

IMPACT OF COVID-19 ON IRCC'S CLIENTS

Foreign
Workers

canada.ca/ircc-covid19



Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

Sarah Finall
Outreach Officer
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Canada

Topics

- Work Permits: TFW vs IMP
- Travel restrictions & exemptions
- Border & quarantine measures
- COVID-19 impacts on processing
- Extending & restoring status
- Biometrics
- Employer role & responsibilities
- Questions & answers



IMPORTANT: Policies and programs are subject to change.
For the latest updates, please visit www.Canada.ca

Options for Temporary Workers

Temporary Foreign Worker Program (TFWP)

Work permits that **require** a Labour Market Impact Assessment (LMIA)

International Mobility Program (IMP)

Work permits **exempt from** an LMIA based on reciprocal benefits and competitive advantages for Canadians

Temporary Foreign Worker Program (TFWP)

(Employment and Social Development Canada program)

Job Offer and Labour Market Impact Assessment (LMIA) Required

1. Determine Stream:

- ✓ High Wage Stream
- ✓ Low Wage Stream

**NOTE: Service Canada may refuse to process LMIA applications for certain low wage positions in the accommodation/food services/retail trade sectors or due to a cap on proportion of low-wage workers at a specific work location*

2. Employer Applies to ESDC for LMIA:

- ✓ Pay a \$1,000 fee per position
- ✓ Demonstrate the efforts you have made to recruit or train Canadians or PRs
- ✓ Offer salaries and working conditions that meet the standards
- ✓ Pay for the TFW's transportation and health care insurance (low wage stream)

3. Worker applies to IRCC:

- ✓ Online
- ✓ Pay application fee
- ✓ Visa or eTA will be issued automatically

LMIA Assessment is Based On:

- ✓ Genuineness of job offer
- ✓ Labour market factors
- ✓ Efforts made to recruit Canadian citizens and permanent residents
- ✓ Employer compliance review

International Mobility Program (IMP) (IRCC program)

No LMIA Required

Exemptions from the LMIA Process Are Based On:

- Economic, cultural or other competitive advantages for Canada
- Reciprocal benefits for Canadians and permanent residents

Employer-Specific Work Permits:

Examples:

- Mobilité francophone (C16)
- Intra-company transferees (C12)
- NAFTA professionals (T23)
- Provincial Nominees (T13)

Open Work Permits

Examples:

- Post-Graduation Employment (C43)
- Spouses of international students and of highly-qualified foreign workers (C41/42)
- International Experience Canada (C21)

Is an LMIA Required?

Check the IRCC Website

- ✓ Provides information about occupations and job situations which may be exempt from LMIA requirements

[Find out if you need a Labour Market Impact Assessment](#)

Still Not Sure? Ask the International Mobility Worker Unit:

- ✓ Helps employers determine if the temporary worker they want to hire is exempt from the LMIA process, or exempt from a work permit

IRCC.DNIMWU-UMITRN.IRCC@cic.gc.ca



Work Permit Processing Steps

Temporary Foreign Worker Program (including GTS):

Step 1: Employer Applies to ESDC for an LMIA.

- LMIA Approved

Step 2: Foreign Worker Applies to IRCC for Work Permit with Approved LMIA

- Work Permit issued by IRCC

LMIA
required

International Mobility Program (including GSS):

Step 1: Employer Submits Offer of Employment in IRCC Employer Portal

- ▶ *An Offer of Employment Number is Generated (A9999999)*

Step 2: Foreign Worker Applies to IRCC for Work Permit with the "A" number

- ▶ Work permit Issued by IRCC

LMIA not
required

Travel restrictions



- These restrictions **stop most non-essential (discretionary) travel** to Canada
- NO traveller, regardless of citizenship, who shows signs of COVID-19 or indicates they are ill will be allowed to fly.
- Airlines will conduct a health check of travellers prior to boarding.

Exemptions



Exemptions to Canada's travel restrictions include temporary foreign workers, some international students and some approved permanent residents coming for an essential (non-discretionary) purpose.

Canada.ca/IRCC-Covid19

Exemptions (continued)



Other exemptions include:

- ✓ immediate family members, such as a spouse, partner, parent or child of a Canadian citizen or permanent resident **coming for at least 15 days** they do not have to prove they are coming for an essential (non-discretionary) purpose

All other exempted foreign nations must prove they are exempt and coming for an essential (non-discretionary) purpose, including:

- ✓ immediate family members of a Canadian citizen or permanent resident coming for less than 15 days
- ✓ immediate family members with written authorization from IRCC to reunite with a family member living temporarily in Canada
 - Email IRCC.COVID-TravelExemptions-Exemptionsdevoyage-COVID.IRCC@cic.gc.ca to request an authorization.
- ✓ additional exemptions, including people providing critical services

Exemption for workers



The following foreign nationals who are currently outside Canada are **not** subject to Canada's travel restrictions:

- Foreign nationals who hold a **valid Canadian work permit**
 - *Travellers must present a valid work permit to airline staff in order to board*



- Foreign nationals who received a positive decision from IRCC (documented by a decision letter, port of entry letter, or letter of introduction) on a work permit application but whose work permit has not yet been issued
 - *Travellers must present a paper copy or e-version of the letter to airline staff in order to board*

Permit-exempt workers



Some workers are exempt from needing a work permit

The following workers are not subject to travel restrictions :

- ✓ providers of emergency services
- ✓ some students in a health field
- ✓ some workers coming to Canada as a member of crew of a means of transportation

Boarding a flight to Canada

To board a flight to Canada, workers must:

- tell the airline that they are exempt from the travel restrictions
- show documents which establish they are travelling to Canada for an **essential (non-discretionary) reason** (e.g. employment)
- have a valid visitor visa (visa-required) or eTA (visa-exempt) to fly to Canada
- complete a health check administered by airline officials

Anyone showing symptoms of COVID-19 will not be allowed to board.

