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Introduction

As a temporary foreign worker in Alberta, you have the same rights and responsibilities as any other employee in the workplace. You are protected under Alberta’s employment standards, workplace health and safety and workers’ compensation legislation.

This information will help you understand what to expect and where to find additional resources.

Temporary Foreign Worker Program

The federal government’s Temporary Foreign Worker Program allows eligible foreign workers in Canada for an authorized period of time.

Three departments - Citizenship and Immigration Canada (CIC), Service Canada and Canada Border Services Agency (CBSA) work together to manage and deliver the Temporary Foreign Worker Program.

Service Canada

Service Canada processes applications from employers for Labour Market Opinions (LMOs) and ensures that all necessary requirements are met. An LMO is an opinion provided by Service Canada to employers which assesses the likely impact that hiring the requested foreign worker(s) may have on the Canadian labour market. Service Canada Centres process foreign worker requests (LMO applications) in each province.

Citizenship and Immigration Canada (CIC)

CIC and its visa offices at Canadian embassies, high commissions and consulates outside Canada process applications for work permits to determine who is eligible to work in Canada. In most cases, CIC is the first point of contact for many foreign workers who want to work in Canada, although under certain circumstances, they may apply for a work permit at a port of entry.

Canada Border Services Agency

Border Services Officers screen foreign workers at Canadian border crossings and airports before issuing work permits and allowing their
Employment Insurance provides temporary income support during periods of unemployment. Temporary foreign workers must meet the same eligibility requirements as Canadian citizens and permanent residents.
entry into Canada. A Border Services Officer has the final say on who may enter Canada. Officers can deny entry to a foreign worker if they believe the foreign worker does not meet the requirements of the *Immigration and Refugee Protection Act*.

**General Information**

**Terms and conditions of a work permit**
You must comply with all the terms and conditions of your work permit. A work permit specifies your employer, where you work and the type of job you do. It also states how long your work permit is valid for.

**Changing the conditions on a work permit**
As a temporary foreign worker, you may apply to extend your stay, change the conditions of your stay, the type of temporary status, or correct problems with your status. It is important to apply for your renewal before your current documentation expires. Applications can be obtained at [www.cic.gc.ca](http://www.cic.gc.ca), or by calling 1-888-242-2100.

**Termination**
If you do not meet the employer’s expectations as outlined in the job contract, your employer has the right to terminate your employment. External circumstances, such as changes to the economy, may also eliminate the need for your position. Either way, you must be given notice of termination, or pay-in-lieu of notice.

**Employment Insurance**
Employment Insurance provides temporary income support during periods of unemployment. Temporary foreign workers must meet the same eligibility requirements as Canadian citizens and permanent residents.

For more information on the Employment Insurance Program visit [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca), or call 1-800-206-7218.

**Finding new employment**
You may choose at any time to find another employer. However, your new employer is required to obtain an LMO and you must apply for a new work permit that reflects your changes in employer, location or job description.
Temporary Foreign Workers

Sending a temporary foreign worker home
You are entitled to remain in Canada for the full term of your work permit. An employer or employment agency cannot force you to return home if your work contract is terminated before the end of the work permit, or if you decide to find a job with another employer.

Reporting violations
It is against the law for an employer to bully or threaten to send you back to your country to prevent you from reporting a violation. An employer or employment agency that attempts this may be subject to prosecution under the Criminal Code. To report an abuse of this kind call the Temporary Foreign Worker Helpline at 1-877-944-9955.

Use of a representative
Should you choose to use a representative to help you with your application for a work permit, you are still responsible for the accuracy of the information provided. Further information regarding the use of representatives may be obtained at www.cic.gc.ca or by calling 1-888-242-2100.

Service Canada
Citizenship and Immigration Canada (CIC)
www.cic.gc.ca | 1-888-242-2100

What Employees in Alberta Need to Know

Employment Standards

Employment standards are minimum standards of employment for employers and employees in the workplace.

Your employer has made an agreement with you and the government to provide you a job. The agreement gives you a lot of information including the amount of money you will earn. The employer is required to meet all the conditions of the agreement.
If the agreement requires your employer to pay the costs of airfare, health care and accommodation, the employer cannot charge them back to you in the form of deductions. Your employer cannot charge you for any costs associated with the employer’s use of an employment agency. Your employer cannot deduct these from your pay, even if you provide written permission.

