

MLA JULIE GREEN – YELLOWKNIFE CENTRE – IN THE MEDIA

Man faces deportation from NWT, Canada, after years-long battle

By: Emelie Peacock

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Alpha Ndamati says his bags are packed and he is ready to be deported from the NWT. What deportation looks like, he's not so sure, but he's prepared to call the authorities and start the process. For him, there are no options left.

Since he moved to the territory in 2016, Ndamati told Cabin Radio, he has done everything he can to stay in the NWT – but nothing has worked in his favour.

Ndamati arrived in Yellowknife with a post-graduate work permit and has since pursued permanent residency through the territory's nominee program, which encourages businesses to hire foreign nationals while offering a route for employees to acquire residency.

When that failed, Ndamati hired an immigration consultant who, he says, left him \$2,000 poorer and no further ahead. Ndamati now believes deportation back to his home country of Nigeria, which he left 10 years ago, is the only remaining outcome.

Despite the territory's attempts to increase and simplify immigration, his case illustrates the difficulties people and businesses can still face in successfully navigating the permanent residency system.

"I'm facing deportation as it is, which is fine because I decided that going back home at this stage might be the best option than going through this circus," he said.

"I only have my mom left right now as a parent, I can't afford to lose her and not be there."

Ndamati believes sharing his story may help others who face the same issues in future.

The 30-year-old graduated from Dalhousie University with a Bachelor of Science in earth sciences. After living in Nova Scotia and British Columbia, he moved to Yellowknife as the NWT – from its online literature – appeared to offer an attractive route to becoming a permanent resident.

"The excitement of living in the North has been always there," Ndamati said. "Right from 2014, I've been applying for jobs here in Yellowknife, so it's not a city that I just stay in for a couple of years and then go."

When travelling, Ndamati said, he's the biggest cheerleader for Yellowknife as a place. However, the difficulties he faced trying to remain in the city legally have left him with "mixed feelings" – particularly as, he says, friends are making much swifter progress toward residency and citizenship in Yukon and Alberta.

'Just go relax'

Ndamati first applied to the territorial nominee program in 2017. The nominee program requires that employers apply on behalf of their employees, so the application itself was made by Corothers Home Hardware, where he worked as a driver.

Ndamati's application fell under the [critical impact worker](#) immigration stream, which helps businesses fill labour shortages when adequately qualified locals cannot be found and offers individuals "a pathway to becoming a Canadian permanent resident."

According to documents produced by McLennan Ross LLP, a Yellowknife law firm that helped Ndamati with his case, his application was filed on April 13, 2017. An email that same day to Home Hardware from NWT immigration officials states the employer will be informed within five business days whether the application is deemed complete.

However, only on June 23 – two months later – does Home Hardware appear to have been informed that more documents were required, including pay stubs, further employment information, and proof the employer had advertised locally for the position for at least four weeks before hiring Ndamati.

Ndamati says Home Hardware met the deadline to submit these documents, and an immigration officer confirmed their receipt.

"[An official on the phone] assured me, just go relax, everything is intact," he recalled. "You shouldn't have any problems in the next few weeks, we'll give you our feedback, and it should be all good."

Assuming the application would go well, Ndamati was surprised to receive notice on July 20 that his application had been denied. The reason cited was that the employer failed to meet the advertising standards for the position. (Jobs must be advertised for a certain period before the nominee program can be used to fill a post.)

The letter stated Ndamati could appeal the decision, which he did with the help of McLennan Ross. In the law firm's written request for a review of his case, it claims the officer in charge of

Ndamati's file "misapprehended the evidence submitted in support of the application and ... violated the rules of procedural fairness."

A review was duly granted in September 2017. A letter signed by Andy Bevan, the territorial government's assistant deputy minister of labour and income security, acknowledged incorrect program guidelines had been provided – including wrong deadlines for documents to be submitted. Home Hardware was invited to resume the application process.

However, two days after the employer received this letter, Ndamati was informed by his immigration officer that Home Hardware had withdrawn his application.

