

FACELAW

ONLINE LEGAL DIRECTORY

30 PAGES

NO.10 MAY 2021

An Alternate Look At The New Rules Concerning Owner Operator Work Permit With / Without A LMIA

BY YLG Yazdani Law Group

Compassion Fatigue 2021: A Community Of Caring Complimentary Virtual Conference.

BY Charles E. Gluckstein

Power Of Attorney For Personal Care

BY Ali Ahmari Moghaddam



FACELAW, The Right Choice For All Your Legal Needs.





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CHAMBRE DES COMMUNES
CANADA

Ali Ehsassi

Member of Parliament
Willowdale



February 8, 2021

Letter of Appreciation

Dear Messrs. Ahmari-Moghadam & Anvari,

As the Member of Parliament for Willowdale, I would like to take this opportunity to salute you for your efforts in publishing the Facelaw Online Legal Directory.

By providing legal guidance in Farsi and identifying experienced legal professionals that may assist clients navigate the intricacies of the law, you are undoubtedly promoting the welfare of numerous individuals within the Iranian-Canadian community, a development that is bound to be welcome by all.

Thank you for your efforts in promoting greater legal literacy and for highlighting practical information that will enhance prudent decision-making for all of us, while also safeguarding the best interests of individuals confronted by legal challenges. By enhancing our access to legal resources, you are essentially availing all of us of the certainty of granite under our feet, thereby permitting us each to stand taller.

May you thrive in your latest worthy endeavour for many years to come. Your continued success will further the success of others.

Ali C. Ehsassi

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HOUSE OF COMMONS
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CANADA



Majid Jowhari

Member of Parliament
Richmond Hill

October 7, 2020

Letter of Recognition

As the Member of Parliament for Richmond Hill, I would like to thank Ali Ahmari-Moghaddam and Ashkan Anvari for their recent innovation, the Facelaw platform.

Facelaw.ca is a directory of Lawyers, Paralegals, and Immigration Consultants, striving to bring together the best professionals in the legal field in an easy-to-search database making finding the right legal professional simple and efficient. The Facelaw platform also provides access to articles, blogs, and useful information dealing with different areas of the law. There is also a Facelaw Magazine which is available in both English and Farsi and is available to download for free from the website.

I appreciate Ali Ahmari-Moghaddam and Ashkan Anvari's effort and aspiration to make their platform and access to legal professionals easily accessible to more people, and I commend their spirit of innovation and inclusiveness.

Sincerely,

Majid Jowhari, MP
Richmond Hill

Constituency Office

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FACELAW.MAY 2021

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WE are a directory of Lawyers, Paralegals and Immigration consultants, striving to bring together the best professionals in the legal field.

In today's fast paced world, where almost everyone now has the internet in the palm of their hand, finding the relevant information and assistance you require has never been easier.

Finding an experienced lawyer, paralegal or immigration consultant ("Legal Professional") to assist you with your legal matters should be no different.

Whether your legal matter is complicated or simple, Facelaw.ca is here to make the initial interaction between the client and Legal Professional just as simple.

Facelaw.ca is a website which connects those looking for a Legal Professional to assist them with a legal matter (or those just wanting to get some preliminary legal advice) with an experienced Legal Professional in the appropriate field of law.

The Legal Professional will help guide you through the complex legal landscape and will provide the appropriate and professional legal advice.

Looking for a Legal Professional that speaks a certain language? Looking for a Legal Professional in a certain city or town? Looking for a Legal Professional whose practice focuses in a specific area of law? Not a problem!

Facelaw.ca will connect you with the right Legal Professional to fit your legal needs quickly and effectively.

Facelaw.ca was created to eliminate the intimidating process of searching for a Legal Professional to provide legal services. Instead of having to call different offices and law firms searching for the right Legal Professional to retain, Facelaw.ca has compiled a searchable database of local Legal Professionals who are committed to serving their clients.

SO stop wasting time making useless calls and reviewing lawyer and law firm websites that provide no real guidance and try Facelaw.ca today!!!

