary Work Permit**. Nominee also submits an application for **permanent residency** after signing the Tripartite Agreement (TPA).
- 9** **Nominee works** for employer under a Temporary Work Permit while permanent residency is in process.
- 10** Nominee meets all admissibility checks (security, health, criminality). Once permanent residency is received, the **nominee becomes a resident of Canada**.

**Note:** IRCC is responsible for assessing each nominee's eligibility for both work permits and permanent residency. The YNP and the Government of Yukon are **not** responsible for IRCC's decision to grant or deny work permits or permanent residency and **cannot** appeal those decisions.

# 1 Employer requirements

To be eligible to make an application under the YNP, an employer must meet the following criteria:

- the employer must be a permanent resident of Canada;
- the employer must have been operating in Yukon as:
  - a registered Yukon business with an office in Yukon for at least one year prior to the application to the YNP; or
  - an industry association with an office in Yukon for at least one year prior to the application to the YNP; or
  - a municipal, First Nation or territorial government for at least one year prior to the application to the YNP; or
  - a non-profit organization for a minimum of three years, with funding secured for at least one year following the application to the YNP; and
- the employer must have current and valid required licenses in accordance with all applicable federal, territorial, and municipal requirements.

Employers must have been registered and operating the business for which the application has been submitted for, in the Yukon, a minimum of one year, on a full-time basis.

The federal and provincial/territorial governments have various initiatives to promote the hiring of underrepresented groups. These initiatives are intended to help:

- employers hire Canadian citizens and permanent residents from underrepresented groups before applying to hire temporary foreign workers;
- employers locate organizations that may assist them in finding workers from underrepresented groups;
- individuals who may have more difficulty than others in finding employment.

**Employers are also encouraged to contact local agencies or community groups that assist these individuals with integration into the labour market.**

**Advertising:** A job posting is an announcement of an employment opportunity in a public medium such as newspapers, job posting Internet site, bulletin boards, etc. It provides a broad exposure of the vacancy to Canadian citizens and permanent residents in Canada who would be potential candidates for the position.

Employers must demonstrate proof of one national and two local recruitment efforts.

To meet the minimum advertising requirements set by the YNP, employers must advertise on the national Job Bank, and on at least two or more of the following mediums, including:

- recognized Internet employment sites such as Indeed;
- local and regional newspapers, newsletters;
- ethnic newspapers and Internet sites;
- local and regional employment centres.

**The advertisement must be posted for a minimum of four continuous/consecutive weeks prior to the employer applying for the YNP. The advertisement must remain posted to actively seek qualified Canadians and permanent residents until a decision is made.**

Advertising must clearly specify:

- A. the position title as per the [National Occupational Classification \(NOC\)](#);
- B. minimum qualification/education as per the [NOC](#);
- C. the hours per week;
- D. the median wage as per the [Employment and Social Development Canada \(ESDC\) NOC](#).

## IMPORTANT

Employers hiring foreign nationals who are exempt from the Labour Market Impact Assessment process such as the YNP will be required to submit the offer of employment and pay a compliance fee to IRCC.

### After you are approved through the YNP:

All employers must submit the offer of employment information and pay the employer compliance fee using the [IRCC Employer Portal](#).

Consult the [IRCC Employer Portal Enrolment Guide](#) for more information.

## 2021 NATIONAL OCCUPATIONAL CLASSIFICATION (NOC)

On November 16, 2022, Immigration, Refugees and Citizenship Canada (IRCC) adopted the [2021 version of the National Occupational Classification \(NOC\)](#). This includes the new five-digit occupation codes and a 6-category TEER system. We will no longer accept applications that use the old four-digit NOC code structure.

Information on NOC codes and position descriptions can be found [online here](#).

**If the wage information for the NOC is not available for Yukon**, refer to the wages in Northern British Columbia, in the following order:

1. North Coast;
2. Nechako;
3. Northeast;
4. British Columbia.

Minimum advertising time is four weeks during the three month period prior to receipt of the application. Advertising requirements must be satisfied prior to submittal of the application; employers must continue with their advertising efforts until a decision is made on the application.

**Please indicate how many Canadian or permanent resident workers applied for the position and why you did not hire them. Do not submit their résumés with your application, but do keep them on file for at least two years, in the event this documentation is requested by ESDC.**

Employers must provide free health insurance to nominees that provides similar coverage to what a Yukon resident receives under the *Health Care Insurance Plan Act*, until the nominee is eligible for insured health care under the [Health Care Insurance Plan Act](#).

