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Work Permits

Who Needs a Work Permit

People who are entering Canada to work generally require a work permit. 'Work' is broadly defined, and includes any activity for which wages are paid or commission is earned, or any activity, including volunteering, that is in direct competition with the activities of Canadian citizens or permanent residents.

There are, however, some exceptions to the requirement for a work permit. One of the more common exceptions is if you are a Business Visitor. A Business Visitor is an individual who has no intention of entering the Canadian labour market, whose activity is international in scope, and whose primary source of remuneration is located outside Canada.

Business Visitors include academic speakers who will be guest speakers at a University of Victoria function.

Seminar leaders or Guest Speakers may also speak at a seminar provided that the seminar does not last more than five days. For the purpose of whether you need a work permit, a 'seminar' is defined as a small class at a university, etc., for discussion and research, a short intensive course of study, or a conference of specialists.

Citizenship and Immigration Canada has specifically deemed that guest instructors of a particular sport teaching weekend seminars are not Business Visitors, and require a work permit.

Foreign professors and researchers seeking entry to Canada to evaluate academic university programs or research proposals are Business Visitors.

All Business Visitors should be able to provide documentation which demonstrates that they meet the above criteria.

Visiting Academics

Visiting academics may be exempt from the requirement to obtain a Labour Market Impact Assessment. Guest lecturers invited by the University of Victoria to give a series of lectures and who occupy a temporary position of a non-continuing nature, and which does not comprise a complete academic course, for a period of less than one academic term or semester, can obtain a work permit.

As well, visiting professors who are working for a period of not more than two academic years to take a position with the University of Victoria, and who will retain their position abroad, are exempt from the requirement of the University of Victoria obtaining a Labour Market Impact Assessment prior to them obtaining work permits.

Finally, those on sabbatical who are doing collaborative research with the University of Victoria are exempt from the Labour Market Impact Assessment requirement.

Researchers

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Holders of research chair positions at the University of Victoria nominated for their research excellence may apply for work permits without the University of Victoria needing to first obtain a Labour Market Impact Assessment.

As well, post-doctoral fellows holding a Doctorate of Philosophy or its equivalent, and who are appointed to a time-limited position where they stipend or salary for periods of teaching, advanced study, and/or research, will generally be eligible to obtain a work permit without a Labour Market Impact Assessment. You will need to have completed, or expect to complete, their doctorate shortly and be working in a related field to that in which you earned, or are earning, your Ph.D to be exempt from the Labour Market Impact Assessment. The University of Victoria will provide you with a written offer from a responsible academic, as well as a LMIA Exemption Form, to facilitate the issuance of your work permit.

Finally, holders of academic research awards involving work and remuneration by the University of Victoria where the award is granted strictly on the basis of your academic achievements will be eligible for a Work Permit. As well, if you are the holder of an academic research award from abroad, and are i

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North American Free Trade Agreement

The North American Free Trade Agreement (NAFTA) allows professors and teachers who have been offered temporary appointments at the University of Victoria to obtain work permits without the University of Victoria first having to obtain a Labour Market Impact Assessment. Specifically, NAFTA facilitates the entry of:

- exchange professors coming to the University of Victoria on a reciprocal basis;
- guest lecturers who are invited by the University of Victoria to give a series of lectures which does not compromise a complete academic course and is for a period of less than one academic term or semester; and
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