

## Work Permit FAQs



**Most Irish temporary foreign workers obtain work permits which authorize them to work in Canada under either:**

- **The International Experience Canada Program (IEC)**

**OR**

- **The Temporary Foreign Worker Program (TFWP)**  
**This results in an employer specific work permit supported by a Labour Market Impact Assessment (LMIA).**

**How do I get an IEC Work Permit?**

**<http://www.cic.gc.ca/english/residents/iec/index.asp>**

**How do I get a work permit through the TFWP?**

**Please see our LMIA guide.**

**How do I extend my IEC work permit?**

IEC work permits cannot be extended. However, you may be eligible to participate in another IEC category. Please see the IEC website for details.

**To get a work permit extension you need:**

1. An LMIA from your employer **OR**
2. An AOR from CIC after you apply for your Permanent Residency through Express Entry **OR**
3. To have included a work permit application with your In-Canada spousal sponsorship application (the work permit will issue within approximately four months of the date on which you submit the application) **OR**
4. A file number from CIC confirming completion of Stage 1 of the In-Canada Spousal Sponsorship program (you then complete a work permit extension application under the CIC pilot program: see below) **OR**
5. A work permit support letter from the Provincial Nomination Program for your province after you receive your PNP nomination

## **I have applied for PR through Express Entry. How do I get a BOWP (Bridging Open Work Permit)?**

### **Bridge Open Work Permits**

CIC has indicated as of November 13, 2015 that, “if an applicant is eligible to apply for a BOWP (i.e. currently working in Canada on a work permit due to expire within 4 months), s/he may submit an application for an open work permit to CPC-Vegreville upon submission of an electronic application for permanent residence (eAPR) in Express Entry. ***The Acknowledgment of receipt - Application for permanent residence letter, which is automatically issued to applicants in their MyCIC account, must be submitted along with the BOWP application to support the above claim.*** Before a BOWP can be issued, the applicant’s eAPR must first pass the completeness check in accordance with section 10 of the Immigration and Refugee Protection Regulations. Officers at CPC-Vegreville will check our processing system to ensure that the eAPR is complete before issuing a BOWP. If an eAPR is found to be incomplete, the application will be rejected and the applicant is no longer eligible for a BOWP. In these cases, the application for a BOWP will be refused.”

<http://www.cic.gc.ca/english/resources/tools/temp/work/prov/bridging.asp>

Applicants must submit an *Application to Change Conditions, Extend my Stay or Remain in Canada as a Worker* form [[IMM 5710 \(PDF, 460.55 KB\)](#)] indicating that they are applying for an open work permit.

<http://www.cic.gc.ca/english/information/applications/extend-worker.asp>



Work permit applications are processed as per information provided by the foreign national. The response to “What type of work permit are you applying for?” must be “Open work permit” to meet the eligibility requirements. Officers will ensure the applicants meet the eligibility requirements, regardless of whether an employer’s name is mentioned.

### **To be eligible for a BOWP, foreign nationals must:**

- be currently in Canada;
- have valid status on a work permit that is due to expire within the next four months;
- be the **principal applicant** on an APR under the FSWC, the CEC, the FSTC, the PNC (see note below), or one of the two caregiver classes;
- have completed one of the following APR stages:
  - their electronic application for permanent residence (e-APR) submitted under Express Entry has passed the R10 completeness check; **or**
  - they have received a positive eligibility assessment on their paper APR submitted by mail under one of the economic classes above;
- have applied for an open work permit;
- have paid the [work permit processing fee and the open work permit holder fee](#); and

- have provided, as applicable, evidence (e.g., nomination certificate) that their provincial nomination is unrestricted.

**Note:** Foreign nationals in the Provincial Nominee Program (PNP) are eligible for a BOWP only if they have provided a copy of the nomination letter issued by the nominating province or territory along with their application **and** there is no indication that employment restrictions exist as conditions of the nomination.