Employers must pay for the air travel costs for the nominee to come to the Yukon from the individual's place of permanent residence (but not for the travel costs of family or dependents) if they are not already present in Yukon.

Employers must pay for the return air transportation for the nominee from Yukon to their country if the nominee does not obtain permanent residency or is no longer participating in the YNP.

Employers must ensure the nominee is accommodated regarding rights and responsibilities as outlined in the *Yukon Human Rights Act* and the *Canadian Human Rights Act*. The [Yukon Human Rights Commission](#) is available to assist employers with compliance.

Employers must provide the nominee with up-to-date information about their [rights in Canada](#). Employers must provide this information on or before the first day of work, and in the worker's language of choice (either English or French, the two official languages of Canada). Employers must also make [this information](#) available to the nominee throughout their period of employment.

Employers are responsible for the information/documents they submit. Please verify the foreign national's credentials, employment/work experience and education, prior to submitting the application.

**Screening interview:** The Immigration Unit may conduct a screening interview with the foreign national.

## 2 Foreign national requirements

**Eligibility:** If in Canada at the time of application, the foreign national must have legal status in Canada. Only foreign nationals with a valid Temporary Work Permit or a student visa, with the course of study completed, will be allowed. Foreign nationals cannot be refugee claimants or visitors. Any foreign national who is in Canada on a student permit needs to demonstrate completion of all the requirements of the academic program before being considered for the YNP.

Foreign workers who are currently in Canada must maintain a valid status throughout the YNP application and assessment process. If you are unable to provide the YNP with a valid work permit your application will be declined. Please be advised that if you are under [Maintained Status](#), you may **not be eligible** to apply for nomination through the YNP.

### Keep your work permit valid

You must have a valid work permit and valid temporary resident status to remain eligible for the YNP. It is extremely important that you do not let your work permit and temporary resident status expire while you wait for your YNP application to be assessed. You are responsible for maintaining your status to work in Canada. The processes to renew your [work permit](#) and [temporary resident status](#) are separate from your YNP application.

Potential nominees must satisfy the YNP that it is their intent to settle permanently in Yukon and undertake the process to become a permanent resident of Canada within 6 months of the signing of the tripartite agreement (TPA).

**Employers must ensure that the foreign national has legal status in Canada throughout the YNP assessment process. (i.e. at the time of submission of application and during the YNP assessment, up until YNP has reached a decision).**

YNP will contact the foreign national's former employer(s) and educational institution(s) to verify the information provided. If the information is not received within four weeks of that request, the application will be deemed incomplete and will be returned to the employer. If the information provided by the foreign national does NOT match the information provided by the former employer(s) or educational institution(s) the application will be denied. YNP will share the information with IRCC and Canada Border Services Agency.

**Criteria:** Foreign nationals must meet all YNP criteria. This includes education and work experience that satisfies all the requirements of the job as per the criteria specified in the NOC (the minimum acceptable level of education is completion of high school):

- Proof of a minimum of six months directly related work experience for the position being nominated for a Critical Impact Worker or one year of directly related work experience for the position being nominated for a Skilled Worker.
- Proof of education/credentials - the applicant must submit their high school certificate or its equivalent in order to meet the minimum education requirement. If higher education is required for the position/NOC, please submit educational diplomas, certificates, degrees, etc. Foreign documentation must be translated and notarized. See "Documentation" below.
- Language proficiency results meeting YNP minimum language requirements from a language test administered by a designated testing agency. Accepted tests are the International English Language Testing System (IELTS) General Training, the Canadian English Language Proficiency Index Program (CELPIP) General, TEF Canada: Test d'évaluation de français, TCF Canada: and Test de connaissance du français. **NOTE: Language tests are valid for two years from the date of the test; therefore, language tests must be less than two years old when you submit your application for the YNP.**

#### A. Skilled Worker Stream (TEER Category 0 or 1)

Foreign nationals who are seeking employment in jobs that fall in TEER Category 0 or 1 are required to meet the [Canadian Language Benchmarks](#) Level 6.

NOTE: Foreign nationals applying under the Yukon Express Entry stream for positions under TEER 0 or 1 must meet Canadian Language Benchmarks Level 7.

#### B. Skilled Worker Stream (TEER Category 2 or 3)

Foreign nationals who are looking to work in jobs that fall in TEER Category 2 or 3 are required to meet the [Canadian Language Benchmarks](#) Level 5. This includes foreign nationals who are applying under the Yukon Express Entry stream for positions under TEER 2 or 3.