Workers should not proceed to Canada at this time if their employer is no longer offering them a job.



Mandatory quarantine on arrival – 14 days

- On arrival in Canada:
 - ✓ Every traveller's health and plan to quarantine for 14 days will be assessed before they are allowed to leave the port of entry. Foreign nationals showing signs of COVID-19 will not be allowed to enter Canada.
 - ✓ People without a plan to quarantine for 14 days should not travel to Canada
 - ✓ There are penalties for not following the quarantine plan



Quarantine is mandatory, even for people with no symptoms.
Travellers must have a quarantine plan for the 14 days after they arrive in Canada.

Temporary Residents in Canada

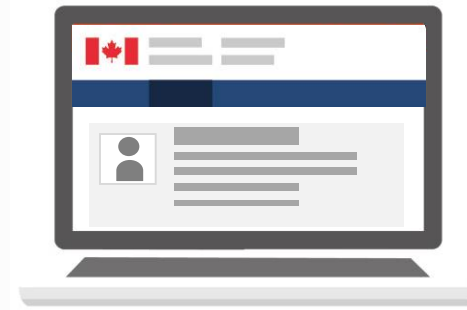
- International workers in Canada who wish to renew or extend their status **must NOT go to the border** (known as flagpoling). This is considered non-essential (discretionary) travel.
- International workers in Canada can apply to extend their stay online.
 - see [Guide 5553 – Applying to Change Conditions or Extend Your Stay in Canada – Online application](#)



Extending a stay in Canada



- **Visitors** can apply for a visitor record to extend their stay in Canada
- **Workers** have 2 options:
 1. If they are no longer working, they can apply to change their status to visitor, as long as their work permit has not expired
 2. If they want to continue working, they can apply to extend their work permit, if eligible





IRCC COVID-19 HELP CENTRE

**I HAVE SUBMITTED AN APPLICATION.
WILL PROCESSING TIMES BE AFFECTED?**

canada.ca/ircc-covid19



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How COVID-19 is affecting processing

- Travel conditions, service disruptions and country conditions abroad may prevent some applicants from submitting complete applications at this time.
- IRCC continues to accept and process electronic applications for study permits, work permits, and extensions.
- No application in progress will be closed or refused due to a lack of documentation as a result of COVID impacts such as biometrics, medical exams, etc.



Changing job or employer



- New public policy: **employer-specific work permit holders** who have applied from within Canada to change their job or employer will receive an expedited approval (*via a new work permit or an email*) to **begin work prior to receiving their new work permit.**
- Who's eligible
 - ✓ Employer specific work permit holders
 - ✓ Workers who were authorized to work without a work permit (this does **not** include business visitors or short-term workers under the Global Skills Strategy)

Open work permit holders can change employers at any time

Applicant: How to apply (public policy)

Step 1

- [Apply for a new work permit](#) online from inside Canada

Step 2

- After applying, fill out the [IRCC Web form](#)
- In the ***Your enquiry*** section, **paste** and **complete** the **form** available here:
<https://www.canada.ca/en/immigration-refugees-citizenship/services/coronavirus-covid19/visitors-foreign-workers-students.html#change>

Step 3

- **Wait to receive an email** in about 10 days confirming it is okay to start the new job or work for the new employer while we process the work permit



Implied Status and Restoration

Implied Status:

Workers who apply before the expiration of their work permit continue to have legal status in Canada until a decision is made on the new application.

- They may continue to work while the application is in process.
- Those who leave Canada during processing no longer have implied status.



Restoration:

- Workers who did not apply to extend their stay before the expiration of their current work permit may apply for **restoration** if it's been **less than 90 days** since their status expired.
 - They may not continue to work while the application is being processed.

Biometrics Collection



- **Biometrics extension:**
 - Due to ongoing service disruptions related to COVID-19, we've given applicants an extension to give their biometrics: you don't have to give biometrics until the biometrics collection site **closest to you** reopens.
 - Keep visiting canada.ca/biometrics for updates on when biometrics collection will start again

Biometrics Collection

- Current status of biometrics collection sites:
 - Some visa application centres (VACs) are starting to reopen; check the closest VAC website at **Canada.ca/biometrics** and **book an appointment as soon as you can.**
 - United States application support centers (ASCs) are closed until further notice.
 - Designated Service Canada locations are closed until further notice.
- Applicants who can't give their biometrics due to a location closure or a service disruption should **not go to another biometrics collection service.**
- When biometrics collection resumes, applicants will have to make a new appointment with the appropriate collection centre.



New employer responsibilities



Due to COVID-19, employers must:

- ✓ let employees follow any order made under the [Quarantine Act](#) and [Emergencies Act](#)
- ✓ let workers comply with any provincial law or orders related to COVID-19
- ✓ pay the foreign worker for any period that they're in mandatory [isolation](#) or [quarantine](#) upon entering Canada under the Quarantine Act, even if the worker is unable to perform any work duties



For more information

IRCC COVID-19 HELP CENTRE

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Stay up-to-date

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COVID-19: safety measures

[Find out if you're affected by coronavirus/COVID-19.](#)

! **Special measures** are currently in effect due to the disruption of services associated with impacts of the novel coronavirus (COVID-19). See further instructions:

- [COVID-19 – Program delivery instructions](#)



English: [CitCanada](#)
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THANK YOU

Sarah Finall

Outreach Officer

Immigration, Refugees and Citizenship
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