The following foreign nationals **do not qualify** for a BOWP:

- foreign nationals in Canada under [section 186](#) of the *Immigration and Refugee Protection Regulations* (IRPR), who are exempt from the work permit requirement;
- foreign nationals who have let their status expire and must apply for restoration in order to return to temporary resident status;
- foreign nationals whose work permits are valid for longer than four months or who already have a new LMIA that can be used as the basis for a new work permit application;
- foreign nationals applying for a BOWP at a port of entry or visa office;
- spouses and dependants of principal permanent resident applicants; and
- foreign nationals who are inadmissible to Canada.

**VERY IMPORTANT:**

**A \$100 fee now applies to open work permit applications *in addition* to the standard government processing fee of \$155. This must be paid before you submit your application and included with the application.**

**I applied for PR under the In-Canada Spousal Sponsorship Program. Can I apply for a Work Permit?**

You can include an application for a work permit simultaneously with your In-Canada spousal sponsorship application at the time of submitting that application. If your In-Canada spousal sponsorship application is already in process, and you did not include an application for a work permit simultaneously with that application, you can proceed with submitting a **paper** application to the Case Processing Centre in Vegreville with proof that you submitted an In-Canada Spousal Sponsorship application (such as the courier confirmation of delivery/any documentation received from CIC).

Please see <http://www.cic.gc.ca/english/resources/tools/updates/2014/2014-12-22.asp> for further details. This Pilot Program is currently a one year program which may be extended or modified in December 2015.

For In-Canada Spousal Sponsorship applicants, another way of obtaining an Open Work Permit is after Stage 1, the assessment of the sponsor completes (under the In-Canada stream only). The letter from CIC confirming that stage 1 has completed and that the sponsor is eligible to sponsor his/her spouse should be included with the work permit application.

**VERY IMPORTANT: \$100 fee now applies to open work permit applications *in addition* to the standard government processing fee of C\$155. This must be paid before you submit your application and included with the application.**



**I applied for PR under the PNP. How do I get a work permit extension?**

If you have submitted your full PR application to CIC (after receiving your PNP nomination) *and* you have received your AOR from CIC, then you may apply for a BOWP provided that you are not restricted to working only for the employer reported on the nomination. This will depend on the category under which the nomination was issued and the province. Please check with your PNP officer.

**OR**

If you have your PNP nomination *and* a work permit support letter from the PNP then you may apply for an employer-specific work permit extension. Please confirm with your PNP officer.

**VERY IMPORTANT: \$100 fee now applies to open work permit applications *in addition to* the standard government processing fee of C\$155. This must be paid before you submit your application and included with the application.**

**My spouse has an LMIA. Am I entitled to a work permit?**

Yes — *IF* your spouse is working in a *skilled* position to which the LMIA relates (i.e- NOC 0, A or B)

No – *IF* your spouse is working in a semi-skilled position to which the LMIA relates (i.e- NOC C or D)

Please see our guide on Work Permits for Spouses of a Skilled Worker for further details.

**VERY IMPORTANT: \$100 fee now applies to open work permit applications *in addition to* the standard government processing fee of C\$155. This must be paid before you submit your application and included with the application.**

**My spouse has an IEC-based work permit. Am I entitled to a work permit?**

An IEC permit holder cannot get a work permit for their spouse/partner based on their IEC permit alone. *However*, once the IEC holder starts working in Canada in a **SKILLED** occupation they are then considered to be a Skilled Worker and their spouses/partner can apply for an open work permit based on this status. Please see our guide on Work Permits for Spouse of Skilled Worker for further details.

**VERY IMPORTANT: \$100 fee now applies to open work permit applications *in addition to* the standard government processing fee of C\$155. This must be paid before you submit your application and included with the application.**

**How do I extend my LMIA work permit?**

You file a work permit extension application *with* a new LMIA approval. This application should be made well in advance of the old LMIA expiring. Please note that it is extremely difficult to obtain a new LMIA. If you qualify to apply for permanent residence, it is strongly recommended that you do so if you wish to remain in Canada.

