

## Border Closures & Foreign Workers

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In a press conference on March 16, 2020, Prime Minister Justin Trudeau announced that Canada would be closing its borders to non-citizens and those without permanent resident status starting today (March 18) in an attempt to slow the spread of COVID-19.

As a result, temporary workers and would-be business visitors to Canada are not permitted to enter Canada at this time. Foreign nationals who are presently in Canada with valid temporary status can remain in Canada but will not be permitted to re-enter the country if they leave and wish to re-enter while the border closure is in effect. Further, foreign nationals hoping to move to Canada on temporary status, such as on a work permit, will not be allowed to enter Canada to activate their status at this time, even if their applications have been provisionally approved.

Exceptions to the border closure are presently being made for American citizens, immediate family members of Canadian citizens, air crew, and diplomats. At present, American citizens can continue to enter Canada for personal or work purposes subject to the normal entry eligibility requirements. The travel restrictions also do not apply to essential trade or business.

At present, Canadian visa offices in most jurisdictions remain open and temporary status applications, such as work permits, are continuing to be processed at IRCC offices abroad, at case processing centres, and within the domestic network – though applicants may experience processing delays. However, as indicated above, foreign nationals with provisionally approved applications cannot travel to Canada to activate their status while the border closure is in effect.

It is unclear at this time how long the border closure will last or whether the current exemptions will be narrowed in the days to come.

For those who are not currently impacted by the border closure, only four Canadian airports will receive international flights. These are Toronto Pearson (YYZ), Montreal Trudeau (YUL), Vancouver (YVR), and Calgary (YYC). Flights from within Canada, as well as those from the United States, Mexico, and certain Caribbean nations are exempt from this restriction for the time being.

Those who are eligible to travel to Canada can expect additional measures affecting their journey as airlines have been mandated by the federal government to ensure that people displaying any symptoms consistent with COVID-19 are not allowed to board an aircraft bound for Canada.

# Cassels

As advised in our previous discussion on COVID-19, we strongly recommend cancelling all business travel for the time being, even to areas that have not yet been identified by Health Canada as hot spots and even if the travel will be undertaken by Canadian citizens or permanent residents.

We also recommend asking employees to notify you of any planned personal travel outside of Canada both to ensure the travel outside Canada will not result in employees being unable to return to Canada and to ensure employees are undertaking appropriate self-quarantining and social-distancing measures upon their return.

The federal government is actively monitoring the international situation and further restrictions may be implemented on short notice. As the situation is developing and changing rapidly, prudent employers will seek up-to-date and case-specific advice in addressing travel-related matters impacting the foreign workers in their employ.

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*This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.*