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Archived: June 2, 2025 11:46:17 AM
From: [redacted] Représentants [redacted]
Sent: Tue, 11 Mar 2025 13:37:00
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Open work permits for family members of foreign workers - REP-2025-0304 - Due 27-Feb-25
Importance: Normal
Sensitivity: None

Hello,

Please see our response to your question.

Question:

For spouses of foreign workers to be eligible for an open work permit, the principal foreign worker must be **employed** in a high skilled occupation, (TEER 0, 1 or select TEER 2 or 3 occupation) at the time the spouse submits their application.

The guidelines specifically state "employed." Does this include self-employment or contract work, as long as the work is in an eligible NOC?

Additionally, if the principal foreign worker is working part-time, is there a minimum number of hours they must work per week for the spouse to be eligible to apply?

Response:

With the application for an open work permit, officers should be satisfied that they have the following documentary evidence to make an assessment:

[...]

2. 2. evidence that the principal foreign national **is or will be employed in**, in TEER category 0, 1, 2 or 3 occupation
    - * For example, job contract, letter from employer indicating NOC TEER category and duties, business plan (if the worker is a business owner).
        - * For applications received from family members of principal applicants who are self -employed on an open work permit and are not transitioning to permanent residence, officers are required to assess the bona fides of the open work permit application of the family member. In order to prove that that the principal applicant is self-employed, the family members are expected to submit documents that demonstrate that the self-employment is genuine (for example: a business plan, a CRA number, and a letter explaining steps taken to establish a business.)

The principal foreign national may be employed part-time for the dependent family member to qualify for this labour market impact assessment (LMIA) exemption. Although there is no standard minimum of hours required, officers have to be satisfied the **principal** foreign national's wages or available funds will be sufficient to financially support themselves and their family members while they are in Canada.

Please visit our websites for more information on: Family members of foreign nationals authorized to work in high-skilled occupations (TEER 0, 1, 2 or 3) – [R205(c)(ii) – C41 and C46] – Canadian interest – International Mobility

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Program (IMP) - Canada.ca.

We hope this information is of assistance.

[redacted]

The Immigration Representatives Mailbox

De :
Envoyé : 29 janvier 2025 15:30
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-Representantsimmigration.[redacted].gc.ca>
Objet : Open work permits for family members of foreign workers

Good day,

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[redacted]

Best regards,