



CAPIC's Submission Regarding Bill 30, Working for Workers Seven Act, 2025

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As the voice of immigration and citizenship consultants (also known as RCICs and RISIAs, depending on the class of licence held),¹ the Canadian Association of Professional Immigration Consultants (CAPIC) has been advocating for ethical and competent immigration practice.²

CAPIC members help foreign workers obtain legal authorization to work in Canada, with the goal of the foreign workers to participate in the Canadian labour market and contribute to Canada's economic growth.

CAPIC supports stronger worker protections and submits this paper to help Bill 30, Working for Workers Seven Act, 2025 (Bill 30) achieve its objectives. This submission reflects input supplied by CAPIC members and research conducted by CAPIC's research team.

Introduction

When Bill 30 was introduced to the Legislative Assembly of Ontario on May 28, 2025, the Honourable Minister David Piccini explained it to the House, stating that, "The Working for Workers Seven Act, 2025, takes the next step to protect workers in the province of Ontario and support business. If passed, it will raise workplace standards, boost productivity and make Ontario a fundamentally more competitive province."³

CAPIC noted the following details in the backgrounder about Bill 30, released by Labour, Immigration, Training and Skills Development on the same day:⁴

Fighting worker abuse by:

- Requiring job posting platforms to have a mechanism in place to report fraudulent publicly advertised job postings to the platform, to help protect job seekers as they search for career opportunities.

¹ [S. 2](#) of the *College of Immigration and Citizenship Consultants Act*, SC 2019, c. 29, s. 292.

² CAPIC, "CAPIC's Recommendations for Safeguarding the Integrity of the Canadian Immigration System," submitted September 21, 2023, [online](#).

³ Legislative Assembly of Ontario, "Official Report of Debates (Hansard) No. 18A," accessed September 3, 2025, [online](#), p.32.

⁴ Labour, Immigration, Training and Skills Development, "Working for Workers Seven Act, 2025," released May 28, 2025, [online](#).

Protect Ontario workers by:

- Granting inspectors the authority to require in-person interviews with applicants through the [Ontario Immigrant Nominee Program](#), to improve program integrity and prevent fraudulent claims.
- Enabling the Lieutenant Governor in Council to respond to labour market needs by giving the Minister the ability to establish or remove immigrant nomination streams.
- Making the OINP more responsive by allowing the government to return applications that no longer match current job market needs or raise concerns – so we can focus on processing the strongest candidates more efficiently.
- Allowing Ontario Immigrant Nominee Program (OINP) employer applicants to submit their applications directly and electronically to the new ONIP employer portal that will launch in Summer 2025.

CAPIC reviewed the texts of Bill 30 concerning the amendments to the *Employment Standards Act*, SO 2000, c. 41 ([ESA](#))⁵ and the *Ontario Immigration Act*, 2015, SO 2015, c. 8 ([OIA](#)).⁶

Although CAPIC supports implementing measures to address fraudulent job postings, we suggest examining the efficacy of the proposed requirements. For the OIA, CAPIC has concerns that considerable flexibility may lead to uncertainties and inconsistency.

Analysis and Recommendations

Analysis

1. ESA amendments - Reducing job opportunity fraud

This initiative includes an amendment requiring job posting platform operators to implement procedures that allow users to report fraudulent publicly advertised job postings.

This initiative is commendable, especially in light of the widespread issue of job fraud. Quick Facts in the news release of the introduction of Bill 30 states: “In 2024, the federal Canadian Anti-Fraud Centre (CAFC) reported an increase in job opportunity fraud. The CAFC found that economic losses in Canada due to job

⁵ Legislative Assembly of Ontario, “Bill 30 2025 An Act to amend various statutes with respect to employment and labour and other matters,” accessed September 11, 2025, online, [Schedule 2](#).

⁶ *Ibid*, [Schedule 5](#).



fraud rose to \$47 million in 2024, and losses in Ontario amounted to \$14.86 million due to job scams – the highest among all provinces in Canada.”⁷

CAPIC observed the following:

- The rules stipulated in the ESA on job posting are ambiguous.⁸
- Job posting requirements do not apply to employers with fewer than 25 employees.⁹
- Canadian experience-related requirements cannot be included in job postings unless exempted.¹⁰

Job posting requirements act as a fundamental measure to help decrease fraudulent job postings. Ambiguous job posting requirements bring forth a question: How effective are job posting rules as a tool for job seekers in distinguishing between legitimate and fraudulent postings?

Unscrupulous employers play a key role in job posting fraud, but rules governing employers appear to be a missing piece in the amendments concerning a major form of job opportunity fraud: LMIA fraud.

LMIA fraud involves fraudulent job postings when a posted job is reserved for a foreign national, as a job posting is a mandatory step for the LMIA process. Employers with fewer than 25 employees, who are exempt from job posting rules, are not excluded from obtaining LMIAs to bring in foreign workers. Data shows that 73.8% Canadian businesses have fewer than 10 employees.¹¹ In 2023, businesses with 1 to 19 employees comprised 86.7% of all employer businesses in Canada.¹² Where most employers are exempt from job posting requirements, it raises the question of whether a mechanism involving only job posting platform operators would effectively achieve the intended purpose.

