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Mr. Rick Norlock, M.P.
Via email: rick.norlock.c1@parl.gc.ca

RE: Getting Foreign-based Service Technicians into Canada

Dear Mr. Norlock,

I am writing to request your help in resolving a problem that is currently hurting the productivity and competitiveness of Canadian manufacturing companies and putting Canadian jobs at risk.

To summarize the problem, Canadian manufacturers are finding it increasingly difficult to bring foreign-based service technicians into Canada to perform or supervise critical service work on our equipment. Traditionally, Canadian companies have provided service technicians with a purchase order and a letter of introduction to be presented at the border, and they were admitted. Lately, these technicians are being denied entry at the border and told that they require a Labour Market Impact Assessment (LMIA) before they are admitted. The LMIA process, even when expedited, is too complicated, costly, and slow to support the needs of manufacturers.

We need the ability to bring service technicians into Canada without an LMIA when the service technician has special expertise or proprietary knowledge of the equipment, such as a trained employee of the OEM or a service provider authorized by the OEM, and the nature of the work requires this expertise or proprietary knowledge. This ability must apply even when the equipment is no longer under warranty or covered by a service contract established at purchase.

Ideally the service technician would be admitted as a Business Visitor. The technician is not entering the Canadian labour market; their primary source of remuneration, place of business, and accrual of profits remains outside Canada, and the work they do provides economic benefit to Canadian citizens. This aligns with the definition of a Business Visitor per R187(3) and R205 of the Immigration and Refugee Protection Regulations.

Alternatively, they could be admitted under the Temporary Foreign Workers Program in an LMIA-exempt status. There are currently LMIA exemptions in place for certain skilled professionals and for emergency repairs. However, the current implementation of these exemptions is too narrow to meet our needs:

- The definition of skilled professionals needs to encompass highly trained technicians who probably do not have a university degree or college diploma.
- These technicians are not just required for emergency repairs; they are also needed for troubleshooting equipment which is underperforming, doing major overhauls, making modifications and improvements, or any other type of repair that may involve changes to proprietary systems.

Please understand that this is not an effort to replace Canadian workers with foreign workers. Day-to-day maintenance on manufacturing equipment is done by in-house or locally subcontracted skilled trades people at our plant, and at

factories across the country, whenever possible. But there are some activities that require specialized skills or proprietary knowledge. In fact, keeping these service technicians out of Canada puts Canadian jobs at significant risk. In a recent local example, a technician was denied entry at the border and a weekend shift crew was sent home because the equipment they needed to run couldn't be repaired.

It's like the warning light that goes off on the dashboard of your car and your local mechanic tells you that only the dealer can fix it. We need to get to the dealer and get the car fixed without a hassle. But under the current situation we're encountering a CBSA guard who stops us at the entrance, makes us turn around, and informs us that we need to complete a multipage application, pay \$1000, and wait two weeks for approval to let the dealer work on our car because it's out of warranty.

Since raising this issue with you in 2014 (ref: my letter to you dated October 24, 2014) we have had several discussions with representatives from the Quinte Manufacturing Association (QMA), the Kawartha Manufacturing Association (KMA), the Northumberland Manufacturing Association (NMA), the Canadian Manufacturers & Exporters (CME), the Canadian Chambers of Commerce (CCC), and with other Federal Ministers and Members of Parliament. From these discussions it has become clear that:

- the problem is widespread,
- it appears to be an unintended consequence of recent changes to the Temporary Foreign Worker Program,
- and there seems to be an openness among the responsible ministers to address the problem.

I am writing on behalf of the QMA, KMA, and NMA as well as my own company. The Canadian Manufacturing Coalition has also issued a letter to Ministers Kenney, Alexander, and Blaney on the same issue (ref: CMC letter re: International Movement of Business Professionals, dated Feb 2, 2015).

We appreciate your responsiveness and efforts so far, and encourage you to urge the Ministers to resolve this problem in order to restore productivity and competitiveness to Canadian manufacturing. I look forward to hearing from you regarding progress to resolve this issue.

Best Regards,



Scott Roodvoets
VP Operations, Domtech Inc.
QMA Steering Committee Member

cc: (all via email)

The Honourable Jason Kenney, P.C., M.P.
The Honourable Chris Alexander, P.C., M.P.
The Honourable Steven Blaney, P.C., M.P.
The Honourable Dr. K. Kellie Leitch, P.C., O.Ont., M.P.
Mr. Gordon Brown, M.P.
Mr. Daryl Kramp, M.P.
Members of the QMA, KMA, and NMA
Officers of the CME and CCC