**ABOUT
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business profession, globally.**



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In our last issue,



Dr. Ashkan Anvari

Doctor Of Business
Administration(DBA)

Founder Of The Facelaw Platform

we informed you that we will be expanding our legal content via our social media platforms, including Instagram and YouTube. As always, Facelaw aims to provide current legal content, by promoting greater awareness of a variety of legal areas such as, estate law, real estate law, personal injury and corporate law to name a few. We encourage you to visit and subscribe to our various social media platforms to stay up to date on our upcoming presentations and seminars. Presentations and seminars will be presented in both English and Farsi.

In May 2021, watch out for our Instagram Live Presentation with Ali Ahmari Moghaddam and Afshin Yazdani who will discuss topics related to Immigration and Real Estate Law.





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► Ali Ahmari Moghaddam

We believe that clients should feel welcome and comfortable every time they walk into our office. Our law firm also works hard to make sure that clients are involved in all aspects of their case. We take the time to educate clients about their legal matter so that they are well informed about all aspects of their particular case.

Why Choose Us?

- CLIENT-FOCUSED SOLUTIONS AND RESULTS
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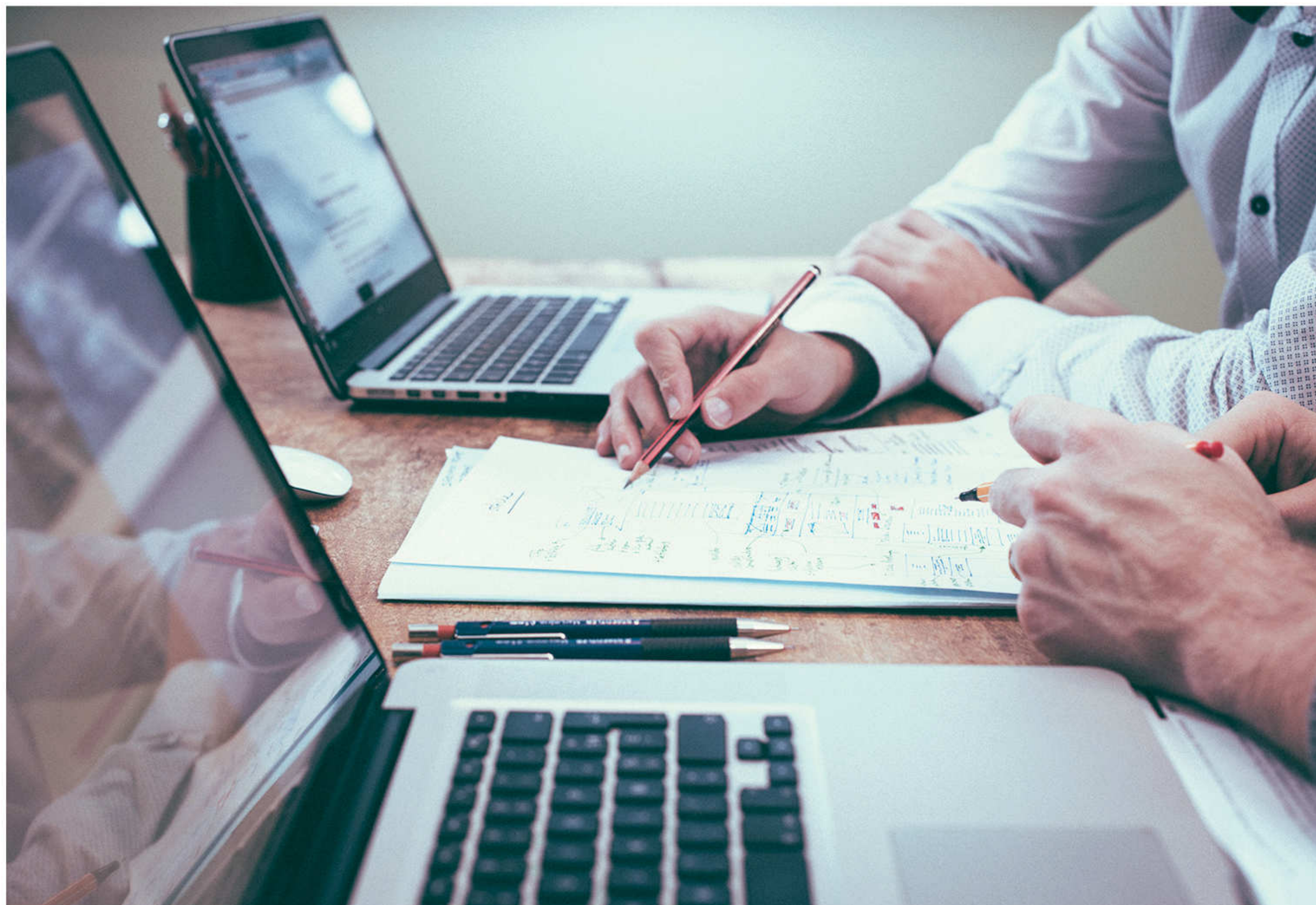
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ARTICLE
FACELAW

