

## Immigration Alert - Canada Expands Immigration Pathways and Programs

*Stefanie Di Francesco*

July 11, 2023

### Canada Launches Tech Talent Strategy

On June 27, 2023, the Minister of Immigration, Refugees and Citizenship Canada (IRCC) announced Canada's new Tech Talent Strategy, which consists of the following six initiatives aimed at attracting and retaining tech talent in Canada:

1. Return to two-week processing for Global Skills Strategy work permit applications for foreign workers employed in a Training, Education, Experience and Responsibilities (TEER) category 0 and 1 occupations and two-week processing of Global Talent Stream Labour Market Impact Assessment applications. IRCC's commitment is that target processing times will be met in 80% of complete applications and is focused on the time required for IRCC to issue a passport request letter once an applicant has provided biometrics.
2. STEM-specific invitation rounds under the Express Entry permanent residence program beginning on July 5, 2023. This is the first targeted occupation draw to take place since Express Entry was launched in 2015.
3. Introduction of a new temporary work permit stream for H-1B specialty occupation visa holders in the US to apply for an open work permit valid for three years in duration. An approved applicant's accompanying immediate family members will also be eligible for an open work permit or study permit, as needed, as well as a temporary resident visa (if required). This new work permit stream will open on July 16, 2023 and remain in effect for one year or until IRCC meets a quota of 10,000 applications. Specific criteria for this new category have not yet been released.
4. Creation of a new Innovation Stream to be launched later in 2023. The goal of the Innovation Stream under the International Mobility Program is to attract highly skilled individuals. The stream would offer employer-specific work permits to eligible candidates, valid for up to five years. Eligible workers would be destined to work for a company that is identified by the Government of Canada as contributing to Canada's industrial innovation goals. An open work permit that is valid for up to five years may be available for highly skilled workers in Canada in select in-demand occupations. IRCC will be holding consultations to define and develop the new Innovation Stream throughout the coming months.
5. Launch of a digital nomad visa, which is available for foreign nationals who want to work in Canada for a foreign employer for up to six months. IRCC will collaborate with public and private partners to

# Cassels

determine if additional policies to attract digital nomads to Canada are desirable.

6. Reduction of lengthy processing times under the Start-Up Visa program by increasing annual permanent resident (PR) quotas under the program and prioritizing certain applications, as well as a new three-year open work permit stream under the program to bridge work authorization gaps while waiting for the PR application to process.

The Tech Talent Strategy includes many ambitious immigration program improvements and new initiatives to attract top tech talent to Canada. Employers in the technology sector should take note and consider how they can take advantage of these new and improved programs.

## Extension of Study Authorization to Workers

On June 27, 2023, the Minister also announced a new temporary three-year policy that removes the six-month limit on the length of a study program that temporary foreign workers can enroll in without a study permit. Foreign workers can now study full-time or part-time while their work permits are valid, with no restrictions on the length of the program. As part of this initiative, foreign workers will not require a Certificat d'acceptation du Québec (CAQ) to enroll in a program of study in Quebec. This change took effect on June 27, 2023.

## Expansion of Francophone Mobility Program

On June 15, 2023, the Minister announced a temporary two-year expansion of the Francophone Mobility Program intended to make work permits available to more French-speaking immigrants wishing to work outside Quebec. The main updates to the program are as follows:

- The foreign national must have a moderate language proficiency of French for oral comprehension and oral expression. This is equivalent to a Canadian Language Benchmarks (CLB) / Niveaux de compétence linguistique canadiens (NCLC) level 5. Previously, only foreign nationals who habitually spoke French at CLB/NCLC level 7 were eligible for this category of work permit.
- The foreign national can be seeking work in any occupation (except primary agriculture occupations) so long as they will be located outside of Quebec. Previously, only occupations in TEER category 0, 1, 2 or 3 were eligible for consideration for this category of work permit.

These new immigration pathways and programs demonstrate Canada's eagerness to attract and retain skilled foreign workers is not only filling in-demand jobs today, but also attracting the skills and business talent to create the jobs of tomorrow. Employers experiencing labour shortages or looking to recruit top talent around the world will have more avenues for doing so.

# Cassels

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