

### **Applying for a Canadian LMIA-Exempt Work Permit**

### Instructions for IRCC's Eligibility Tool

#### Step 1

Once your HR advisor/Administrator has provided you the Offer of Employment number (often referred to as A-Number), along with a copy of the \$230.00 Employer Compliance fee receipt, you will need to obtain your work permit.

#### Step 2

If you are Temporary Resident Visa (TRV) exempt, and simply require an eTA to travel to Canada, you may be eligible to apply for your work permit upon arrival at a Canadian port of entry (airport, land crossing, etc.) You can follow this link to find out if you are TRV-Exempt.

If you are TRV required, you **must** apply for your work permit/TRV online.

#### Step 3

You can find information on Who can apply for a work permit and How to apply for a work permit, whether online or at a port of entry.

To find out if you are eligible to come to Canada you must first answer a few questions to find out what immigration programs you can apply for. This is an important step as each immigration program has different application and eligibility requirements. Based on your answers, the tool will tell you what programs you may be eligible for, so be as accurate as you can. If you are eligible, IRCC will give you detailed instructions on what to do next.

#### Step 4

To get started, follow the link to the <u>Find out if you're eligible to apply tool</u>. Below is an outline of the questions you will be asked.

Q: What would you like to do in Canada?

A: Work

Q: How long are you planning to stay in Canada?

A: Temporarily more than 6 months

Q: Select the code that matches the one on your passport

A: Respond accordingly

Q: What is your current country/territory of residence?

A: Respond accordingly

Q: Do you have a family member who is Canadian citizen or permanent resident and is 18 years or older?

A: Respond accordingly, either Yes or No

#### Q: What is your date of birth?

A: Indicate accordingly

## Q: Are you a lawful permanent resident of the United States with a valid U.S. Citizenship and Immigration Services (USCIS) number?

A: Respond accordingly

# Q: I have a job offer and my employer gave me an offer of employment number or LMIA number (or proof of that your employer applied for an LMIA).

A: Yes

### Q: What is the status of your job offer?

A: Temporary – at least one year

### Q: Do you plan to work in one of the following categories?

Athletes and coaches; Aviation accident or incident investigators; Business visitors; Civil aviation inspectors; Clergy; Convention organizers; Crew members; Emergency service providers; Examiners and evaluators; Expert witnesses or investigators; Family members of foreign representatives; Foreign government officers; Foreign representatives; Health-care students; Highly-skilled workers and researchers (Global Skills Strategy); Judges, referees, and similar officials; Military personnel; News reporters, film, and media crews; Performing artists; Public speakers

A: No. [Although you are a highly skilled worker and researcher, you must answer no. Answering yes, will lead you to a visitor record not a work permit. You should only answer yes, if you will be present in Canada for 120 days or less and are traveling to Canada pursuant to the 120-Day Work Permit Exemption for Researchers.]

# Q: Will you be coming to Canada under an active public policy or special measure announced by IRCC?

A: No

# Q: Are you a spouse, common-law partner....of a person who has applied for either a work permit or a study permit?

A: No [Generally the answer will be no. However, if your spouse or common-law partner of study/work permit holder, you may be eligible for an "Open" work permit rather than a closed work permit. This means that McGill will not need to submit an Offer of Employment in the IRCC Employer Portal, and you will not need the A-Number. If that is the case, you should inform the administrator assisting with your immigration.]

# Q: Have you recently graduated from a participating Canadian post-secondary institution for which your study program was full-time and a minimum of eight months?

A: Generally, the answer will be  $\underline{\mathbf{no}}$ . But if the answer is yes, you may be eligible for a post-graduation open work permit.

#### Q: What is your marital status?

Respond accordingly

## Q: What is your province of destination? If visiting multiple provinces, select the one in which you will be spending most of your time?

### Work Permit (Quebec)

#### You are almost there...

We are going to ask you a few more questions. Based on your answers, we will provide you with a personal checklist of all the documents you need to submit with your application.

Do **not** submit multiple applications for the same service in an effort to speed up your application. Doing this may result in both applications being processed and delay the finalization of your application. We do not refund processed applications.