In this section of Facelaw you can access useful legal information, and articles you may wish to read that have been published by our members, comprised of lawyers, paralegals and immigration consultants. The intent of Facelaw is to provide a platform to educate the public and to provide a medium for legal needs to be properly addressed pursuant to the laws of Ontario.

The blog is sectioned into different legal topics in which information is provided from different professionals. Facelaw strives to provide you with a wholesome perspective so that you can be guided by different professionals in order to make the best possible decisions involving your legal matters. In doing so, if you have questions you can directly contact the professionals with the information provided on Facelaw. The professionals can help answer your legal questions and guide you in the right direction with respect to your legal matter.

Facelaw has provided an easy access search function that with a simple keyword search you can locate useful information on the legal topic you require information about. We are grateful that we have connected with these professionals to compile valuable resources to share with the public to ensure that you are provided quick and accurate guidance and information.



A simulated YouTube video player interface. The video frame shows a woman with long dark hair in a black blazer against a purple and red gradient background. Text on the right side of the video reads: 'Online Legal Directory of', 'Lawyers', 'Paralegals', and 'Immigration Consultants'. A URL 'WWW.FACELAW.COM' is visible at the bottom of the video frame. A red 'SUBSCRIBE' button with a white hand cursor is overlaid on the bottom right of the video player. Below the video player is a white bar with icons for like, dislike, share, save, and a menu. Below that is a channel name box with the FACELAW logo and the text 'FACELAW subscribers'.

Subscribe To Our YouTube Channel



In today's technologically advanced world, social media has become the new phenomenon to connect the world on all levels. The world has technologically moved forward in a way that people no longer just rely on radio or TV to access their favorite program.

