



GMS Flash Alert

Immigration Edition

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Canada - COVID-19: Temporary Process to Get Foreign Workers into New Jobs Faster

On May 12, 2020, Immigration, Refugee and Citizenship Canada (IRCC) announced a temporary policy which allows foreign workers currently in Canada to start working in new jobs, or for a new employer, before their work permit applications are approved.¹ (For prior coverage of restrictions on entry into Canada, see our GMS [Flash Alert 2020-073](#), 19 March 2020.)

WHY THIS MATTERS

Prior to the announcement of this new policy, a foreign worker in Canada was subject to lengthy processing times before receiving a new work permit authorizing work in a new job or for a new employer. The new process will allow employers to access in-demand foreign workers quickly to meet their business needs, while also helping unemployed foreign workers contribute to the economy during the pandemic. Employers stand to benefit from the reduction in processing time for certain foreign workers – that timeframe will go potentially from three months to ten days.

New Process to Get Foreign Workers into Employment

In response to the COVID-19 pandemic, IRCC has announced a new temporary process, effective May 12, to support certain foreign workers residing in Canada including those currently unemployed to get back to work quickly. The new process allows foreign workers, who meet the eligibility criteria, to begin work 10 days after submitting their applications for a new work permit. This temporary initiative departs from the current process of submitting an application for a new work permit and being unable to work until the new permit is approved. The current processing time for a new work permit, for someone eligible and in Canada, is currently listed at 89 days. In practice this wait time may be even longer as the COVID-19 pandemic has slowed processing throughout the IRCC network across the globe.

Eligibility

The temporary foreign worker must:

1. currently be in Canada, with valid status;
2. have an employer-specific work permit or been authorized to work under a work permit exemption; and
3. have submitted an application for a new work permit with a valid job offer under either the Temporary Foreign Worker Program or the International Mobility Program.

Process If Eligibility Criteria Are Met

1. After the application for a new work permit is submitted, IRCC must receive a duly completed online form which starts a 10-day waiting period.
2. Within this 10-day period, the foreign worker should receive an email from IRCC which will either confirm or deny the ability to work in a new job or for a new employer while IRCC continues to process the application. The foreign worker will still receive the new work permit as per current processing times, but will be permitted to work approximately 10 days after submission of the online form.

KPMG NOTE

Although this is a welcome update to IRCC's processing policy, employers must be aware that any foreign worker in Canada who seeks to access this new policy must first qualify for a work permit. The purpose of this temporary policy is to get otherwise qualified applicants back to work quickly.

Employers should consider the potential benefits of the new policy as part of their workforce planning strategy during the pandemic in order to access key foreign workers in Canada for new employment positions or for new roles.

If you have questions about the new process and how it can help your organization, please contact your qualified immigration counsel or one of the professionals with KPMG Law LLP noted in the Contact Us section.

FOOTNOTE:

- 1 For additional information, see the IRCC May 12 press release at: <https://www.canada.ca/en/immigration-refugees-citizenship/news/2020/05/government-announces-help-for-employers-to-meet-their-labour-needs.html> .

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Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Canada:



Howard Greenberg
**National Practice Leader -
Immigration**

Tel. +1 416-777-8583
hgreenberg@kpmg.ca



Naumaan Hameed
Partner
Canadian Practice Leader

Tel. +1 416-777-3181
nhameed@kpmglaw.ca



Graeme Black
Senior manager
Immigration

Tel. +1 416-943-7756
graemeblack@kpmg.ca

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