#### C. Critical Impact Worker Stream (TEER Category 4 or 5)

Foreign nationals who are looking to work in jobs that fall in TEER Category 4 or 5, are required to meet the [Canadian Language Benchmarks](#) Level 4.

**Documentation:** Foreign nationals must provide documentation showing they meet all YNP criteria. All supporting documents must be submitted as notarized copies with contact information for the notary included. Documents in languages other than English or French must be translated by an accredited translator (with contact information for verification) to one of Canada's official languages. **The notarized document in the original language needs to accompany the translation.** The following documents are required.

- Proof of previous work experience with letter(s) confirming previous employment. Notarized copies only. Documentation must include letters of reference from the supervisor or Human Resources officer identified by name and title. Letters must include:
  - company letterhead;
  - job title;
  - start and end date of employment;
  - job duties; and
  - contact information of the supervisor or human resources officer issuing the letter (phone, fax, email, company website).

- Additional documents may be requested by the assessing officers, such as:
  - pay stubs;
  - income tax records; and
  - other documents as requested by the assessing officer.
  
- Proof of education/credentials. The applicant must submit their high school certificate or its equivalent in order to meet the minimum education requirement. If higher education is required for the position/NOC, please submit educational diplomas, certificates, degrees, etc. mentioned under the NOC criteria. If you are seeking a credential evaluation or assessment, please refer to credential assessment agencies such as [International Credential Evaluation Service](#). YNP will verify any educational credential submitted with a YNP application with the organization that produced or issued it. Please provide the following information along with each of your educational credentials.
  - Name of the organization.
  - Physical address.
  - Email address.
  - Website address.
  - Contact name.
  - Contact phone number.
  
- If previously self-employed, certificates proving the establishment and good standing of the business for the period in question are required.
  
- Passport for foreign national must be valid. Submit notarized copies of all pages of the passport.
  
- Spouse: Passport/marriage certificate/divorce certificate, must be valid notarized copies. Submit notarized copies of all pages of the passport. This information must be included whether the spouse is accompanying the nominee or not.
  
- Common-Law: Passport/statutory declaration of common-law union must be valid notarized copies. Submit notarized copies of all pages of the passport. This information must be included whether the common-law is accompanying the nominee or not. To prove common-law relationship please fill out the [Statutory Declaration of Common-Law Union form](#) and include it with the application.
  
- Dependents: Passport/birth certificate/custody papers and/or permission from the other parent (if divorced or separated) must be valid notarized copies. This information must be included whether the child/dependent is accompanying the nominee or not.
  
- If applicable, a notarized copy of the foreign national's current Temporary Work Permit. Please note: refugee claimants are not eligible for the YNP.
  
- If the foreign national is to be employed in the transportation industry as a long haul trucker, etc. the following requirement must be met: applicants who hold a driver's license outside of Canada within the past 3 years must obtain their own driver's record that would show information about recent collisions, violations, or suspensions. Every country has a different procedure for this, but we recommend contacting the agency which issued your license.
  
- If marital status changes after you have been approved as a nominee no change can be made to add dependent(s) (spouse and/or children).
  
- If the foreign national is to be employed in the daycare industry, they must obtain the child care certificate from the Yukon Department of Education. Please visit the [early childhood educator certification website](#) for designation guidelines for a child care worker. The Early Learning and Child Care Unit is responsible for assessing educational transcripts to determine the level of certification for child care professionals who work in [licensed child care programs](#) in the Yukon.

### 3 YNP Forms

- [Application Form](#) - Section 1

The application form must be complete, signed and dated. The application form includes the stream (Skilled Worker or Critical Impact Worker), company information, position information (including the NOC code, hours per week, wage rate and a brief description of the position), advertising information, foreign national information, and declarations by the employer and the foreign national. Original signatures are required by both the employer and the foreign national.

- [Guaranteed Employment Offer](#) - Section 2

The Guaranteed Employment Offer outlines all conditions of the position. The [median wage](#) must be provided and low income cut-off levels must be met as determined by Statistics Canada whether the dependents are accompanying the nominee or not. The Guaranteed Employment Offer must specify an hourly and yearly salary, the number of hours of work per week (minimum 35-40 hours/week), vacation (or vacation pay), and all other relevant employment details. Original signatures are required by both the employer and the foreign national.

- [Settlement and Retention Plan](#) - Section 3

The Settlement and Retention Plan includes questions on accommodation, information and resources, health and safety, and retention in order to determine how employers will help their potential future nominees settle and stay in Yukon. Original signatures are required by both the employer and the foreign national.