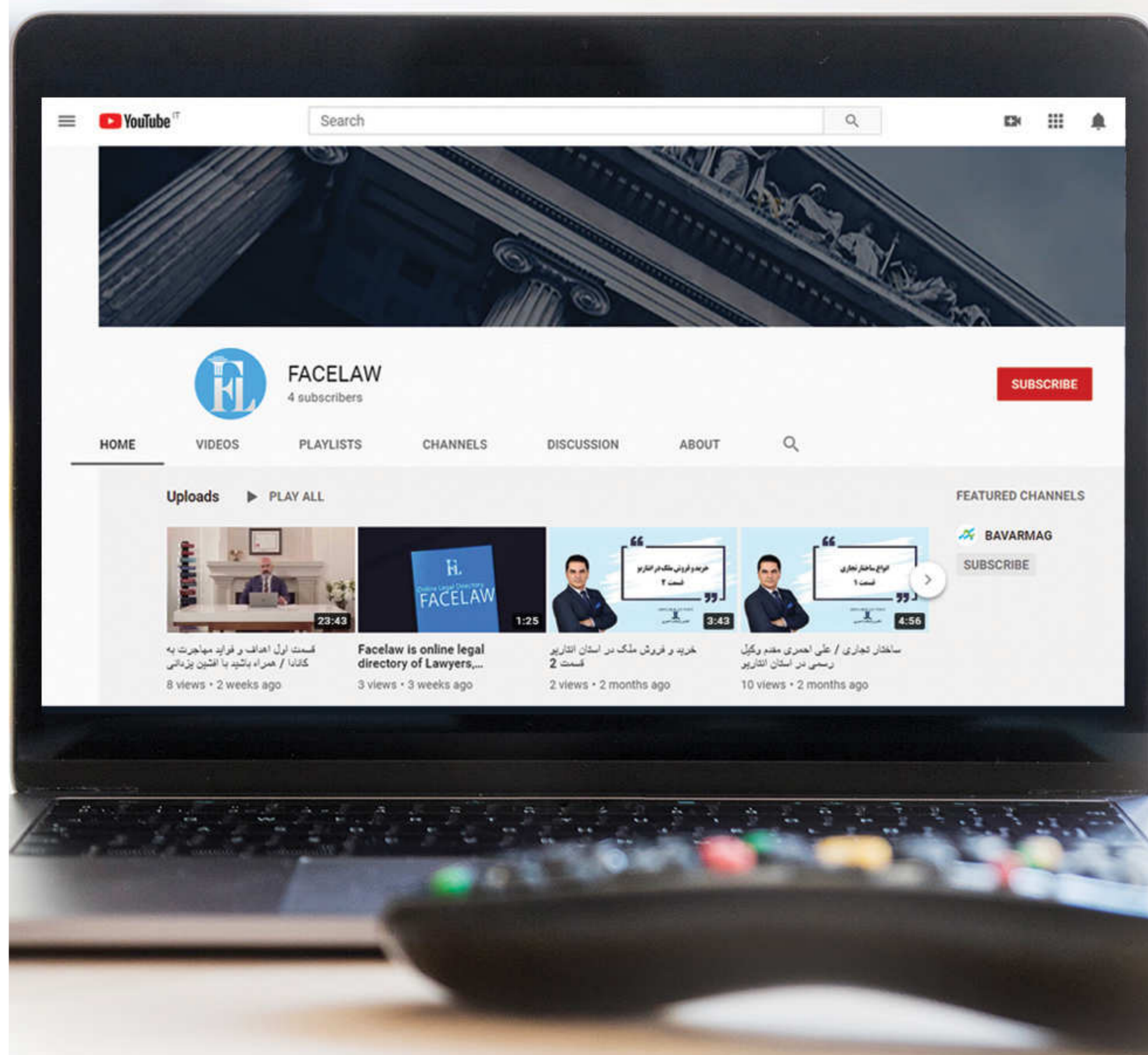
Now more than ever, smartphones, tablets, laptops, computers, and any device that connects to the internet have the ability to provide us with the latest information on a given topic within seconds. Likewise, social media platforms, such as internet, TV and radio, are now instrumental for businesses to advertise their services to the public. This process is not only much cheaper than conventional methods of advertising such as radio or TV, but also provides an opportunity for businesses to maintain direct relationship with their audience.

FACELAW INTERNET TV

Radio FACELAW



 FACELAW



In this regard, Facelaw has launched its online TV and radio, with the objective of providing reliable legal information, prepared by our members who are trained legal professionals. Information will be provided via video, audio and podcasts to the public on a timely basis.

If connecting with legal professionals in divergent fields and learning more about their services is of interest to you, you are encouraged to follow our social media, website, and YouTube channel to have access to our professional programs. Facelaw is excited to introduce this new medium for legal professionals to educate and connect with the public.