He recalls being stunned by this, as his employer had been involved from the outset and had indicated a need for staff. (In an August 2017 letter to immigration officials, Home Hardware's human resources manager makes clear the company has had a number of drivers leave and faces an "ongoing challenge" to find more staff.)

Given 24 hours to resolve the situation, Ndamati – who felt he had a good relationship with his employer – said he went to Home Hardware only to be told by a new human resources manager (not the individual who first submitted his application) his performance was not good enough.

Ndamati disputes this. Emails he has kept suggest he was twice awarded wage increases by the company in the 12 months leading up to this point.

Told to speak to a manager, Ndamati discovered the manager was away. On November 19, Ndamati was told he was being let go as his work permit was expiring.

Cabin Radio could not reach Home Hardware's human resources staff for comment. The Department of Education, Culture, and Employment had not provided comment on Ndamati's case by the time of publication.

A job that wasn't

With his application to the territorial program now no longer an option and only a month left on his work permit, Ndamati was told by a person he knew through church about a company named Facts Global Care – Canada One Five Zero. The man, who Ndamati calls "an evangelist," said the company could help him secure a new work permit.

A woman representing Facts, named Marcia Allen, told Ndamati she could help him get an open work permit – allowing him to use the "express entry" federal fast-tracking process for skilled immigrants to receive residency.

In a letter seen by Cabin Radio, Allen purportedly writes to an immigration officer on Ndamati's behalf. However, the document contains a number of spelling errors. The position being applied

for was misspelled by Allen, while the address she gives for her office is a Yellowknife apartment building at a misspelled street name.

None of the contact information on the document led Cabin Radio to a woman by the name of Marcia Allen. Neither she nor her business could be reached for comment.

“Although I'm smiling, this is not a place I would want anyone to be.” - **ALPHA NDAMATI**

In May 2018, six months after being let go from Home Hardware, Ndamati received a closed work permit indicating he was to work for Facts Global Care – Canada One Five Zero as an outreach program manager. The job did not exist.

For a year, Ndamati went back and forth with Allen trying to upgrade his closed work permit to an open one. She told him she would apply for permanent residency on his behalf after one year.

When one year came and went, Allen reneged on that deal and told Ndamati to find someone else to help him instead. He had paid her \$2,000.

Unbeknownst to Ndamati, [Allen had reportedly taken money](#) from several families, hailing from the Bahamas and Jamaica, in similar circumstances. The families had immigrated to Brandon, Manitoba on promises of jobs from Allen and Canada One Five Zero.

The Brandon Sun said the families paid between \$4,000 and \$9,000 for work permits which allowed them to come to Canada with their families. Once they arrived, the jobs were nowhere to be found. "Point blank, this looks like fraud," a spokesperson for the local MP told the newspaper.

'Everything holds me down'

Ndamati said he had twice approached the office of Northwest Territories MP Michael McLeod for help, without success. He also wrote to Yellowknife Centre MLA Julie Green, who recommended he hire lawyers, leading him to McLennan Ross.

"I've been positive and moving to the next stage, looking for the next possible option," said Ndamati. "But at this stage, after 10 years [in Canada], the next possible option will lead to another possible option... because it's almost like a circle for me right now."

Despite his predicament, Ndamati said he has tried to remain active in the community. He says he became a class C licensed soccer coach last summer and is a volunteer usher at the Cornerstone Pentecostal Church.

"And there is more I can do. But everything boils down to psychology, right? I need to evaluate the kids I'm coaching and make sure they are in a better position," he said, "but me, I'm not in a

better position. Everything holds me down [in terms of] my development and what I can do in society."

Ndamati, who missed his father's funeral as he understood the conditions of his work permit prevented his leaving the country, says soccer has kept him going.

"Dad is already gone and I couldn't go see him or pay him my last respects. So many other relatives followed and a very close uncle recently. I wouldn't leave that for my worst enemy. This is family we're talking about," he said.

"Although I'm smiling, this is not a place I would want anyone to be."