#### Q: Do you have a valid work permit....and need a visa to return to Canada?

A: Respond accordingly, but generally this answer will be no

#### Q: What type of work permit do you want to apply for?

A: A work permit with Labour Market Impact Assessment exemption

### Q: Are you accompanying a family member that has status in Canada, or has recently been approved to come to Canada?

A: No

## Q: Have you ever committed, been arrested for, been <u>charged</u> with, or convicted of any criminal offence in any country?

A: Respond accordingly [If you respond yes to this question, you may be found to be ineligible to Canada. If this is the case, you may need to obtain a Temporary Resident Permit to overcome your inadmissibility. You must answer truthfully; not doing so may lead to a finding of misrepresentation, which may in turn lead to inadmissibility for at least one (1) year. It is recommended that you seek legal assistance if you have answered yes.]

## Q: Have you had a medical exam performed by an IRCC authorized panel physician (doctor) within the last 12 months?

A: Answer accordingly

## Q: Have you visited or lived in any one of the designated countries for 6 consecutive months in the last year?

A: Answer accordingly

#### Q: Do you want to work in one of the following jobs?

health sciences worker
clinical laboratory worker
patient attendant in nursing or geriatric homes
medical student admitted to Canada to attend university
medical elective and physician on short term assignment
teacher of primary or secondary schools or other teachers of small children
domestics worker, someone who gives in-home care to children, the elderly and the
disabled
day nursery worker

A: Respond accordingly [If you respond yes to this question, you will very likely need to complete a medical examination prior to submitting your work permit application or to your travel to Canada, if you are not required to apply online.]

### Q: Do you want to submit an application for a family member?

A: No [Unless your spouse or common-law partner or your child will be accompanying you during your stay in Canada. If you are coming for 6 months or more and will be residing in Canada throughout your stay, you spouse may be eligible for an "Open Spousal Work Permit".]

Q: Are you giving someone access to your application?

A: No

Q: In the past 10 years, have you given your fingerprints and photo (biometrics) for an application to come to Canada?

A: Respond accordingly.

Q: There are fees associated with this application. Will you be paying your fees or are you fee exempt?

A: Yes, I will be paying my application fees. [You must pay the \$155.00 application fee. You must also **pay the biometrics collection fee** unless you have provided your biometric data in the last 10 years. The application is not the same as the Employer Compliance fee of \$230.00 for which the McGill Administrator provided the receipt along with the A-Number]

Q: Are you able to make a digital copy of your documents with a scanner or camera? A: Yes

Q: Will you be paying your application fees online? To pay online, you can use a credit card (Visa, MasterCard, American Express, JCB, China Union Pay) or a debit card (Visa Debit, Debit MasterCard, or Interac).

A: Yes

Once you have answered all questions you will receive a reference code:

**RLXXXXXXXXXXXXX**, which you will need to move forward, as such is important that you record it. The code is valid for one use and expires. It will allow you to obtain a document checklist that may vary slightly from the Visa office Instruction Guide specific to your location.

#### Step 5

Once have completed the questionnaire, if you are applying online, you must <u>register for a GCKey</u>, which will allow you to access Government of Canada services online and submit your application. It is strongly recommended that you read the <u>Guide 5487 - Applying for a Work Permit outside Canada</u>, as well as the Visa office Instruction Guide specific to your location which can be found by following the steps on <u>How to apply</u> for a work permit.

### Documents Required for the Online WP Application

#### **Forms**

Application for Work Permit Made Outside of Canada (IMM1295)

- Family Information (IMM 5645 or IMM 5707)
  - This form must be filled out by each person, 18 years of age or older, applying for a Temporary Resident Visa, a study or work permit outside Canada.
  - You must complete the Family Information form (IMM 5645 or IMM 5707) listed in the <u>application package</u> for your country or territory.
- Statutory Declaration of Common-law Union (IMM 5409)
  - This form must be completed only if your common law partner will be accompanying you to Canada.

**Are you having difficulty downloading a form?** Follow the IRCC's instruction for Mac and PC users, which can be found at the Help Center.