**When and how do I get paid?**

Employers must have regular pay periods such as every week, every two weeks or once a month. You must be paid within ten days after the end of each pay period. You may be paid in cash, by cheque or money order, or by direct deposit into your bank account.

**Deductions from your earnings**

The *Employment Standards Code* allows certain deductions to be taken from your earnings. These are deductions for income tax, Canada Pension Plan and Employment Insurance. If an employer wants to make other deductions, you must give written permission first.

There are some deductions that are never allowed, even with written permission from you. Employers cannot take deductions for mistakes. Also, they cannot deduct for cash shortages or loss of property if more than one person has access to the cash or property.

Your employer cannot charge you more than their cost for buying, cleaning and maintaining work clothes and uniforms. There are also limits to the rates your employer can charge you for providing you with a place to stay. For the current board and lodging rates visit [www.employment.alberta.ca/es](http://www.employment.alberta.ca/es).

**Hours of work**

- Your workday cannot be longer than 12 hours.
- You must be given at least 30 minutes of rest during each shift that is longer than five hours.
- You must be given at least one rest day for each week you work.
Overtime and overtime pay

In most industries, overtime is all hours worked over eight hours a day or 44 hours a week. If you are paid a weekly, monthly, or annual salary, you will still earn overtime benefits for overtime hours worked.

Overtime is either paid at the rate of at least 1.5 times your regular wage, or you and your employer can agree to replace overtime pay with paid time off (a day off work, for example).

Employment Standards conducts payroll inspections at many workplaces, including those with temporary foreign workers, to ensure that all employees are being properly paid.

General holidays

The Employment Standards Code names nine days as general holidays in Alberta. For a complete listing of the dates and eligibility requirements visit www.employment.alberta.ca/es.

Vacations and vacation pay

Vacations and vacation pay are intended to ensure that each year employees have a rest from work without loss of income. After one year of employment, you are entitled to at least two weeks’ vacation with pay.

Maternity and parental leave

Employees who qualify are entitled to a period of maternity or parental leave without pay. You must have 52 consecutive weeks of employment with your employer to be eligible for maternity or parental leave. At the end of the leave you must be reinstated to your original, or an equivalent, job.

Termination of employment and layoffs

You have the right to terminate your employment with an employer and they have the right to terminate your employment. These rights, however, come with responsibilities. The main responsibility is to provide proper notice. The length of notice you are required to give depends on how long you have worked in that position and must be in writing.

Neither you nor your employer has to give notice of termination during the first three months of employment. For employment of more than
three months, but less than two years, proper notice is one week. Your employer must pay all your earnings within ten days following termination of employment. The due date for getting your final pay will depend on whether notice was required.

Your employer can temporarily lay you off for up to 59 days without giving you a termination notice. However, if your employer does not recall you before the 60th day, they must give you a termination notice or termination pay.

If you do not return to work within seven days of receiving a recall notice, your employer does not have to provide you with a termination notice or termination pay.

For more information about Alberta Employment Standards, or to file a complaint:

Edmonton and area: 780-427-3731
Toll-free in Canada: 1-877-427-3731
Visit: www.employment.alberta.ca/es

Complaints must be made within six months of non-payment or the end of employment. The law limits recovery of wages and overtime to the last six months of employment, and vacation pay and general holiday pay to the last two years of employment.

Workplace Health and Safety

The *Occupational Health and Safety Act (OHS Act)* contains laws to protect and promote the health and safety of workers throughout Alberta. It outlines the responsibilities of employers as well as workers.

**Employees’ rights and responsibilities**

You have the right to a safe and healthy workplace. As a worker, the OHS Act requires you to work in a healthy and safe manner and co-operate with your employer by following the health and safety rules on the work site.

There are specific health and safety requirements you must follow. For example, you may be required to use a safety harness or similar equipment when doing certain kinds of work. You may need to use
It is against the law for anyone to force you to do work that you think is unsafe. If there is imminent danger, you must refuse to do the work. Imminent danger means any danger that is not normal for your job.
personal protective equipment such as safety boots, safety glasses, ear plugs and a hard hat, when necessary. It is your responsibility to follow the rules. If you do not understand them, ask questions.

