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Archived: June 3, 2025 9:26:11 AM
From: [redacted] Representatives / Représentants i[redacted] (I[redacted]
Sent: Wed, 9 Apr 2025 13:33:20
To
Cc: Immigration Representatives / Représentants immigration (IRCC)
Subject: FW: Flagpole Changes Exception for Truck Drivers? - REP-2025-0228- Due 20-Feb-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.
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If a truck driver is under maintained status as a result of applying for a new work permit before the expiration of their previous work permit, they would not be considered to be flagpoling if they are departing and returning to Canada **for the purposes of their employment**. The officer at the port of entry would expect the client to be crossing the border in the course of their employment duties and expect them to have invoices or other documentation from their employer for their trip.

A truck driver with mantained status must keep working for the employer named on the original work permit until IRCC makes a decision on the application **unless** they have requested authorization to work while IRCC processes the application. If a client has submitted a request for authorization to work for their new employer and subsequently been authorized to do so by IRCC, they would be able to operate a truck for their new employer prior to the new work permit being issued.

A person returning from the United States in their private vehicle would be flagpoling and would not be issued a work permit at a port of entry.

Extend or change the conditions on your work permit: Traveling outside Canada and re-entering - Canada.ca

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[redacted]

The Immigration Representatives Mailbox

De : [redacted]
Envoyé : 22 janvier 2025 11:49
À : Immigration Representatives / Représentants immigration (IRCC) <IRCC.ImmigrationRepresentatives-[redacted]
Objet : Flagpole Changes Exception for Truck Drivers?

[redacted]

In both https://www.canada.ca/en/border-services-agency/news/2024/12/ending-flagpoling-for-work-and-study-

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permits-at-the-border.html and Operational Bulletin 686 – Changes to who can apply at a port of entry : Interim instructions for officers - Canada.ca, there is an exception for truck drivers working US/Canada routes:

- * International truck drivers who hold a work permit, where required to depart Canada for the purpose of their employment and held maintained status as a result of applying for renewal prior to departure;

- * **Truck Drivers-** who are required to depart Canada for the purpose of their employment and prior to their departure from Canada held a work permit or maintained status as a result of a pending application for work permit renewal. This does not include truck drivers operating solely within Canada.

How would this exception apply for a truck driver who needs to CHANGE their employer under the basis of a new LMIA (work permit is expiring or on maintained status for a different employer) and would require a new work permit to commence US/Canada work with their new employer?

For example, if a truck driver is under maintained status for company 1 and now receives a new LMIA for company 2, is this truck driver able to attend the Port of Entry in his own private vehicle to renew his work permit under the new employer (company 2). Clearly, he would not be authorized to operate a truck from company 2 prior to the new work permit being issued.

Would the truck driver be able to flag-pole under the exception and renew their work permit under the new employer?

Sincerely,