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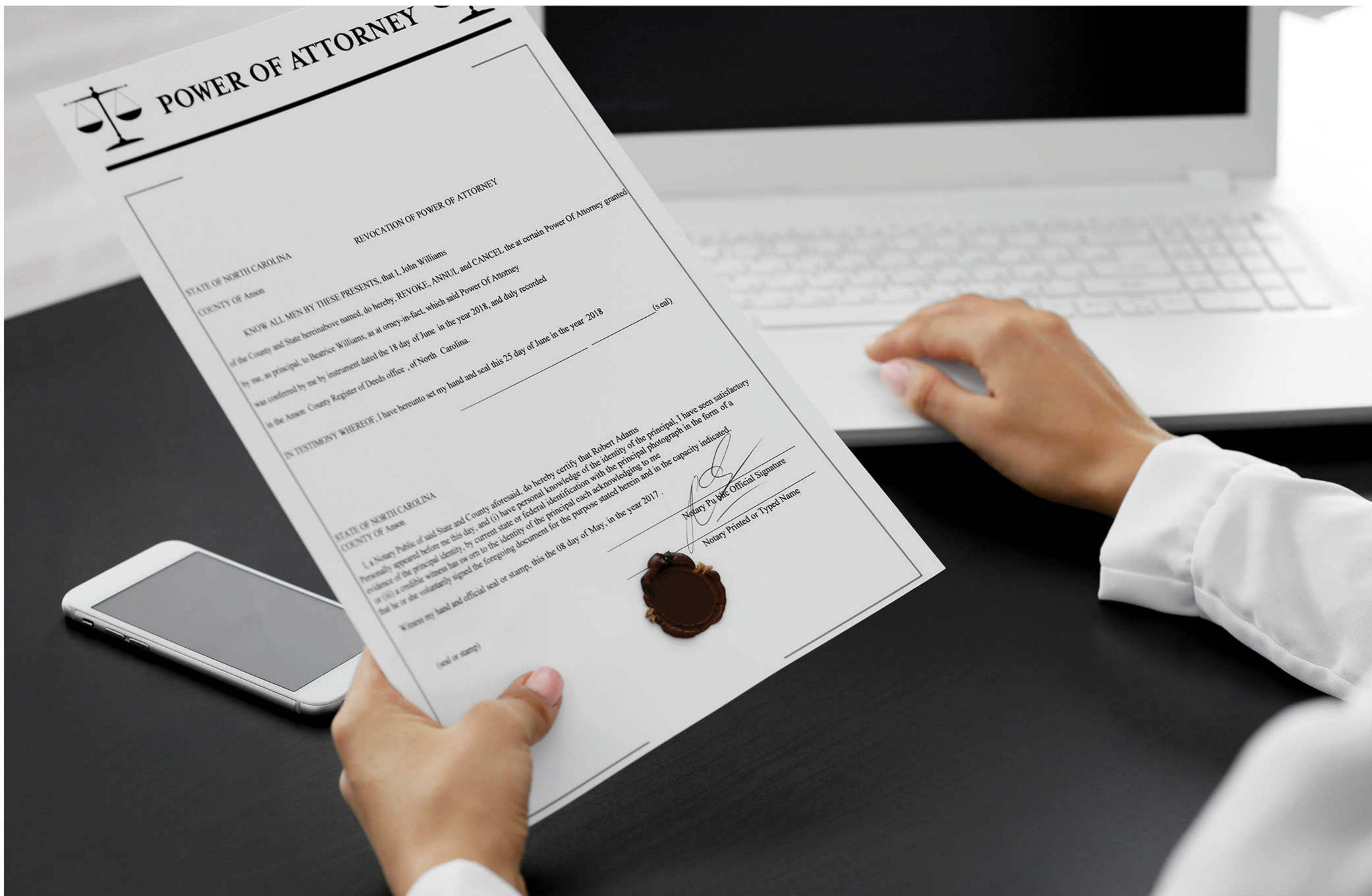
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POWER OF ATTORNEY FOR PERSONAL CARE

While a carefully drafted Will is essential to a comprehensive estate plan, and is necessary in directing the disposition of property and minimizing government interference into your affairs, a Will alone will be of no effect in the event of an incapacitating injury or debilitating disease experienced during your lifetime. That is why when I meet with my clients, I always stress the importance of having a power of attorney for both property and personal care in place.