Ten questions to ask your employer about health and safety in your workplace:

1. What are the dangers of my job?
2. Are there any other hazards or dangers that I should know about?
3. Will I receive job training?
4. Do you have health and safety meetings?
5. Is there protective equipment I’ll be expected to wear and will I receive training in how to use it?
6. Will I be trained in emergency procedures (for example fire or chemical spills)?
7. Where are the fire extinguishers, first aid kits and other emergency equipment located?
8. What do I do if I get hurt? Who is the first aid person?
9. What are my health and safety responsibilities?
10. Who do I ask if I have a health or safety question?

It is against the law for anyone to force you to do work that you think is unsafe. If there is imminent danger, you must refuse to do the work. Imminent danger means any danger that is not normal for your job.

Your employer cannot lay you off or fire you because you refuse to do dangerous work.

Employees’ responsibilities

Your employer has a duty to watch out for your health and safety. They must complete a hazard assessment clearly identifying the hazards or dangers in the work site. Once identified, the hazards must be removed or controlled. This may involve some changes in equipment or require rules and procedures to ensure your job is as safe as possible. This information must be shared with all workers.
Your employer must:

- Make sure you have the necessary training, qualifications and experience for the job.
- Let you know about all health and safety hazards on the job.
- Make sure you have all the tools and equipment, including personal protective equipment to do your job.
- Make sure that you know how to use the equipment.
- Train you to safely handle dangerous products.
- Investigate any incidents that cause injuries, as well as incidents that could have caused injuries.

You are encouraged to find out more about your rights and responsibilities by visiting www.employment.alberta.ca/whs

Using an Employment Agency

As a temporary foreign worker planning to, or currently working in Alberta, you may be thinking about using the services of an employment agency to find you a job. Employment agencies charge the employer a fee for recruiting a worker. This fee is negotiated between the employer and employment agency. The employer is not allowed to recover the cost of this service from the employee. Any agency that indicates this is possible is wrong. Fees cannot be charged to potential or recruited workers to find a job.

For more information, contact Consumer Contact Center, Service Alberta:

Edmonton and area: 780-427-4088
Toll-free in Alberta: 1-877-427-4088
Information for Landlords and Tenants

In Alberta, the *Residential Tenancies Act* applies to most people who rent the place where they live. This law sets out the rights and responsibilities that apply to landlords and tenants, including employers that provide housing and to employees with employer-provided housing.

Whether you are renting a suite, a room in someone’s home or are sharing accommodation, make sure you understand the rules that apply to your situation. Different rental spaces have different rules.

All rental agreements should be in writing, signed by the landlord, and include details about landlord and tenant responsibilities, such as security deposit, inspections, rental costs and termination notices.

For more information, contact Consumer Contact Center, Service Alberta:

Edmonton and area: **780-427-4088**
Toll-free in Alberta: **1-877-427-4088**

For tip sheets on consumer and tenant issues visit [www.servicealberta.ca](http://www.servicealberta.ca)

Workers’ Compensation

The Workers’ Compensation Board (WCB) – Alberta can provide assistance if you are injured at work. As a temporary foreign worker, you are treated the same as any other worker in Alberta. If your employer is covered under the *Workers’ Compensation Act*, your coverage begins once you start work in Alberta. Ask your employer if they have Workers’ Compensation coverage.
Employers should have this poster where employees can see it. The poster tells you how to report a work injury.

Your employer should explain your job duties, working conditions and responsibilities for safe work practices. You should know how WCB works and if you are injured, how you can submit a claim.

If you are injured and can do light duties (modified work) and your work permit allows it, your employer can give you light duties to do. This will keep you working while you get better.

If possible, employers are asked to include a modified work option in their initial work permit application.

If you are injured on the job:

- Tell your employer immediately.
- Your employer must report it to WCB right away if you:
  - Need more medical help than first aid.
  - Cannot do your job after the incident.
- Tell a doctor you were hurt at work.
- Tell WCB. Fill out a Report of Injury form and send it to WCB right away. You can get forms from your employer, a WCB office or at www.wcb.ab.ca.
To contact the Workers’ Compensation Board:
Toll-free in Alberta: 1-866-WCB-WCB1 (1-866-922-9221)
Outside of Alberta: 1-800-661-9608
Email: contactcentre@wcb.ab.ca
Visit: www.wcb.ab.ca

Personal Information

Privacy rights
Alberta’s *Personal Information Protection Act (PIPA)* protects information held by private sector organizations in Alberta by setting out rules for how organizations can collect, use or disclose personal information. For temporary foreign workers and immigrants, *PIPA* applies to employers and employment agencies that operate in Alberta. If these organizations fail to protect personal information or disregard the rules for the collection, use and disclosure of personal information as set out under *PIPA*, then individuals can submit a complaint to the Office of the Information and Privacy Commissioner of Alberta.

