



Program Integrity Policy and Procedures

Policy Code: PIP25

Objective: To ensure that participating employers and applicants comply with the federal and community requirements of RCIP.

Application: This policy is to be applied when the RCIP team suspects there may have been a violation of federal or provincial laws, community requirement or another relevant violation of program integrity.

Guiding Principles: The RCIP team will strive to assess each suspected violations of program integrity in a consistent and objective manner.

Employers

Process:

1. Employers will receive written notice that their designation will be revoked. This notice will clearly cite the reason(s) along with evidence supporting the decision, and any consequences of de-designation.
2. After the notice has been sent to the employer, the 60-day probationary period commences. The RCIP Team will notify IRCC of the investigation.
3. The employer has 30 days to submit a request for reconsideration to the RCIP team using the Request for Reconsideration form found on the community website. If the completed form is not received within 30 days, the decision will become final.
4. The request is reviewed by the Issue Resolution Sub-Committee and a decision is rendered within 60 days of the request being made. If this is not possible, the Committee will advise the Employer of the new timeline in writing.
5. The outcome of the decision will be sent to the Employer in writing with reasons.
6. If the request is successful, the employer will remain designated and be notified in writing.
7. If the employer does not request a reconsideration or the request is unsuccessful, they will be formally de-designated following the 60 probationary period and they will be notified in writing with reasons.

The RCIP Team adheres to the Ministerial Instructions with respect to de-designation. If the RCIP team determines this policy has been breached, the employer's designation will be revoked (de-designated).

Employers will receive notice of the revocation of their designation in writing, following the conclusion of the program integrity investigation. The notice will serve as the beginning point of a 60 probationary period in which the employer will not be able to submit applications for

recommendations. The RCIP Team will notify IRCC of the investigation and the affected permanent resident applications.

Employers that have received notice of de-designation will have 30 days to request a reconsideration. After the 60-day probationary period, the employer's designation will be formally removed.

Restrictions and Penalties

The penalties for de-designated employers can be categorized into 3 (three) levels:

1. Level 1 Violation
 - a. 1 (one) year restriction from accessing RCIP
2. Level 2 Violation
 - a. 18-month restriction from accessing RCIP
3. Level 3 Violation
 - a. 2 (two) year restriction from accessing RCIP

The seriousness of the violation will be decided on by the RCIP team and will consider, but are not limited to, the following factors:

- The number of violations
- The timeframe of the violations
- Seriousness of the offence
- Number of affected individuals
- If violence or coercion was involved
- The employer's cooperation during the investigation
- If there was deliberate intent to mislead the community and/or to violate program integrity

The RCIP team maintains the discretion to de-designate employers and restrict access to RCIP in North Okanagan-Shuswap as they see fit. Employers have the opportunity to request a decision be reconsidered by following the process described above.

Candidates/Applicants

Process

1. Candidates/Applicants receive written notice citing the suspected violation(s) along with evidence in support and any consequences of the decision. The Candidate/Applicant will be permitted an opportunity to respond to the concerns.
2. If the Applicant/Candidate supplies the requested documents and satisfies the concerns of the RCIP Team, the program integrity investigation will be deemed complete, and no actions will be taken.
3. If the Applicant/Candidate does not or cannot comply with the request to the satisfaction of the RCIP team, they will be removed from the candidate pool or their recommendation

revoked by the community. The official revocation will be provided to the Applicant/Candidate in writing.

4. The Applicant/Candidate will have the ability to request a reconsideration of the decision within 14 days of the decision, ensuring they comply with the Issues Resolution Policy.
5. If the Applicant/Candidate is not successful with their request for reconsideration or if they do not make a request for reconsideration, the program integrity penalties will come into effect based on the level of their violation.

Outcomes

Applicant/Candidate violations are categorized into two levels and will be impacted by their status with the community:

1. Level 1 Violation
 - a. Applicants who have been recommended will have their recommendation revoked and they will not be able to re-apply until the 1 year waiting period has passed.
 - b. Candidates who are seeking recommendation will be restricted from applying for 1 year and will be removed from the candidate pool.
 - c. Applicants/Candidates under this level of violation can re-apply on the condition that the violations and concerns stemming from the investigation are addressed to the satisfaction of the RCIP team.
2. Level 2 Violation
 - a. Applicants who have been recommended will have their recommendation revoked and they will be restricted from re-applying for the duration of the pilot.
 - b. Candidates who are seeking recommendation are restricted from applying for the duration of the pilot and will be removed from the candidate pool.

The seriousness of the violation will be decided on by the RCIP team and will focus on the following attributes:

- If there was deliberate intent to mislead the community and/or to violate program integrity
- The timeframe of the violations
- The number of violations
- If there was an intent to obstruct the community investigation
- Any other relevant factors

Applying for recommendation after revocation due to program integrity concerns

Applicants who have had their recommendation revoked can re-apply for recommendation under the following two conditions:

1. The decision taken by the committee is rescinded following the completion of the Issue Resolution Policy.

2. The applicant successfully re-applies for designation when eligible to do so.

The RCIP team has the sole right to issue and revoke recommendations for RCIP in the North Okanagan-Shuswap. Applicants have the opportunity to request a decision be reconsidered by following the process described above.