While LMIA is built on the premise that Canadian jobs should be extended to Canadians or permanent residents first, some big corporations have been using it as a common avenue to hire foreign workers, claiming labour shortages.¹³ However, at the same time, unemployment rates across Canada remain high, and

⁷ Ontario Labour, Immigration, Training and Skills Development, “Ontario Introduces Seventh Working for Workers Act,” released May 28, 2025, [online](#).

⁸ [Section 8.5](#) of the ESA, for which the anticipated coming-into-force date is January 1, 2026.

⁹ Section 1 of Rules and Exemptions Re Job Postings, [O. Reg. 476/24](#), which comes into force on January 1, 2026.

¹⁰ [Section 8.3](#) of the ESA, for which the anticipated coming-into-force date is January 1, 2026.

¹¹ BDC, “10 things you (probably) didn’t know about Canadian small businesses,” updated January 9, 2025, [online](#), point 4.

¹² Stephanie Tam, Shivani Sood, and Chris Johnston, “Analysis on small businesses in Canada, second quarter of 2024,” released June 13, 2024, [online](#), para. 1.

¹³ Matt Lundy, “How Canada became a hotbed for low-wage foreign labour,” updated November 13, 2022, [online](#).

the highest is among Canadian youth.¹⁴ Therefore, excluding Canadian work experience in job postings prescribed by the ESA raises a question: How can keeping such a requirement in job postings curb LMIA fraud?

In summary, although the proposed rules for job posting platform operators aim to address job opportunity fraud, a thorough review of the ESA may be necessary to achieve effective results.

2. OIA amendments – Delegation of more power to the Minister

The proposed amendment to clause 37(1)(h) will allow the Lieutenant Governor in Council to delegate the power of “establishing categories of applicants, including foreign nationals, and categories of employers to employ foreign nationals, including employers whose status has been verified, and governing such verifications” prescribed in subclause 37(e)(i) to the Minister. In the current version of the OIA, it remains the regulation-making power of the Lieutenant Governor in Council.

With this amendment, the Minister not only may be delegated power to establish eligibility criteria for applicants but also categories of both applicants and employers. Reading in combination with clause 2(g)¹⁵ and subsection 16(4)¹⁶ of the OIA, the Minister has discretion over the OINP. While flexibility in OINP administration is needed to address Ontario’s economic priorities, broader ministerial delegation may incur inconsistency and bring uncertainties for OINP administration onwards.

Balancing flexibility with consistency remains important. The approach adopted by the *Immigration and Refugee Protection Act*, SC 2001, c. 27 ([IRPA](#)) may be a good example to consider. The categories and selection criteria are established by its regulations.¹⁷ Under IRPA, the Minister of Immigration, Refugees and Citizenship (IRCC) is empowered to initiate pilot programs,¹⁸ issue ministerial instructions,¹⁹ implement public policies,²⁰ and confer status based on humanitarian and compassionate considerations on the Minister’s own

¹⁴ Ari Rabinovitch, “‘Warning lights are flashing,’ economist says as unemployment hits 7.1%,” *Global News*, updated September 5, 2025, [online](#).

¹⁵ Clause 2(g) of OIA: Minister’s powers: establish and publish guidelines on the Minister’s interpretation of any provision of this Act or the regulations.

¹⁶ Paragraph 16(4) Even if the director determines that an applicant meets the prescribed criteria, the director may decide to refuse to grant the application if the director has reasonable grounds for so doing.

¹⁷ IRPA s. [14](#)(2).

¹⁸ IRPA s. [14.1](#)(1).

¹⁹ IRPA s. [87.3](#).

²⁰ IRPA s. [25.2](#)(1).



initiative.²¹ Over the years, the Minister has introduced pilot programs, implemented public policies. While flexibility is allowed, consistency is maintained.

Recommendations

Based on the factors and analysis above, CAPIC recommends:

- Further examine the ESA to ensure the effectiveness of the mechanisms introduced by Bill 30 for reducing job opportunity fraud.
- Consider striking a balance between flexibility and consistency when giving more room for delegation of regulation-making power by being cautious about amendments to clause 37(1)(h) of the OIA.

Conclusion

CAPIC supports the proposed amendments to the ESA aimed at mitigating job opportunity fraud, as well as the amendments to the OIA regarding in-person interviews for inspections. To achieve the goals of these amendments while ensuring well-balanced management of OINP concerning flexibility and consistency, CAPIC suggests a comprehensive review of both sets of amendments.

About CAPIC

The Canadian Association of Professional Immigration Consultants (CAPIC) is a non-profit professional organization representing the interests of Canadian Immigration Consultants.

The organization advocates for competency, ethical conduct, and consumer protection in the immigration consulting industry. CAPIC's mission is to lead, connect, protect, and develop the profession, serving the best interests of its 4,400 members. It is the only association recognized by the Government of Canada as the voice of Canadian immigration and citizenship consultants. CAPIC is a major stakeholder consulting with federal and provincial governments and their respective departments on legislation, policy, and program improvements and changes.

²¹ IRPA s. [25.1](#)(1).



All CAPIC submissions are publicly available on the CAPIC [Advocacy](#) web page to facilitate communication between CAPIC and our 4,400-strong membership and the general public.

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