*Example - Possible privacy complaint*

Alina, a temporary foreign worker from the Philippines, agreed to work as a live in domestic care-giver for a family in Alberta. After settling into her job, the employer requested Alina’s passport for safe-keeping. Alina questioned the employer’s request and was told that if she refused, she would have to return to the Philippines. Alina contacted the police and the Office of the Information and Privacy Commissioner of Alberta to see if she should make a complaint.

To contact the Office of the Information and Privacy Commissioner (OIPC):

**Calgary Office**
2460, 801 – 6th Avenue S.W.
Calgary, AB T2P 3W2
403-297-2728
Toll-free in Alberta: 1-888-878-4044
Visit: www.oipc.ab.ca

**Edmonton Office**
410, 9925 – 109th Street
Edmonton, AB T5K 2J8
780-422-6860
Visit: www.oipc.ab.ca
The Temporary Foreign Worker Advisory Office and Temporary Foreign Worker Helpline will help you learn about your rights and find solutions for situations involving unfair, unsafe or unhealthy working conditions.
Alberta’s Support for Temporary Foreign Workers

Temporary Foreign Worker Advisory Office and Helpline

The Temporary Foreign Worker Advisory Office and Temporary Foreign Worker Helpline will help you learn about your rights and find solutions for situations involving unfair, unsafe or unhealthy working conditions.

Advisory Offices are located in Calgary and Edmonton. Both offices are located on public transportation routes for easy access. Temporary foreign workers can contact an advisory office by calling or by visiting in person.

Once your needs are assessed, services provided by the Advisory Office may include:

- Providing assistance in accessing and completing forms.
- Assisting in submitting a complaint.
- Providing you with current information on available federal and provincial programs.
- Working with immigrant-serving agencies across the province to assist you with adapting to living and working in Alberta.

Allegations of any mistreatment are taken very seriously and all complaints from temporary foreign workers are referred for investigation.

To contact the Temporary Foreign Worker Advisory Offices (Monday – Friday):

North Location (Edmonton) South Location (Calgary)
3rd Floor, City Centre 3rd Floor, JJ Bowlen Building
10242 - 105 Street 620 - 7th Avenue S.W.
Edmonton, AB T5J 3L5 Calgary, AB T2P 0Y8
780-644-2584 403-476-4540

To contact the Alberta Temporary Foreign Worker Helpline:

Edmonton and area: 780-644-9955
Worldwide: 1-877-944-9955
Email: tfwadvisory.office@gov.ab.ca
Immigrate to Alberta Information Service

The Immigrate to Alberta Information Service provides information on working in Alberta and permanent and temporary residency in Alberta. The service is accessible by email or phone and is used by Alberta employers, temporary foreign workers and the general public.

The Immigrate to Alberta Information Service is staffed by knowledgeable Economic Immigration Specialists who are available to respond to enquiries and provide information about a wide range of topics including:

- The Alberta Immigrant Nominee Program (AINP):
  - Employer and employee eligibility criteria under the AINP.
  - The steps and process for applying to the AINP.
- Labour Market Opinions (LMOs).
- Work permits.
- International Qualifications Assessment Service (IQAS).
- Recognition of foreign qualifications and assessment of credentials.
- General information on options for permanent and temporary immigration.

To contact the Immigrate to Alberta Information Service (Monday – Friday):

Toll-free in Alberta: 1-877-427-6419
Outside Alberta: 780-427-6419
Email form: www.AlbertaCanada.com/info
Visit: www.AlbertaCanada.com/immigration

Immigrant-Serving Agencies

To help you adapt to living in Alberta you may want to contact a local immigrant-serving agency. Services available include:

- Practical guidance on everyday living and orientation to the community, such as using public transit, how to find cultural and religious institutions and general information on life in Alberta.
- Basic interpretation services.
There are seven immigrant-serving agencies in Alberta which offer settlement services to temporary foreign workers.

