Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

Archived: June 2, 2025 10:28:01 AM
From: Immigration Representatives / Représentants immigration (IRCC)
Sent: Thu, 20 Feb 2025 15:45:57
To:
Cc: [redacted] / [redacted] immigration [redacted]
Subject: FW: Express Entry - Arranged employment points for job offer with a related entity - REP-2025-0084- - REP-2025-0260 - Due 24-Feb-25
Importance: Normal
Sensitivity: None

Hello,

[redacted] to Immigration, Refugees and Citizenship Canada's Immigration Representatives mailbox. We appreciate your patience.

Question:

[redacted] Just to clarify my previous enquiry, in a scenario in which a foreign worker is transferred from a foreign parent company to work for a Canadian subsidiary (Cdn Co 1) on an Intra-Company Transferee work permit in a senior role and after one year of work experience for Cdn Co 1, is then assigned a similar senior role (same NOC) with Cdn Co 2 that is also owned by the same parent company as Cdn Co 1 and a new work permit is issued listing Cdn Co 2 as the employer, can the foreign worker count the time working for Cdn Co 1 for the purpose of accumulating the work experience needed to secure arranged points?

Where the two Canadian companies, although separate legal entities, are both owned and controlled by the same foreign company and are part of the same organization, are they considered the same employer? In other words where a foreign national receives a lateral transfer move within the organization that has multiple Canadian legal entities under the same parent corporation, is it considered the same employer?

This is still within the framework of arranged employment points for Express Entry and the interpretation under Ministerial Instructions subsection 29(2)(a)(iii) of a qualifying offer of arranged employment (LMIA-exempt) identified in my first email.

Answer:

The Ministerial Instructions subparagraph 29(2)(a)(iii) specifically requires that one year of employment for the employer named in a job offer must be accumulated with the same employer named in the valid employer-specific work permit. If an applicant is transferred to a different employer and is issued a new employer-specific work permit with a new employer on it, they may not be considered to have been working for the same employer as before the transfer for the purposes of this subparagraph.

Please be advised that the assessment of an application is conducted on a case-by-case basis, taking into consideration the specific circumstances and the supporting documentation available to the officer. It is the applicant's responsibility to provide sufficient documentation to demonstrate that they meet the requirements.
We trust that this information will be of assistance to you.
Sincerely,

Immigration Representatives Mailbox

De
Envoyé : 24 janvier 2025 12:03

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted]
Objet : RE: Express Entry - Arranged employment points for job offer with a related entity - REP-2025-0084- Due 6-Feb-25

[redacted]

[redacted] Just to [redacted] a foreign worker [redacted] from a foreign parent company to work for a Canadian subsidiary (Cdn Co 1) on an Intra-Company Transferee work permit in a senior role and after one year of work experience for Cdn Co 1, is then assigned a similar senior role (same NOC) with Cdn Co 2 that is also owned by the same parent company as Cdn Co 1 and a new work permit is issued listing Cdn Co 2 as the employer, can the foreign worker count the time working for Cdn Co 1 for the purpose of accumulating the work experience needed to secure arranged points?

Where the two Canadian companies, although separate legal entities, are both owned and controlled by the same foreign company and are part of the same organization, are they considered the same employer? In other words where a foreign national receives a lateral transfer move within the organization that has multiple Canadian legal entities under the same parent corporation, is it considered the same employer?

This is still within the framework of arranged employment points for Express Entry and the interpretation under Ministerial Instructions subsection 29(2)(a)(iii) of a qualifying offer of arranged employment (LMIA-exempt) identified in my first email.

[redacted] clarifying this [redacted]

Kind regards,

From: Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC[redacted]
Sent: [redacted] 23, 2025 2:54 PM
To:
Cc: Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC[redacted]
Subject: TR: Express Entry - Arranged employment points for job offer with a related entity - REP-2025-0084- Due 6-Feb-25

Good day,

[redacted] **Immigration Representatives Mailbox**

Please note that this mailbox is intended for general guidance and does not provide responses to case-specific inquiries but

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

have provided the following information as guidance. If you have case specific questions about a file, you are encouraged to submit the IRCC Web form.

Please see our response to your question.

Question:

I'm writing to enquire about arranged employment points for Express Entry and the interpretation under Ministerial Instructions subsection 29(2)(a)(iii) of a qualifying offer of arranged employment (LMIA-exempt) and specifically the requirement that: "the offer is made by an employer who is specified on the work permit and the foreign national works for that employer and has accumulated at least one year of full-time work experience, or the equivalent in part-time work, over a continuous period of work in Canada for that employer...". (Ministerial Instructions: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-agreements/ministerial-instructions/express-entry-application-management-system/current.html.)

Where a candidate is on an LMIA-exempt, employer-specific work permit in NOC 00 for more than one year and is subsequently transferred by way of ICT to a different related Canadian legal entity under a new employer-specific work permit in NOC 00, would the candidate be eligible to receive the additional 200 points for arranged employment based on a job offer for that position without having worked for the same legal entity in the NOC 00 position for one year?

Answer:

In order to be awarded Comprehensive Ranking System (CRS) points under the Ministerial Instructions 29(2)(a)(iii), an applicant must be named in a job offer by the employer specified on their valid employer-specific work permit, the applicant must be working for that employer and must have previously accumulated at least one year of work experience with that employer.

If an applicant is transferred to a different employer and is issued a new LMIA-exempt employer-specific work permit, then they will not be able to fulfill the requirements of 29(2)(a)(iii) until they accumulate a year of work experience for the employer named on their new permit. As a result, CRS for a job offer in such scenario may not be awarded, until the requirements are met.

Please be advised that the assessment of an application is based on a case-by-case basis, considering the particular circumstances in conjunction with the supporting documentation available to the officer. The onus is always on the applicant to provide sufficient documentation to satisfy an officer that they meet the requirements.

We trust that this information will assist you.

Sincerely,

The Immigration Representatives Mailbox

De :
Envoyé : 9 janvier 2025 20:47
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.IRCC[redacted]
Objet : Express Entry - Arranged employment points for job offer with a related entity

[redacted]

I'm writing to enquire about arranged employment points for Express Entry and the interpretation under Ministerial Instructions subsection 29(2)(a)(iii) of a qualifying offer of arranged employment (LMIA-exempt) and specifically the requirement that: "the offer is made by an employer who is specified on the work permit and the foreign national works for that employer and has accumulated at least one year of full-time work experience, or the equivalent in part-time work, over a continuous period of work in Canada for that employer...". (Ministerial Instructions: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-

Immigration, Refugees and Citizenship Canada / Immigration, Réfugiés et Citoyenneté Canada
Information disclosed under the Access to Information Act
L'information divulguée en vertu de la loi sur l'accès à l'information

agreements/ministerial-instructions/express-entry-application-management-system/current.html.)

Where a candidate is on an LMIA-exempt, employer-specific work permit in NOC 00 for more than one year and is subsequently transferred by way of ICT to a different related Canadian legal entity under a new employer-specific work permit in NOC 00, would the candidate be eligible to receive the additional 200 points for arranged employment based on a job offer for that position without having worked for the same legal entity in the NOC 00 position for one year?

Thank you in advance for your response,