

FAQ

Employment within the NS Civil Service

These frequently asked questions are intended to assist hiring managers and human resource consultants in regards to the screening and hiring of Non-Canadians into the Nova Scotia public sector.

Hiring by the NS Government is governed by the Nova Scotia Civil Service Act (CSA) which states that:

- 23 (1) No person shall be eligible to be appointed to the Civil Service unless he is a Canadian or lawfully permitted to come into Canada to establish permanent residence.*
- (2) This Section does not apply to any office or position the duties of which require in the opinion of the Department special professional, technical or administrative ability or training. R.S., c. 70, s. 23; 1993, c. 38, s. 22.*

*** Based on the meaning of Section 23 (1), the NS government is limited to appointing only Canadian Citizens and Permanent Residents to the civil service. However, Section 23(2), the exception clause, opens the hiring process and allows departments to appoint individuals with temporary work permits to the civil service - if they possess special professional, technical or administrative ability or training.

1) To whom can I offer permanent employment as a government department?

For permanent and term civil service positions, the NS Government is limited to hiring Canadian Citizens and Permanent Residents into the civil service. However, a provision is made in the Civil Service Act, Section 23.2, to hire those who are here with temporary visas if the justification can be made that they possess special professional, technical or administrative ability or training. This would require proper documentation and analysis.

2) Can I hire Non-Canadians for the Post-secondary Internship positions?

As of 2004, Post-secondary interns are appointed on a two-year term basis as civil servants with the terms and conditions of their appointments set out in the Civil Service Act. As such, preference will be given to either Canadian citizens or permanent residents.

However, these internship positions are determined based on critical areas that government departments sometimes identify as difficult to attract and retain recent graduates. As a result, the exception clause, Section 23.2 of the Civil Service Act, may be used to appoint international student graduates as interns, where, in the opinion of

the department, special professional, technical or administrative ability or training is required.

3) To whom can I offer casual employment to as a government department?

For casual positions, departments can hire someone who is not a Canadian citizen or permanent resident (i.e., temporary workers, international students and graduates) as long as they hold a valid work permit issued by Citizenship and Immigration Canada (CIC) and are legally permitted to work in Canada during the duration of the work.

- **Casual Workers** – Workers must hold a valid work permit issued by Citizenship and Immigration Canada covering the duration of the work. Please note that employees who fill bargaining unit positions and remain in casual positions for more than ten weeks automatically attain union status and become temporary workers.
- **International Students** - As of April 2006, international students are permitted to work off-campus for up to 20 hours per week while in school, and 40 hours per week during the summer months or semester breaks. Work permits are also granted for co-operative employment placements and other summer employment programs such as the Summer Female Mentorship and Summer Diversity Programs. Please refer to the CIC website for more details (<http://www.cic.gc.ca/english/study/work.asp>)
- **Spouses of International Students** - Spouses of international students who are not Canadian Citizens or Permanent Residents can be granted work permits to match the expiration date on the student visa of their spouses, enabling them to work during the time of their spouses' studies.
- **International Students who have completed their academic study** - International students who graduate can apply to CIC for a work permit under the Post Graduate Work Permit Program (PGWPP). Graduates have 90 days after their graduation date to obtain employment and apply for a work permit. This work permit can be issued for up to 3 years.

4) What is the process involved in hiring temporary workers or international students/graduates?

Most casual positions are short-term and are required to be filled immediately. This means that those who are not Canadians or Permanent Residents must have a valid work permit to begin work, or be allowed the time needed to process their documents to acquire a work permit.

The Nova Scotia government, as an employer, is required to provide the prospective candidate with a job offer letter that outlines the position title, a summary of duties, salary, beginning and end dates as well as any other conditions and benefits that may apply. The person being offered the job then applies for a work permit from Citizenship

and Immigration Canada. Please refer to the CIC website for more details (<http://www.cic.gc.ca/>). Once a department receives proof that the applicant has received the permit from CIC, they can proceed to put the applicant on payroll.

5) How can I fill casual positions from the Diversity Talent Pool?

The Diversity Talent Pool consists of resumes of pre-screened, qualified applicants within the designated groups who are seeking casual employment with the Provincial Government. The secondary goal of the Pool is to assist departments in their recruitment process to fill casual positions.

If a department has a casual position to fill, you may access resumes from the Diversity Talent Pool by contacting the Program Coordinator, Diversity Employment Initiatives, at the Nova Scotia Public Service Commission. The resume(s) that best match the required skill set and experience are selected and passed along to the hiring department. Departments then conduct their own hiring process.

Please note that employees who fill bargaining unit positions and remain in casual positions for more than ten weeks automatically attain union status and become temporary workers.

Within the pool, there are many international students and graduates who are looking for employment opportunities. Due to the fact that most employment offered from the Diversity Talent Pool is casual with specific end dates, government departments can offer employment to international students or graduates within the pool who have a valid work permit. As of 2008, international graduates are offered an open work permit for up to three years through the Post Graduate Work Permit Program (PGWPP). If they have a valid off-campus work permit and a SIN number, they may be permitted to start working while their new application is being processed. If their existing work permit expires before they receive their new permit they may continue working until Citizenship and Immigration Canada finalizes their application. This is called an implied status.

6) What is the Provincial Nominee Program and what are its benefits?

The Nova Scotia Nominee Program (NSNP) is managed by the Nova Scotia Office of Immigration in partnership with Citizenship and Immigration Canada. The program currently operates under four different streams, such as the Skilled Worker stream and International Graduate stream. Individuals nominated as Nova Scotia provincial nominees, and their dependents, are still subject to the standard Citizenship and Immigration Canada assessment.

Through provincial nomination, international graduates and other applicants can be nominated to the federal government for permanent residence in Canada. If they have

an existing job offer, the Office of Immigration can help to facilitate the processing of a work permit so the nominee can be working while their permanent resident application is being processed. For information on the process and criteria, please visit <http://www.novascotiainmigration.com>.

Contact:

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