Unfortunately, many people are unfamiliar with the concept of a power of attorney, or often believe it to be unnecessary if they have a Will. This is not true. There are very important distinctions between a Will and Power of Attorney that a person should be aware of.



A power of attorney for both property and personal care come into effect upon signing and take effect during your lifetime. Your Will, on the other hand, only comes into effect upon death.

With respect to the power of attorney for personal care, imagine a scenario that while you are still alive, you become incapable of making decisions for yourself. In this instance, the person or persons named in your power of attorney for personal care can step in and make decisions on your behalf. Your attorney for personal care can make decisions or provide consent on your behalf in a variety of situations, including, but not limited to, whether or not you should remain in a hospital, whether or not you should undergo certain tests or surgeries, and the types of life-sustaining measures that should be taken for you.



As such, it is very important to choose a person or persons that you trust to handle such a role. It is also important to speak with the potential candidate(s) prior to naming them in your power of attorney for personal care, and to inform them of your wishes. One of the most common considerations discussed with the attorney for care is whether or not you would like to be kept on life support if the situation ever arises.

As a lawyer, I do recognize the difficulty people experience engaging in such conversations, especially for their loved ones as it can be unpleasant and uncomfortable, but I can assure that it will not only give you piece of mind, but also assist your attorney for personal care to make the appropriate decision based on your instructions, should the duty arise.





ONLINE SEMINARS



Facelaw has the technological ability to conduct various seminars for the community in order to increase awareness in the legal field. As well, Facelaw conducts private seminars for businesses to educate them in the different areas of law. This has the power to inspire businesses to tackle new projects and to advance their level of knowledge within the law. For these seminars, the speakers will be the direct members of Facelaw who are licensed professionals like that of lawyers, paralegals and immigration consultants.

Depending on the nature of discussion, the seminar may be led by one or more professionals.

These seminars will take place in North America. Some will be provided for free and others will require the purchase of a ticket. Facelaw will have all the details including prices, dates, and topics of discussion available on our website for your ease of reference.





Facelaw provides the opportunity for the public to read about the member's legal experience, their desired field of law and their current contact information. This unique feature will allow people to learn more about the background and professional work of the members of Facelaw.

Within the seminars, you will have a direct connection with the speakers by having the ability to ask questions during the seminars. The speakers will also provide their contact information so that you can contact them for further legal information and clarification. In doing so, Facelaw will provide a special discount to those who attend the seminars. Please visit our website for further details regarding the discounts. The highlights of each seminar will be displayed on Facelaw's website so that the public can determine if the topics, location, professionals among other details are of interest to them.

Facelaw values education and community and maintains these values at the core of all of its efforts. As a result, Facelaw will have business networking events in which all Facelaw members who are experienced professionals in the legal field will have the opportunity to meet and learn from one another. This will allow them to advance their current expertise and to better serve the public as their legal knowledge will be up to date and expanded.








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An Alternate Look At The New Rules Concerning Owner Operator Work Permit With - Without An Lmia

In February this year, the IRCC (Immigration, Refugees and Citizenship Canada), announced its move to abolish the special Temporary Foreign Worker Program (TFWP) for the Owner Operator category, which allows foreign businessmen women to gain entry to the country through a work permit by either establishing or purchasing a current business in Canada.

Essentially there were two gateways to obtaining such work permits namely, through the standard procedure of the TFWP, with the exception of an LMIA (Labour Market Impact Assessment) or through the International Mobility Program.

As part of the new rule, which took effect on April 1, the eligibility criterion for an Owner Operator work permit, will now be assessed on the same basis as other TFWP applicants, subjecting a candidate in this category to undergo an LMIA where an employer has to take every effort to hire a local Canadian citizen or permanent resident prior to filing for an LMIA request from the IRCC. This includes advertising the position on at least three various recruitment platforms and online resources such as the Government of Canada's Job Bank, to provide proof that every recruiting effort taken was extensive and covered many potential applicants from Canada, before granting a work permit to an international applicant.



