

New Ontario employment legislation to combat immigration fraud

By **Sergio R. Karas**

Law360 Canada (June 13, 2025, 1:01 PM EDT) -- On May 28, 2025, the Ontario government introduced Bill 30, the Working for Workers Seven Act, 2025, in part to address growing concerns about immigration fraud, worker exploitation and labour shortages. This bold initiative aims to modernize the Ontario Immigrant Nominee Program (OINP), enhance workplace protections, and align immigration intake with real-time labour market demands.

By launching measures such as in-person interviews, a digital employer portal and flexible nomination streams, the provincial effort is to build a safer, fairer and more responsive workforce system that better serves both foreign talent and domestic employers while combating fraud.

Building on the six previous *Working for Workers* acts, Bill 30 proposes further amendments to various workplace and employment-related statutes, including the *Employment Standards Act, 2000* (ESA), the *Occupational Health and Safety Act* (OHSA), *Workplace Safety and Insurance Act, 1997* (WSIA), *City of Toronto Act, 2006*, *Municipal Act, 2001*, *Ontario Immigration Act, 2015*, and the *Planning Act*. The update focuses on those amendments that will affect Ontario employers most broadly — those under the ESA, OHSA, and WSIA.



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As part of a broader, ongoing reform, the Act proposes to recalibrate how Ontario selects, supports and safeguards foreign workers through a modernized OINP framework. This policy shift is rooted in the need for a more responsive, fair and transparent immigration system that aligns with current economic realities. Key immigration reforms under the new Bill 30 are as follows:

1. Mandatory in-person interviews to combat immigration fraud: To strengthen the credibility of the application process, Ontario immigration inspectors will be given the authority to conduct face-to-face interviews with nominees. This hands-on approach is designed to uncover inconsistencies and prevent fraudulent claims, adding a critical layer of security to the selection process.

2. Refined selection aligned with labour needs: OINP officers will gain discretion to return or reject applications that no longer align with Ontario's evolving labour market needs. This will allow the province to be agile in targeting skills shortages in key sectors like healthcare, construction, and technology.

3. Flexible immigration streams under ministerial oversight: The Act empowers the immigration minister to establish or dissolve specific immigration streams based on emerging economic and workforce trends. This provision is expected to create more targeted pathways for skilled professionals in high-demand fields.

4. Digital employer portal to launch by August 2025: A cornerstone of the reform is the introduction of a new online employer portal, expected to be operational between June and August 2025. This platform will enable employers to submit digital sponsorship applications, reducing red tape and increasing transparency.

Immigration fraud often involves fake job offers, misrepresentation of qualifications and exploitation by unlicensed or unscrupulous consultants or employers. Vulnerable immigrants, unfamiliar with complex immigration procedures, are frequently targeted, resulting in financial loss and jeopardized legal status.

Ontario's data highlights the severity of this issue: Between 2019 and 2024, 153 individuals faced charges related to immigration consultant misconduct. The government has responded by increasing penalties for fraudulent representatives, including higher fines and longer bans, up to lifetime prohibitions. Fraudulent and non-existent job offers also distort the labour market by enabling unqualified individuals to enter under false pretenses, undermining the integrity of immigration programs and disadvantaging genuine applicants. Victims are lured with the promise of employment and asked to pay hefty fees or provide sensitive personal information. In some cases, scammers sell Labour Market Impact Assessment (LMIA)-approved jobs for up to \$45,000, complete with fraudulent pay stubs and tax slips to make the offer appear legitimate. These scams are often advertised openly on platforms like Facebook Marketplace and Kijiji, despite government crackdowns.

Fraudsters are exploiting the hopes and trust of would-be immigrants. This surge in fraudulent activity not only harms individuals but also erodes public trust in the immigration system. The numbers are staggering. According to a March 3, 2025, publication by Immigration, Refugees and Citizenship Canada, in 2024, Canadian authorities investigated an average of *over 9,000 suspected immigration fraud cases each month*, resulting in thousands of application rejections and permanent bans for individuals found to have submitted fraudulent documents or information. In just the first half of 2024, more than 52,000 temporary residence applications were refused due to misrepresentation. In 2024, the Canadian Anti-Fraud Centre (CAFC) reported an increase in job opportunity fraud. They found that economic losses in Canada due to job 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.

Ontario's Minister of Labour, Immigration, Training and Skills Development, David Piccini, has been vocal about the need to protect immigrants from exploitation. He stated that "Struggling to navigate a confusing federal immigration system, many newcomers put their trust in immigration representatives — many of whom are diligent and honest, but a few bad actors exploit vulnerable newcomers, jeopardizing their immigration status and scamming them out of tens of thousands of dollars."

Ontario's *Working for Workers Seven Act, 2025*, marks a significant step forward in shaping a more transparent, fair, and effective immigration and labour system. By cracking down on immigration fraud, improving digital processes for employers, and prioritizing worker protections, the Act aims to align immigration with real labour market needs. However, the true impact of the Act will hinge on its implementation.

While it intends to curb immigration fraud and streamline employer processes, much will depend on whether these measures are enforced consistently and fairly. Without robust oversight and accountability, there's a risk that fraudsters may still find loopholes, while genuine applicants could face unnecessary barriers.

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