



Naseem Malik

Partner

Corporate Immigration

416.748.4181

nmalik@loonix.com

Naseem has practiced exclusively in the area of Corporate Immigration Law since 2000. He has a Certified Specialist designation from the Law Society of Ontario in Citizenship and Immigration Law (Immigration).

Loopstra Nixon LLP
Woodbine Place
135 Queen's Plate Drive
Suite 600, Toronto, Ontario
M9W 6V7

www.loopstranixon.com

NEW TEMPORARY PUBLIC POLICY ANNOUNCEMENT:

[Visitors in Canada Can Apply for a Work Permit Without Leaving the Country](#)

By Naseem Malik

The Covid-19 pandemic has brought about new and unfamiliar changes in Canada. We have witnessed the announcement of countless public policies in the last few months aimed at meeting the ever-evolving challenges and demands that the pandemic has created. One of such recent policies was the decision to temporarily allow visitors in Canada to apply for a work permit without having to leave the country.

Prior to this policy change, a person would first need to apply for a work permit from their home country before coming to Canada. Alternatively, if a person was already in Canada with visitor status when they were approved for a work permit, they would be required to leave the country and then return to Canada for the work permit to be issued to them, after having filed at Canadian Consulate Abroad. With this policy change, visitors who are currently in Canada and have received a valid job offer will be able to apply for an employer-specific work permit, and if approved, will be able to obtain their work permit without having to leave and return to Canada.

Covid-19 has effectively shut down the Canadian border to the vast majority of business travel and essentially cut off cut off the global talent pool from Canadian Employers. This policy change is intended to assist many Canadian employers who continue to experience a shortage of workers that they need, as well as the temporary residents in Canada who are unable to safely return to their home country, but are prepared to contribute their skills and labour to Canada's workforce during these challenging times. This policy change is also intended to encourage a positive effect on the nation's economy during its recovery from the Covid-19 pandemic, while also supplying jobs in the specific sectors that provide critical goods and services to all Canadians.

To be eligible for this temporary public policy, an applicant must:

- have a valid visitor status in Canada on the day they apply;
- have been in Canada on August 24, 2020 and retained in Canada;
- have a job offer;

- submit an application for an employer-specific work permit that is supported by a Labour Market Impact Assessment (LMIA) or an LMIA-exempt offer or employment, no later than March 31, 2021; and
- meet all other standard admissibility criteria.

In addition, this temporary public policy also allows visitors who meet these criteria and who had a valid work permit in the past 12 months to begin working for their new employer before their new work permit application has been fully approved.

For more information on this very recent policy change or to inquire if you qualify for a work permit under this policy, please contact Naseem Malik, who practices corporate immigration law at Loopstra Nixon LLP.

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