

One Minute Memo®



Canada Launches Global Skills Strategy to Fast-Track Short-Term Entry of High-Skilled Workers

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Seyfarth Synopsis: The Canadian government instituted a new, immediately effective Global Skills Strategy to facilitate entry of skilled workers.

The following alert is directed to organizations with a presence in Canada or who anticipate the need to place talent at a Canadian work site.

Seyfarth Shaw's Global Mobility Practice hosts attorneys licensed to practice in the UK, Canada, and Germany. The group has the capability to assist clients with obtaining work and residence visas for over 70 jurisdictions around the world. If we can assist you in placing talent, please call your Seyfarth attorney. We will be happy to help you.

Immigration, Refugees and Citizenship Canada ("IRCC") has launched a Global Skills Strategy to facilitate the entry of skilled workers to Canada, which is effective immediately. The Strategy focuses on a two-week processing standard for certain Labour Market Impact Assessment ("LMIA")-exempt work permit applications and two brand new work permit exemptions, as part of Canada's Global Skills Strategy.

Two-Week Work Permit Processing Standard

Certain LMIA-exempt work permit applications made outside of Canada at a Canadian Consulate are now eligible for expedited two-week processing, including LMIA-exempt work permit applications for employees performing work at Skill Level 0 or A of the National Occupational Classification ("NOC"). Therefore, NAFTA Professionals and Intra-company Transferees in high-skilled occupations, such as IT professionals, Management Consultants and senior managers, can benefit from this new processing standard. Historically, and for those not eligible for the new two-week standard, it would typically take about ten weeks at the Consulate General of Canada in New York.

In addition, corresponding applications for any accompanying family members, including open work permits for spouses and study permits for dependents, are eligible for two-week processing. Applications made inside Canada are not eligible for this new, expedited two-week processing.

Please note there is no additional premium processing fee for applications eligible for expedited two-week processing.

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Single-Entry Short-Term Work Permit Exemption for High Skilled Workers

Workers with a job offer for a position under NOC Skill Level 0 or A are now eligible for a work permit exemption of up to 15 consecutive calendar days every six (6) months, or up to 30 consecutive calendar days every 12 months. This means that workers who qualify for this exemption may work in Canada within these timeframes without first obtaining a work permit. Individuals must apply for this exemption from outside of Canada or at a port of entry. This exemption is not available for applicants submitting applications from within Canada.

Individuals must carry significant documentation to demonstrate eligibility for this exemption, including a detailed support statement from a related Canadian entity or Canadian client. Individuals can benefit from this exemption only once in a 6 month or 12 month period (as described above), as consecutive exemptions are not permitted. IRCC has confirmed to our office that individuals must provide evidence that they have not used this exemption in either the previous 6 or 12 months, depending on whether a 15 day or 30 day exemption is sought.

120-Day Work Permit Exemption for Researchers

Researchers invited to perform research at a publicly-funded degree granting Canadian post-secondary institution or affiliated research institution are now eligible for a work permit exemption for up to 120 consecutive calendar days every 12 months.

Given the immediate effective date of these changes, it will take several weeks before immigration officers at the port of entry become familiar with them, and perhaps longer before we fully understand the ways in which they will be implemented in practice. We will share additional guidance as it becomes available.

If you would like more information, please contact [Pavan Dhillon](mailto:pdhillon@seyfarth.com) at pdhillon@seyfarth.com, [Douglas Tsoi](mailto:dtsoi@seyfarth.com) at dtsoi@seyfarth.com, or [Jason E. Burritt](mailto:jburritt@seyfarth.com) at jburritt@seyfarth.com.

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