Calgary

Calgary Catholic Immigration Society
3rd Floor, 120 – 17 Avenue S.W. Calgary, AB T2S 2T2
403-262-2006 www.ccis-calgary.ab.ca

Edmonton

Catholic Social Services
(in partnership with the Edmonton Mennonite Centre for Newcomers)
10709 – 105 Street, Edmonton, AB T5H 2X3
780-424-3545 www.catholicsocialservices.ab.ca

Brooks

Brooks and County Immigration Services
(A project of the Calgary Catholic Immigration Society)
Bay 2 – 500 Cassils Road, Brooks, AB T1R 1B5
403-362-0404 www.ccis-calgary.ab.ca

Banff

Calgary Catholic Immigration Services
Banff Town Hall, 110 Bear Street, Banff, AB T1L 1A1
403-762-1254 www.ccis-calgary.ab.ca

Fort McMurray

Y.M.C.A. – Immigrant Settlement Services
201,10011 Franklin Avenue, Hill Building, Fort McMurray, AB T9H 2K6
780-743-2970 www.ymca.woodbuffalo.org

Lethbridge

Lethbridge Family Services
701-2 Avenue South, Lethbridge, AB T1H 0E6
403-320-1589 www.lethbridge-family-services.com

Red Deer

Catholic Social Services
202, 5000 Gaetz Avenue, Red Deer, AB T4N 6C2
403-346-8818 www.catholicsocialservices.ab.ca
Welcome to Alberta: Information for Newcomers

Moving to a new country can be both exciting and stressful. Welcome to Alberta: Information for Newcomers provides information about your first few weeks and months in Alberta that will help you settle in your community. Topics covered include housing, healthcare, climate, banking, transportation and social customs. The guide also lists key contacts. Download or order the publication at www.alis.alberta.ca/publications

Alberta Immigrant Nominee Program

If you are a temporary foreign worker who is hoping to make Alberta your permanent home, you may be eligible to submit an application to the Alberta Immigrant Nominee Program (AINP) to obtain permanent resident status in Canada.

Not every occupation is eligible under the program. Not everyone who is working as a temporary foreign worker in Alberta will qualify. Carefully review all criteria before you submit an application.

Are you Eligible to Make Alberta Your Permanent Home?

The following steps show how the AINP works and how you can access the program.

2. Explore the different streams and categories of the program to see if you meet the eligibility criteria.

- **Employer-Driven Stream**: For candidates in skilled or selected semi-skilled occupations who have a permanent, full-time job offer with an Alberta employer.
- **Strategic Recruitment Stream**: For candidates in selected occupations that are in high demand in Alberta.
- **Family Stream**: For candidates with a close Alberta relative who can assist them in settling in Alberta.
3. If you meet all AINP criteria, you can then complete an application. Make sure you include all required documents or your application will be returned to you. If your application does not meet criteria, it will be declined.

4. Mail the complete application to the AINP:
   Alberta Immigrant Nominee Program
   Suite 940, Telus Plaza North Tower
   10025 Jasper Avenue, Edmonton, Alberta T5J 1S6

5. If the application meets AINP eligibility criteria, you may be approved as a Provincial Nominee. If approved, the AINP will send you a nomination package outlining the next steps including preparing and submitting an application for permanent residence to Citizenship and Immigration Canada (CIC).

6. CIC will then conduct health, criminal and security checks. If these checks are met, you will receive your permanent resident visa.

You are not required to use an immigration consultant or lawyer to complete your application. If you choose to hire a representative to complete your application, it will not receive special attention or be handled differently from other applications.