Since then, the new rule has been looked upon negatively by many immigrant practitioners, citing that the process will now be that much more arduous in order to obtain an Owner Operator work permit under the TFWP stream. However, as an accomplished immigrant lawyer, with over 10 years of international experience, it is in my expert opinion that there are various, positive approaches and alternatives to view these new rules, which I intend to elaborate on, in this article.

As stated above there are two main streams for an Owner Operator work permit to be granted namely, through the TFWP or under the International Mobility Program. When comparing these two streams, even before the new rules took effect, the International Mobility Program Exemption Code C11 was always the faster and a much easier process, mainly because this method did not require a positive LMIA to obtain an Owner Operator work permit.

1)“Temporary Foreign Worker Program”, read online:

<https://www.canada.ca/en/employment-social-development/services/foreign-workers.html>



It is important to understand that the new changes applies only to Owner Operator TFWP - LMIA applications stream, and not under the International Mobility Program or LMIA Exemption Code 11.

Ultimately, the core purpose of the Owner-Operator work permit is to simplify the procedure and to attract more business people to the country and make the transition process smooth, easy and quick, and not more difficult as most regard it to be. If for example, a business owner of high net worth, had to undergo a laborious process of obtaining a work permit, they would most likely be dissuaded from investing and in all likelihood look into other countries for investment opportunities. These streams have been specifically designed to avoid that.

The LMIA exemptions work permits are listed in sections 204 to 208 of the Immigration and Refugee Protection Regulations (IRPR) , categorized within six sub-categories: (a) R204 International Agreements; (b) R205 Canadian Interests; (c) R206 - No Other Means of Support; (d) R207 Permanent Residence Applicants in Canada; and (e) R207.1 - Vulnerable Workers; (f) R208 - Humanitarian Reasons.

The C11 category falls under section R205(a), titled “Canadian Interest”, which states “A work permit may be issued under section 200 to a foreign national who intends to perform work that: a) would create or maintain significant social, cultural or economic benefits or opportunities for Canadian citizens or permanent residents.”



Deeper analysis into this section R205 shows a further five subcategories, namely Significant Benefit; Reciprocal Employment; Research; Competitiveness and Public Policy; and Charitable or Religious Work.

Section R205(a) allows self employees and entrepreneurs to apply for a Canadian work permit without having a positive LMIA. The LMIA exemption for Owner-Operator work permit codified under code C11, specifically states that this stream is applicable for “entrepreneurs or self-employed individuals”.

To qualify for an Owner Operator work permit under C11, a foreign national candidate must demonstrate the following:

- 1 own at least 50% of a Canadian business or holds a minimum of 50.1% of the shares of the business;
- 2 operating the business in Canada will generate significant economic, social or cultural benefits for Canada, or will provide opportunities for Canadians or permanent residents, such as employment or a unique service;
- 3 has a viable business plan that will benefit Canada and the Canadian population;
- 4 is the best candidate for the job, and has a skill set or experience that will improve the feasibility of the business;
- 5 created a comprehensive business plan, identifying all aspects prior to entering Canada such as financing, leasing office space, and business number, contacting parallel businesses, signing agreements with Canadian suppliers, etc.;
- 6 has filed an Offer of Employer (Employer Compliance) application with the IRCC through the Employer Portal and received an Employment Number.

With this stream, emphasis is placed on foreign nationals owning at least 50.1% shares of a Canadian business. In the case, where an individual owns less than 50% of a Canadian business, the LMIA stream would be a more viable option.

To initiate the process the respective candidate must simply received an employment number from the Employer Portal, which usually takes few minutes to process. To conclude, notwithstanding the new policy making the process of applying for an Owner Operator work permit applications “under the LMIA route” more laborious and difficult, I believe the international Mobility stream option is a far better approach with a more simplified procedure.



