TEMPORARY FOREIGN WORKERS

Work permits and LMIA/C-14 exemption documents are reviewed and approved on a case-by-case basis by IRCC, Service Canada, and CBSA where applicable. Applicants must meet eligibility and admissibility criteria to enter Canada.

FILM/TV WORKERS (EXCLUDING PRODUCERS/COMMERCIAL WORKERS):

Workers who are seeking entry to Canada must meet one of the following conditions:

- Their place of habitual residence is in Canada and they hold a valid work permit; or
- They are coming to Canada for the first time to begin their employment and are in possession of a valid work permit or Port of Entry (POE) Letter of Introduction, and have proof of employment at a Canadian business which is operating (i.e. film production)

To apply for a work permit, a foreign worker needs either:

- An LMIA (<u>Temporary Foreign Worker Program</u>), or
- A C14-exempt offer of employment (<u>International Mobility Program</u>)

A LABOUR MARKET IMPACT ASSESSMENT (LMIA)

All foreign **non-union** cast and crew (producers are exempt) must obtain a positive LMIA before entering Canada to work on a Motion Picture project.

- Estimated timeline*: 3 business days
- Estimated cost*: \$1,155 per person
- Employers must <u>apply</u> for the LMIA through Service Canada and pay the processing fee (\$1,000 per worker).
- Once the employer receives a positive LMIA, the worker can apply and pay for their work permit (\$155) either <u>online</u> or directly at the Port of Entry if they meet <u>all conditions</u>.

If you need more clarification, contact Bill Gibson at Service Canada.

A C14-EXEMPT OFFER OF EMPLOYMENT

Immigration, Refugees, and Citizenship Canada (IRCC) handles the exemption application for **high level union positions** through their International Mobility Program (IMP). The IMP lets employers hire a temporary worker **without** an LMIA.

- Estimated timeline*: 1 business day
- Estimated cost*: \$385 per person
- Confirm if the union position is eligible for an LMIA exemption under <u>exemption code C14</u>. If there is uncertainty, connect with the <u>International Mobility Worker Unit</u>. Workers must have both:
 - a letter of support from the production, and
 - a letter of concurrence from the relevant union or guild
- Employers must submit an offer of employment through the <u>Employer Portal</u> and pay the required employer compliance fee (\$230). Read about employer obligations.
- Once the employer receives an Offer of Employment number ("A-number"), the worker can apply and pay for their work permit (\$155) either online or directly at the Port of Entry if they meet all conditions.

^{*}Please note these are estimates only based on requirements at the time of writing. Total processing time excludes the collection of any required documents prior to submitting. Total fees due are ultimately dependent on the specifics of the application and current requirements from IRCC, Service Canada, and CBSA. Version 2 (2022-01-27)

PRODUCERS/COMMERCIAL WORKERS:

IRCC categorizes workers entering Canada to engage in international business activities *without directly* entering the Canadian labour market as <u>work permit exempt business visitors</u> under the International Mobility Program.

- Estimated timeline*: Same day
- Estimated cost*: No anticipated fees
- The following foreign nationals may be considered under the business visitor category:
 - Film producers employed by foreign companies coming to produce a foreign-financed film or documentary (Regulation 187) or commercial shoot (Regulation 186a); or
 - Essential personnel entering Canada for short durations (typically no longer than 2 weeks) for a foreign-financed commercial shoot (Regulation 186a)
- **Film/documentary producers** present a letter of introduction from their employer outlining the purpose of the trip, confirming the project is foreign funded, and noting the company's contact information.
- Commercial producers/essential personnel present a Business Invite Letter from the Canadian
 commercial production house stating the job/purpose of the foreign worker and that the individual is
 work permit exempt. Prior to the worker travelling to the border, the Canadian commercial production
 house should communicate the worker's name and point of entry to CBSA.
- If the worker is from a country from which <u>Canada requires a visa</u> for entry, the worker must apply for it before trying to enter Canada.

BIOMETRICS

IRCC may require the <u>collection of biometric data</u>, including fingerprints and photograph, as part of the work permit application process. This <u>IRCC tool</u> provides general guidance on who is required to provide biometrics and generally, the following applies to workers entering Canada to work in motion picture.

- **Producers/Commercial workers:** biometrics are generally not required unless the worker is from a country from which Canada requires a visitor visa.
- Film/TV workers who are **US citizens or green card holders:** biometrics are generally not required.
- Film/TV workers who are **not US citizens or green card holders:** biometrics are generally required.

ARRIVING IN CANADA:

Although workers can enter Canada by land or air, YVR is the recommended Port of Entry. Workers must comply with all current COVID-19 travel restrictions and testing and quarantine requirements. All workers entering Canada must:

- Be asymptomatic;
- Meet <u>eligibility</u> and <u>admissibility</u> criteria to enter Canada;
- Provide mandatory travel information through ArriveCAN;
- Submit a BC self-isolation plan; and
- Additional testing and quarantine requirements when entering by air or land, depending on vaccination status.
 - o COVID-19 Travel: Checklists for requirements and exemptions
 - COVID-19 vaccinated travellers entering Canada

Requirements and resources are current at the time of writing; however, they are subject to change at any time. Stay apprised of all travel restrictions and requirements when planning travel to Canada.

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Additional resources:

Government of Canada – Travel restrictions in Canada

British Columbia - Travel and COVID-19

COVID-19 Travel: Checklists for requirements and exemptions

COVID-19 vaccinated travellers entering Canada

Creative BC - Cross Border Services

<u>Creative BC – COVID-19 Motion Picture Resources and Updates</u>

IRCC Employer's Roadmap to hiring and retaining internationally trained workers