

Mobility: Immigration alert

December 2022

Canada

Canada introduces new Labor Market Impact Assessment exemption codes under the International Mobility Program

Executive summary

On 16 December 2022, Immigration Canada announced new Labor Market Impact Assessment (LMIA) exemption codes for certain Canadian work permit application categories under the International Mobility Program. Specifically, many of the previous codes have been replaced with new codes that will need to be reflected in all work permit applications, including the employer compliance offer that is submitted via the compliance portal as part of all employer-specific work permits that are LMIA-exempt. New codes have been introduced to replace several commonly used exemption codes such as the GATS C12, A75, CUSMA (formally NAFTA) T23 and T24 categories.

Key developments

Some previous LMIA exemption codes such as C12, that were used for the GATS Intra-Company Transferee category which includes three subcategories (specialized knowledge, senior managers/executive, and functional manager), have now been split into separate codes for each of the subcategories. Another popular LMIA exemption code that has been split is the A75 code, which previously included applications under the Bridging Open Work Permit and the Quebec CSQ Holder categories. These categories have now been assigned their own exemption codes. While there are many new codes introduced for most categories, some exemption codes such as C20 - Reciprocal employment Benefits, C41 - Open spousal work permit, C10 - Significant Benefit, and C16 - Mobilité Francophone that remain the same.

Impact on employers

Given the updates to the exemption codes, foreign nationals applying for a work permit will need to ensure that any applications and employer compliance offers submitted as of 16 December 2022 reflect the new exemption code where applicable.

Key steps

EY will continue to monitor these developments. For further information about these updates and eligibility, please contact your EY Law LLP professional.



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