Compassion Fatigue 2021: A Community Of Caring Complimentary Virtual Conference

Register Today

Gluckstein Lawyers in partnership with Nicholson Gluckstein Lawyers is proud to host Compassion Fatigue 2021: A Community of Caring, a Complimentary Virtual Conference.

Compassion has always been a part of who we are and what we do at Gluckstein Lawyers. The Compassion Fatigue Conference supports and honours the nurses, social workers, family members, caregivers, lawyers and other generous individuals in our community.

This year's theme is a Community of Caring and will feature speakers who will discuss resilience, self care, and compassion. Join us and learn burnout prevention strategies and holistic healthcare approaches to manage your wellbeing. We will also have fun giveaways and prizes too!

Date & Time

The virtual conference has been designed as a two hour lunch event and will occur on:

Wednesday, May 12, 2021
from 12:00 PM to 2:00 PM.

Who Should Attend?

This conference is open to anyone interested in learning more about Compassion Fatigue and how to take care of yourself.

Continuing Education Credits

The Law Society of Ontario has accredited this program. This program contains 55 minutes of Professionalism Content.



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Suite 301, Toronto

🌐 www.gluckstein.com



We will provide a letter of attendance to healthcare professionals to apply for continuing education credits with your college.

Compassion Fatigue Conference Agenda

—12:00 PM

Derek Nicholson and Lynn Parker - Opening Remarks

—12:05 PM

Dr. Mamta Gautam - Keynote Speaker

—1:00 PM

Elizabeth Ann Manley – Olympic Athlete

—1:25 PM

Dr. Kimberly Sogge - The session includes a meditation exercise.

—1:55 PM

Gabriel Lessard - Closing Remarks



Meet The Speakers

Learn more about the fantastic speakers that are lined up to join us:

Dr. Mamta Gautam

Dr. Gautam is an executive physician coach, author, and international speaker. She is commonly known as “The Doctor’s Doctor.” She practiced as a psychiatrist in private practice for twenty years and now coaches other physician leaders to build up resilience and excel as a leader. Her work primarily focuses on Professional Health. Dr. Gautam’s company, PEAK MD, specializes in working with physician executives who want to develop strong leadership skills.

Dr. Kimberly Sogge

Dr. Sogge is a trained psychologist who specializes in empowering people to overcome barriers and live a strong and active life. Before owning her practice, she worked as the Chief of Professional Practice at the Royal Ottawa Health Care Group. She has a wealth of knowledge and experience in mental health and psychology, and her practice focuses on mindfulness and compassion.

Elizabeth Ann Manley

Manley is a former Canadian competitive figure skater. She is the 1988 Olympic silver medallist, the 1988 World silver medallist and a three time Canadian national champion. She is presently a Certified Life Executive Coach.



How to Register?

To register for the Complimentary Virtual Compassion Fatigue Conference, complete the registration form on our website at <https://injurylawyersottawa.com/compassion-fatigue-2021-a-community-of-caring/>

Or Call Us At
1-866-308-7722

We look forward to
“seeing” you there!





PROFESSIONAL CORPORATION



ROSS MIRIAN, ESQ

Ross Mirian, Esq is the managing lawyer at Mirian Law Firm. He is a member of the State Bar of California and the Law Society of Ontario.

Ross practices in the field of personal injury representing injured victims. He has handled and successfully resolved a number of serious personal injury cases involving catastrophic injuries, death, brain injury, fractures, orthopedic injuries, chronic pain syndrome, car accidents, long term disability, slip and fall, dog bite and psychological disability.

Furthermore, Ross also acts on behalf of clients with real estate transactions.

Mr. Mirian takes a personal interest in all of the firm's cases to ensure the highest standards of service and excellence are consistently met.

Prior to establishing Mirian Law Firm, Ross Mirian worked at a large personal injury law firm in Ontario.

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