

Nova Scotia Office of Immigration Policy Businesses with a Teleworking Arrangement

Purpose

The purpose of this policy is to further the objectives of the Nova Scotia Nominee Program (NSNP) and the Atlantic Immigration Pilot (AIP) to support employers with chronic labour needs and skill gaps throughout the province while maintaining strong program integrity and supporting the settlement and retention of newcomers to the province. This policy reflects the changing business environment in which more businesses in Nova Scotia are operating using a distributed workforce model, including teleworking arrangements.

Definitions

Telework:

A work arrangement that allows employees to perform the duties and responsibilities of their position from an approved alternate worksite other than the employer's business location (e.g. employee's home). Also called telecommuting, working remotely, and working from home. **This does not include employees who are working for a home-based business (as defined in NSOI Home-Based Business Policies).**

Distributed Workforce:

Companies that have one or more employees working in different physical locations. For example, some are in the main business office, some are working from home, and others could be working from a hub workplace.

Virtual Office:

A virtual office functions as a unit to provide goods or services but does not operate from a fixed business location. With a virtual office, employees work remotely and virtually from anywhere. The office may still have a mailing address and may have a phone answering service and use shared meeting rooms, video conferencing facilities, etc., but does not have a physical office space in Nova Scotia.

Application

- This policy applies to employers whose candidates' job requires them to telework for any amount of time. The application must meet the Criteria outlined in this policy.
- Employers whose business model is a purely virtual office and candidates whose job offer is with an employer whose business model is a virtual office (i.e., no bricks and mortar), as defined above, **are not eligible for the NSNP or the AIP.**
- The policy does not apply to Entrepreneur Stream and International Graduate Entrepreneur Stream applications.

Criteria

Mandatory Criteria:

- The candidate lives in Nova Scotia at the time of application and has lived in Nova Scotia for at least 12 months in the preceding 3 years and has a valid work authorization.
- The business has a minimum of 20 employees in Nova Scotia who have worked for the business for at least two years and are residents of Nova Scotia NSOI will require proof such as but not limited to job descriptions, payroll records and service schedules.

- A business with fewer than 20 employees may be eligible if it has a pre-existing relationship with Nova Scotia Business Incorporated (NSBI) and has confirmation of support from NSBI.
- The business operates from a commercial, industrial or retail office space in Nova Scotia and has operated with employees from this space for at least two years.
- The business can satisfy NSOI program integrity requirements related to the candidate who is teleworking and to the site that is the employer's main business location.
- The employer demonstrates that the candidate addresses a labour need in Nova Scotia and demonstrates the rationale for the candidate to telework rather than work from an office.

Final determination of eligibility for an NSNP and AIP application where includes a telework arrangement is at the sole discretion of the Nova Scotia Office of Immigration.

Implementation

This policy takes effect on the Effective Date identified below and applies to any applications that have not been finalized as of the Effective Date.

Related Information

All Nova Scotia Nominee Program guides
Atlantic Immigration Pilot Designation and Endorsement guides
novascotiaimmigration.com

Approval Date: December 7, 2020

Effective Date: January 5, 2021

Approved by: Shelley Bent James, Executive Director