**NOTE RE EMPLOYER SPECIFIC PERMITS VERY IMPORTANT:**

If you are applying for an employer-specific work permit extension—IE the employer is named on your work permit—your employers must submit an Employer Compliance form and pay \$230 for LMIA-exempt work permit applications. If this is not done, and proof of same is not included with your application, your application will be refused.



<http://www.cic.gc.ca/english/pdf/kits/forms/IMM5802E.pdf>

<http://www.cic.gc.ca/english/department/media/notices/2015-02-09.asp>

If applying online, the application does not prompt you to pay the extra fee or to upload the forms. Your employer must do this separately, before you submit your application.

If applying by post, note the document checklist asks for the Offer of Employment to a Foreign National Exempt from a Labour Market Impact Assessment (LMIA) IMM 5802 with proof of payment by the employer (receipt number). Your employer should provide it to you.

If you are applying at the border/port of entry, you must carry these documents with you to present to the officer when applying for your new work permit.

**I am on a LMIA work permit. Do I have to pay EI?**

Yes: even though you may not be able claim these benefits. Your employment is deemed insurable and therefore EI must be deducted. You may request a ruling from the Canada Revenue Agency <http://www.cra-arc.gc.ca/tx/hm/xplnd/rlng-eng.html>.

**I am applying for the IEC Young Professionals Program. On form IMM 5802 F (“Offer of Employment to a Foreign National Exempt from an LMIA”) how do I answer questions 21 and 22?**

21: Using the drop-down menu on the form, choose the appropriate IEC category, in this case the YP

22: Exemption Code: C-21

**Application for Extensions and BOWP (note, same application, different support documents required):**

<http://www.cic.gc.ca/english/information/applications/extend-worker.asp>

## Alternative Types of Work Permits

### Intra-company Transferee

Available to executive, senior managerial or specialized knowledge workers being transferred to Canada from Ireland by a related corporate entity (e.g. parent, subsidiary, affiliate). Applicant must have been employed by the related corporate entity abroad for a continuous period of at least one year in a similar position, and must be employed by the related entity at the time of applying for the work permit. Initial work permits under this category will be issued for up to three years. For specialized knowledge positions, the work permit can be extended for an additional two years. For executive and senior managerial level positions, work permit can be extended twice for an additional two years each time.

### Post Graduate Work Permit

Available to a graduating student who has studied full-time in Canada at a Designated Learning Institution and has completed a program of study that lasted at least 8 months. If the course duration was eight months or longer but less than two years, the work permit will be valid for the same duration of that of the course. If the course duration was two years or more, the work permits will be valid for three years. This is a one-time work permit which cannot be extended.

<http://www.cic.gc.ca/english/study/work-postgrad.asp>

### Post-Doctoral Fellowships

Must be arranged directly through the Education Institute in question.

The work permit can

*usually* be applied for at the airport (you must check with the university and CIC to confirm—it may be necessary to apply from your home-country) with the following documents in hand:

- original signed university contract and/or letter of offer from University
- updated curriculum vitae
- proof of educational qualifications: original or certified copy of terminal degree
- valid passport
- \$150\* CDN per work permit requested; The fee is payable in Canadian currency or Visa or Mastercard.

**NB:** Under the new CIC requirements, Canadian universities must submit an Offer of Employment to A Foreign National Exempt from a Labour Market Impact Assessment form, and pay a \$230 compliance fee for every foreign national invited. Be sure that your employer has done this and ask for proof to carry to the border.

### **\*Very Important for all Temporary Foreign Workers**

Most people can come to Canada to work for a maximum of four years. If you are currently working or plan to work in Canada, you should keep track of the total time you have worked and plan to work in Canada. After you have worked temporarily for four years in Canada, you will not

be eligible to work in Canada again until another period of four years has passed. Be sure to sort your PR out in time to avoid having to leave or having to switch to a visitor.

<http://www.cic.gc.ca/english/work/apply-who-eligible/four-year-maximum.asp?s=2>



I/CAN provides information—not advice. This information is gleaned from the CIC website. Before you proceed you must verify this information with CIC. I/CAN has no immigration lawyers or consultants on staff.