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 2:57:04 PM
From: [redacted] Représentants [redacted]
Sent: Fri, 28 Mar 2025 17:47:53
To:
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: TR: Express Entry - Hours of Work - [redacted] - REP-A-2025-0696 - Due 11-Apr-25
Importance: Normal
Sensitivity: None

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 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:

Is there any discretion to consider the hours of work of a person who works full-time hours, but w hose work is subject to the Federal government averaging provisions As per 169(2) of the Canada Labour Code, averaging is permitted, "Where the nature of the work in an industrial establishment necessitates irregular distribution of the hours of work of an employee, the hours of work in a day and the hours of work in a week may be calculated, in such manner and in such circumstances as may be prescribed by the regulations, as an average for a period of 2 or more weeks."

For airline pilots for example, who cannot work standard hours owing to the Transport Canada Flight and Duty Time [redacted] re[redacted] were [redacted] i[redacted]il[redacted]. These rules are [redacted] complicated and include a limit of 112 hours in any 28 consecutive days, 300 hours in any 90 consecutive days, 1,000 hours in any 365 consecutive days, or 8 hours in any 24 consecutive hours in the case of a single-pilot operation. These limitations are cumulative. This information can be confirmed in the Transport Canada Advisory Circular (AC) No. 700-047.

So a pilot might not work 30 hours every week, but when averaged over the course of the permitted period, their average is more than 30 hours per week.

As a separate, but related issue, in professions like teaching where the substantive work occurs from September – June, but the teachers remain employed on a full-time basis from July – September, how should their hours of work be calculated?

Answer:

Please be advised that we are not able to answer case-specific enquiries or intervene on a decision made by a delegated officer, as we must adhere to appropriate procedures. Case-specific enquiries should be routed via the IRCC Web form.

To claim 1 year of skilled work experience, an applicant must demonstrate that 1560 hours of eligible work were performed over a period of employment of at least 1 calendar year. The hours of work may be averaged throughout the year, however an employment period shorter than 1 calendar year would not be considered as 1 year of skilled work experience.
The work hours are calculated only when the applicant performs the duties under their occupation. Periods of leave or rest do not count as hours of performing the duties.
The profile builder will not count the hours of work experience in excess of 30 hours per week towards the program requirements and scores.
In situations where regularly scheduled work throughout the year varies in hours from week to week, for example based on professional regulatory requirements, the officer would determine on a case-by-case basis if the hours declared could be reasonably considered as work experience. Please ensure there is a clear explanation in case hours declared in the profile do

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

not exactly match hours worked.
The onus is always on the applicant to provide sufficient documentation to satisfy an officer that they meet the requirements.
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,

The Immigration Representatives Mailbox

From:
Sent: [redacted] 3, 2025 11:13 AM
To: Immigration Representatives / Représent[redacted]mmigration (IRCC) <IRCC.ImmigrationRepresentatives-[redacted]
Subject: Express Entry - Ho[redacted]ging

> **CAUTION:** This email originated from outside the Government of Canada. Do not click on links or open attachments unless you recognize the sender and know the content is safe.
> **ATTENTION:** Ce courriel provient de l'extérieur du gouvernement du Canada. Ne cliquez pas sur les liens et n'ouvrez pas les pièces jointes sauf si vous reconnaissez l'expéditeur et sachez que le contenu est sûr.

[redacted]

Is there any discretion to consider the hours of work of a person who works full-time hours, but w hose work is subject to the Federal government averaging provisions As per 169(2) of the Canada Labour Code, averaging is permitted, "Where the nature of the work in an industrial establishment necessitates irregular distribution of the hours of work of an employee, the hours of work in a day and the hours of work in a week may be calculated, in such manner and in such circumstances as may be prescribed by the regulations, as an average for a period of 2 or more weeks."

For airline pilots for example, who cannot work standard hours owing to the Transport Canada Flight and Duty Time [redacted] were [redacted] pilot [redacted] These rules are extremely complicated and include a limit of 112 hours in any 28 consecutive days, 300 hours in any 90 consecutive days, 1,000 hours in any 365 consecutive days, or 8 hours in any 24 consecutive hours in the case of a single-pilot operation. These limitations are cumulative. This information can be confirmed in the Transport Canada Advisory Circular (AC) No. 700-047.

So a pilot might not work 30 hours every week, but when averaged over the course of the permitted period, their average is more than 30 hours per week.

As a separate, but related issue, in professions like teaching where the substantive work occurs from September – June, but the teachers remain employed on a full-time basis from July – September, how should their hours of work be calculated?

Thank you,

Page 1654

is withheld pursuant to section

est retenue en vertu de l'article

19(1)

of the Access to Information Act

de la Loi sur l'acces a l'information