For more information on the Alberta Immigrant Nominee Program visit www.AlbertaCanada.com/ainp

### Resources

**Alberta**

**Alberta Health Care Insurance Plan**
www.health.alberta.ca/health-care-insurance-plan.html

**Alberta Immigrant Nominee Program**
www.AlbertaCanada.com/ainp
Temporary Foreign Workers

Alberta Temporary Foreign Worker Helpline
Edmonton and area: 780-644-9955
Outside Alberta: 1-877-944-9955
Email: tfwadvisory.office@gov.ab.ca

Employment Standards
Edmonton and area: 780-427-3731
Toll-free in Canada: 1-877-427-3731
www.employment.alberta.ca/es

Immigrate to Alberta Information Service
Toll-free in Alberta: 1-877-427-6419
Outside Alberta: 780-427-6419
Email form: www.AlbertaCanada.com/info

Office of the Information and Privacy Commissioner (OIPC)
Calgary Office: 403-297-2728
Edmonton Office: 780-422-6860
Toll-free in Alberta: 1-888-878-4044
www.oipc.ab.ca

Service Alberta, Consumer Contact Center
Edmonton and area: 780-427-4088
Toll-free in Alberta: 1-877-427-4088
www.servicealberta.ca

Temporary Foreign Worker Advisory Offices

North Location (Edmonton)
3rd Floor, City Centre, 10242 - 105 Street Edmonton, AB T5J 3L5
780-644-2584

South Location (Calgary)
3rd Floor, JJ Bowlen Building, 620 – 7th Avenue S.W. Calgary, AB T2P 0Y8
403-476-4540
Workers’ Compensation Board Alberta
Toll-free in Alberta: 1-866-WCB-WCB1 (1-866-922-9221)
Outside of Alberta: 1-800-661-9608
Email: contactcentre@wcb.ab.ca
www.wcb.ab.ca

Workplace Health and Safety
Call: 1-866-415-8690
www.employment.alberta.ca/whs

Canada

Citizenship and Immigration Canada
Call: 1-888-242-2100
www.cic.gc.ca

Service Canada
Review your work permit for validity and accuracy including your name and date of birth, the name of your employer, location of employment, and the type of work you do.
First Day Checklist for Temporary Foreign Workers

Review your work permit for validity and accuracy including your name and date of birth, the name of your employer, location of employment, and the type of work you do.

My Workday

☐ What are my daily hours?
☐ What are my regular workdays?
☐ Should I be at work earlier than the start of my shift?
☐ How long is my lunch break?
☐ Is my lunch break paid?
☐ Do I get any other breaks, like a coffee break?
☐ How many regular hours do I work before it’s considered to be overtime?
☐ How much overtime, if any, is required?
☐ Will you provide transportation to and from work?

Pay and Benefits

☐ How will I receive my pay?
☐ How often will I be paid?
☐ What is my overtime rate?
☐ Do I receive health benefits, a pension or union membership?
☐ How much will these benefits cost?
☐ Will someone review the deductions from my pay cheque with me?
☐ Will I be paid for travel to and from work?
☐ Will I be paid a bonus? What do I have to do to earn it?
☐ How much will it be?
Taking Time Off

- Do I get paid vacation time or is my vacation pay included with my pay cheque?
- How is my vacation time/pay calculated?
- What happens if I am sick? Who do I contact?
- What is my responsibility?
- Do I get paid sick days?
- Am I allowed to schedule unpaid time off?

Health and Safety Questions

- What are the risks and dangers of my job?
- What other hazards should I know about in my workplace?
- When will I receive job training?
- Is there any health and safety information available for me to look at?
- Are there health and safety meetings?
- Where are the first aid kits and fire extinguishers located?
- What do I do if there is a fire or other emergency?
- Who do I go to if I get hurt at work?
- What are my health and safety responsibilities?
- What are my employer’s health and safety responsibilities?
- Who should I talk with if I have a health and safety question?
Contact the following for more information:

Temporary Foreign Worker Helpline:

Edmonton and area: 780-644-9955
Worldwide: 1-877-944-9955
Email: tfwadvisory.office@gov.ab.ca

Temporary Foreign Worker Advisory Offices:

North Location (Edmonton)  South Location (Calgary)
3rd Floor, City Centre 3rd Floor, JJ Bowlen Building
10242 - 105 Street 620 - 7th Avenue S.W.
Edmonton, AB T5J 3L5 Calgary, AB T2P 0Y8
780-644-2584 403-476-4540

Immigrate to Alberta Information Service:

Toll-free in Alberta: 1-877-427-6419
Outside Alberta: 780-427-6419
Email form: www.AlbertaCanada.com/info

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Guide for Employees who are Temporary Foreign Workers

This publication has information about:

Temporary Foreign Worker Program
  What Employees in Alberta Need to Know

Alberta’s Support for Temporary Foreign Workers

Alberta Immigrant Nominee Program

Resources