YOUR ESSENTIAL GUIDE TO ALTERNATIVE WORK PERMITS: IEC, RECIPROCAL, SIGNIFICANT BENEFIT

CITIZENSHIP & IMMIGRATION LAW

International Mobility Program

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C-20 Reciprocal Employment & C10 Significant benefit to Canada

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C-20 RECIPROCAL EMPLOYMENT

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- C-20 Work Permit is an LMIA exemption under International Mobility Program and the Significant Benefit category
- Commonly referred to as Reciprocal Exchange R205(b), which allows foreign workers to take up employment in Canada when Canadians have similar reciprocal opportunities abroad
- Entry under reciprocal provisions should result in a neutral labour market impact
- Reciprocity is demonstrated by the Canadian employer
- The onus is on the institutions and/or applicants to demonstrate that reciprocity exists.

ELIGIBILITY

- Not necessarily exact reciprocity (one to one exchange), however the general order of magnitude of exchanges including employment duration and job level should be reasonably similar on an annual basis
- Relative number and percentage of the reciprocity should be taken into consideration i.e. with larger reciprocal program (over 25), it's expected the minimum number of Canadians traveling abroad amount to at least 75% of the inbound travelers.
- Reciprocal opportunities for Canadians must exist abroad, job duties and positions must be substantially the same as those of the Canadians abroad
- No specified maximum work duration, but reciprocity must be established for each work permit renewal.

C20 PROS

- No “caps” or cooling off period
- No prevailing wage requirement
  - With exception of India
- No minimum tenure required
- No specialized knowledge requirement

EMPLOYERS WITH SMALL PROGRAMS

- When no history of reciprocal exchanges exists, it's reasonable for Canadian entities to limit work permits to a small number of individuals and then subsequent work permits to be issued only when reciprocity has been demonstrated.
- Get creative with your data!
  - Business travel
  - Short Term Assignments

SUPPORTING DOCUMENTS

- Although no defined documentary requirement on reciprocity, onus is on applicants/ institutions to demonstrate reciprocity exists.
- Copy of Global Mobility Program
- Letter from Employer outlining mobility policy
- Reciprocity Data
  - To be updated ~annually

C20 FOR EXTERNAL HIRES

Can it be done? Short answer is YES

- POE
- Most Visa offices
  - US - European Visa offices more facilitative
  - India – must be currently employed with company abroad
    - No minimum tenure
- IMWU?

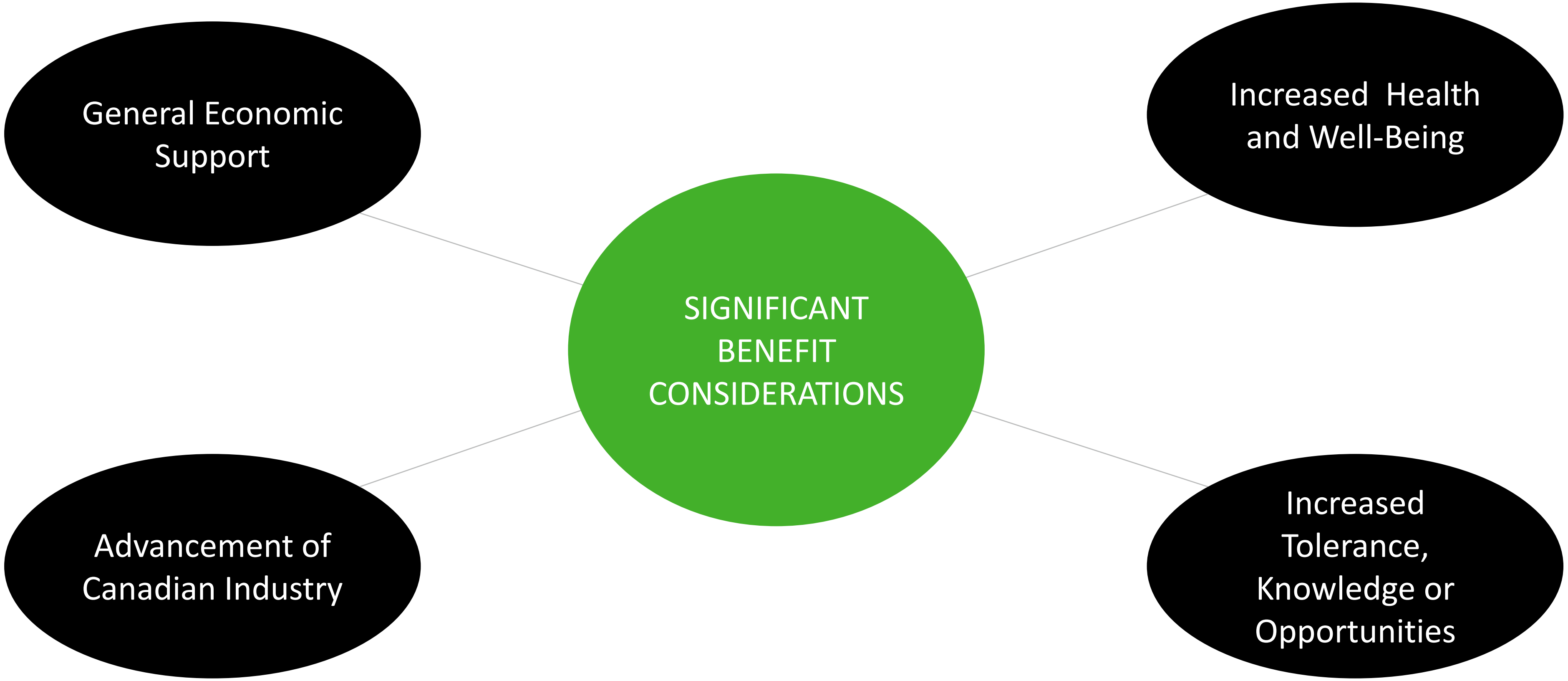
Significant benefit to Canada [R205(a) – C10]

The international Mobility Program (IMP) allows employers to hire Temporary Foreign Workers without a Labour Market Impact Assessment where there are broader economic, cultural, or other competitive advantages for Canada. They are typically identified as significant benefit work permits or C-10 work permits.