- [Authority to Release Personal Information to a Designated Individual form](#)

This form is for foreign nationals who wish to authorize the YNP to release their personal information to an individual they designate. The individual you designate will be able to obtain information on your case file, such as the status of your application. However, the person will not be a representative who can conduct business on your behalf with the YNP.

### 4 An application is submitted by the employer to the YNP for review

The processing time for YNP applications is 12-14 weeks from receipt of a complete application. Processing times vary and depend on the volume of applications received at any given time.

**Incomplete application:** if an application is incomplete, a letter will be sent to the employer stating that the application cannot be processed. The employer will be given a period of 30 days to submit the required information. If, after a period of 30 days the necessary information has not been provided, the application will be refused and returned to the employer. Employers are welcome to resubmit when an application is complete.

**Refused applications:** if an application is refused, a letter will be sent to the employer stating the reasons for refusal. The application will be returned to the employer in 30 days from the date of the issuance of the refusal letter.

### 5 Application review process

If the employer and the foreign national meet all program criteria, a recommendation is made to the Director, Immigration, for acceptance or refusal of the application. The Assistant Deputy Minister of Economic Development has final signing authority on application decisions. In instances where an application is refused and the employer feels an error was made or requested information was not considered, the employer can request an administrative review of the decision. This request must be made to the Director, Immigration, in writing within 30 days of the issuance of the refusal letter.

### 6 Application is approved

Upon approval of an application to the YNP, the foreign national obtains nominee status and nomination information is sent to IRCC. As a territorial nominee, two letters will be provided from the Immigration Unit, Economic Development. One letter is in support of an application for a temporary work permit, allowing the individual the opportunity to begin (or continue) working for the employer while the application for permanent residence is being processed. The second letter is to be included with the application for permanent residence and informs IRCC that the individual is accepted to the YNP.

## 7 Approved applications:

Once approved, the employer and the applicant must sign a Tripartite Agreement (TPA) with the Government of Yukon. Employers and nominees must comply with all terms and conditions of the TPA, an agreement signed by the employer, the employee/nominee and Immigration Unit, Economic Development. This ensures that all parties are aware of their rights and responsibilities. YNP also conducts on-site and electronic monitoring to verify compliance with the TPA.

If the applicant is already in the Yukon, the TPA meeting should be arranged within 14 days of the issuance of the approval package. If the applicant is not in Canada, the TPA appointment should be arranged within 14 days of arrival in the Yukon.

In order to proceed with the TPA signing process, the Immigration Unit requires the following information and documentation:

- date Nominee arrived in the Yukon (if applicable)
- A copy of Nominee's work permit
- Nominee's Yukon address and phone number
- Evidence that the employer provided the following:
  - (a) third-party health insurance for the nominee (for the first three months until they become eligible for Yukon health insurance);
  - (b) the payment of the Nominee's flight ticket to the Yukon.

## 8 a) Temporary work permit applications

A temporary work permit is required for anyone who is not a citizen or a permanent resident of Canada to legally work in Canada. The issuance of temporary work permits is the responsibility of the Government of Canada. Please see [IRCC's website](#) for more information on how to apply for a temporary work permit. Processing times for temporary work permits vary. Please refer to IRCC's website for approximate timelines.

## 8 b) Temporary work permit application and extension

Temporary Work Permit Applications or Extension of Work Permits are [available online](#).

A temporary work permit is required for anyone who is not a citizen or a permanent resident of Canada to legally work in Canada. The issuance of temporary work permits is the responsibility of the Government of Canada. Please visit [IRCC's website](#) for more information on how to apply for a temporary work permit. Processing times for temporary work permits vary. Please refer to IRCC's website for approximate timelines.

## 9 Permanent residence applications

Applications for permanent residence are to be submitted **within six months** of the signing of the tripartite agreement (TPA). Please visit [IRCC's website](#) for information on how to apply for permanent residence.

## 10 Permanent residence granted

It is a requirement to notify the YNP once you have become a permanent resident in Yukon. Fax, email or drop off a copy of the permanent resident card (both sides) as soon as possible.

After a nominee has become a permanent resident, the YNP may be in contact to complete brief surveys at one, two and five-year intervals, as required by IRCC.

**Note 1:** If you are experiencing issues with your employment, contact the Immigration Unit, Economic Development office immediately. If you lose or quit your job during the nomination process, you may lose your nomination and your Permanent Residence application will be cancelled.

**Note 2:** Any activity potentially constituting fraud will be investigated and may result in the employer and/or nominee being banned from the YNP, revocation of the nomination and/or criminal proceedings.