#### **Supporting Documents**

#### • Employment Reference Letter

- You must provide an employment reference letter (an up-to-date reference from current or past employers). If you have had more than two employers in the last two years, please provide a letter from both employers.
- Reference letters must be written on company/institution letterhead, show its full address and contact number.
- The letter should include all the following information:
  - The specific period of your employment with the company
  - The positions held during the period of employment and the time spent in each position
  - Full details of your main responsibilities in each position
  - Your total annual salary plus benefits
  - The signature of your immediate supervisor or the personnel officer at the company/institution
  - If no previous employer: add your CV/Resume instead.

#### • Letter from Current Employer

 Add your offer letter from your current employer. If you are an undergraduate or graduate student and you are not currently employed or your employment is not related, include proof of registration at your home university.

#### • Employment Records

- A reference letter from your employer and pay stubs if you have them. The reference letter must:
  - Be an official document printed on company/institution letterhead,
  - Include your name, the company/institution contact information, signature of supervisor,
  - Show all position held during employment (job titles, duration, weekly work hours, annual salary, dates of employment).

#### Passport

 Your passport must, at minimum, be valid until the end date of your employment at McGill. IRCC cannot issue you a work permit that is valid past the expiry date of your passport. If you get a new passport after you arrive in Canada, you can apply to extend your stay.

#### CV/Resumé

 Your CV/Resumé must be up to date. You should also include a copy of your highest level of education.

#### Digital Photograph

o You must upload a passport type photo of yourself, in front of a white wall.

#### • Employment Contract

 You must upload your Offer/Invitation Letter from McGill. The letter must be signed by the University.

#### • Invitation Letter

 If you are a citizen of a visa-required country, you must include in your online application a cover letter requesting a multiple entry Temporary Resident Visa, along with your work permit. The cover letter must also include your complete legal name, as indicated on your passport, your date of birth and country of citizenship.

#### • Proof that you Meet the Requirements of the Job Being Offered

#### Postdoctoral Researcher

- A copy of your PhD.
- If you have not yet received your PhD, proof that you have completed all the requirements of your program. Typically, the Registrar can provide this document.
- If you have not yet defended your thesis, you must provide a letter from your supervisor indicating that you are currently enrolled in a PhD program that you are set to defend by "X" date and that it is expected that you will have completed all requirements of your program by "X" date, which must be before your start date.

#### Visiting Scholar/Professor/Postdoc

 Proof that you retain your position abroad and that you will return to your home institution at the end of your stay at McGill

#### Award Recipient

- International Award Recipient: Proof that you are being supported by your home institution or country.
- Canadian Award Recipient: Proof of the competitive award. Competitive: obtain because of excellence and competitive process.

#### Resident

Letter from the Collège des médecins du Québec.

- You must pass a medical exam through an IRCC Panel Physician.
- IMM5802, Offer of Employment to a Foreign National Exempt from a LMIA
  - This is the Offer of Employment Number (A-Number) and \$230 Fee Receipt sent by your HR Administrator (see Step 1)

### Traveling to Canada

Once you have submitted your online application you **must** wait for further instructions from IRCC, which may include Biometrics Collection, completing a Medical Examination conducted by an IRCC Panel Physician, providing additional information or documents, or providing your passport.

You **must** wait for your *Letter of Introduction* (Approval Letter) and *Confirmation of Biometrics Letter* before you travel to Canada. Only once these documents have been issued can a TRV required foreign national travel to Canada. It is also recommended that you wait until your application has been approved to make travel and housing arrangements.

Before you travel to Canada you must ensure that you are compliant with all <u>COVID-19 Travel</u>: <u>Requirements</u>.

Currently, only the following individuals can come to Canada:

- Canadian citizens (including dual citizens), people registered under the *Indian Act*, permanent residents of Canada, or protected persons (refugee status) are allowed to enter Canada.
- **Fully vaccinated foreign nationals** may be allowed to enter Canada for discretionary travel.

Foreign nationals who don't qualify as fully vaccinated will only be allowed to enter in specific circumstances

Once you have arrived in Canada you must provide a copy of the work authorization that was issued to you at the time you entered Canada.