Assessment Criteria

ASSESSMENT CRITERIA

- REQUIREMENTS AND EXEMPTIONS MET
- MINIMUM EDUCATION REQUIREMENTS
- DUTIES
- OTHER TRAINING REQUIRED
- JOB REQUIREMENTS
- PROVINCIAL/FEDERAL CERTIFICATION/ LICENSING OR REGISTRATION



In 2021, IRCC updated its C-10 Significant Benefit guidance to provide specific examples and definitions of what constitutes a significant economic, social or cultural benefit.

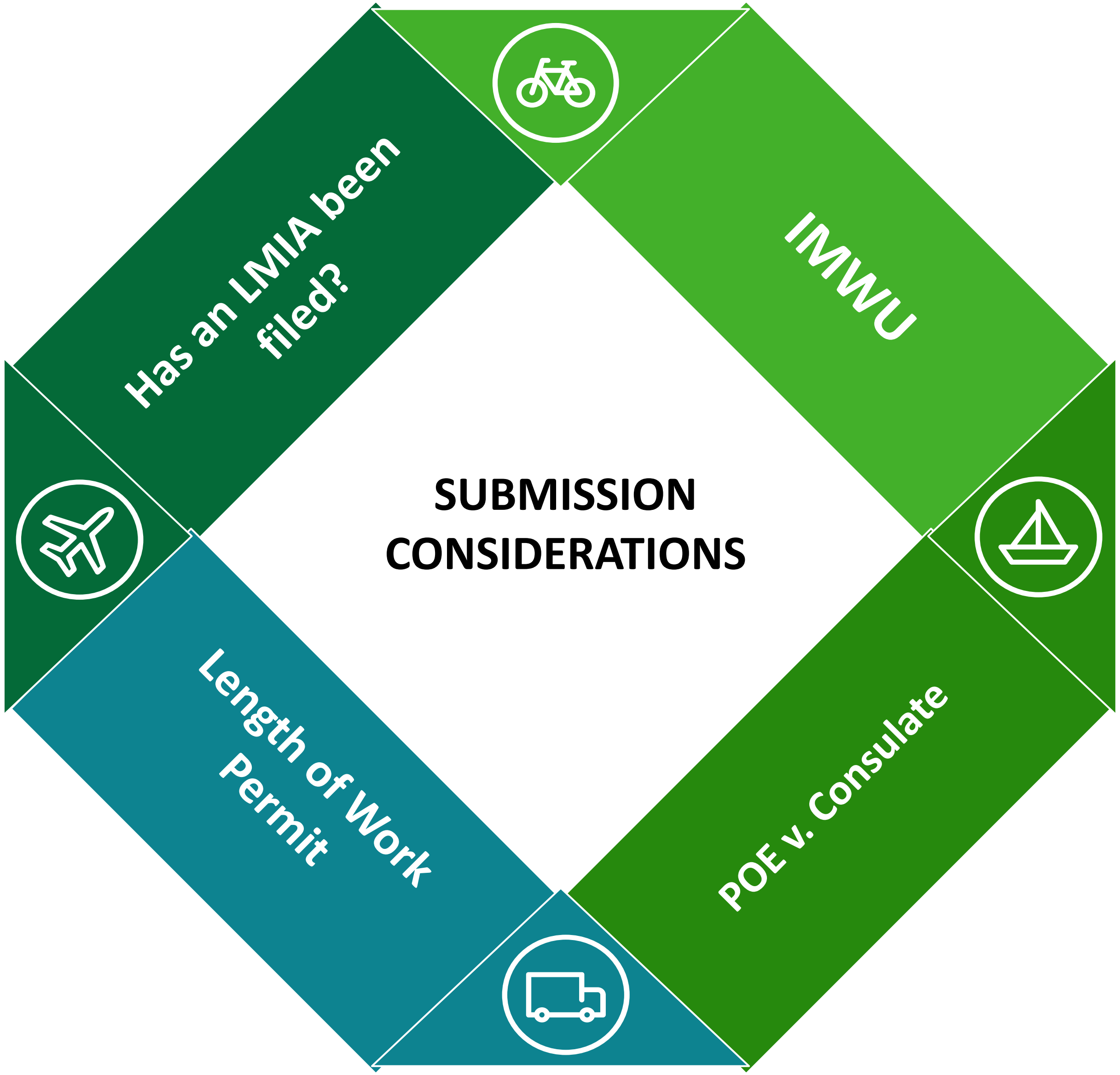
Expanded Economic Benefit Considerations

- Preventing disruption of employment for Canadians
- Creating Economic Stimulus in rural areas
- Using their work experience to negotiate business transactions that benefit Canada
- Advancing Canadian industry (i.e Market expansion, job creation and service innovation)
- Creating employment or training opportunities for Canadian Citizens or people registered under the Indian Act and PR holders

EXPANDED SOCIAL AND CULTURAL BENEFIT CONSIDERATIONS

- Addressing Health and Safety for Canadians
- Improving community's image
- Developing products to help with environmental considerations
- Strengthening Social Inclusion
- Publications in academic or industry publications
- Recognized achievements and significant contributions to their fields
- Have made scholarly or scientific contributions in their filed
- Have been a receipt of a national or international prize.

SUBMISSION CONSIDRATIONS



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