

**Bouchard, Jennifer (IRCC/IRCC) (she, her | elle, la)**

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**From:** Harvey.Alison  
**Sent:** July 20, 2015 2:09 PM  
**To:** Santini.Neida; Li.Jobina  
**Subject:** RE: C20 Reciprocal employment category - - Due by July 22  
**Attachments:** RE RE: - Exemption C20

Hi Neida,

This reminded me of a similar case we had a while back, and I found the e-mail (attached). I think it does make sense for the person to be an employee of the company. Otherwise they could use the fact that they have posted Canadians to branches abroad to hire any foreign worker that they like. It's not really reciprocal if it's not within the same company.

I agree with your and Jobina's thoughts about a written policy.

alison

Alison Harvey  
NHQ - Immigration | AC - Immigration  
Citizenship and Immigration Canada | Citoyenneté et Immigration Canada  
365 Laurier Avenue West Ottawa ON K1A 1L1 | 365, avenue Laurier Ouest Ottawa ON K1A 1L1  
Office | Bureau JETS D876  
[Alison.Harvey@cic.gc.ca](mailto:Alison.Harvey@cic.gc.ca)  
Telephone | Téléphone  
Facsimile | Télécopieur 613-954-0850  
Government of Canada | Gouvernement du Canada

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**From:** Santini.Neida  
**Sent:** July 20, 2015 1:14 PM  
**To:** Harvey.Alison; Li.Jobina  
**Subject:** RE: C20 Reciprocal employment category - - Due by July 22

Happy Monday ladies,

I am seeking your assistance with the draft response below. I am uncomfortable saying that the foreign worker needs to be a current employee of the foreign company as I cannot find specific wording to that issue either on the PDIs or on previous FG responses. I provided generic responses but I'm wondering if you have wording from the policy intent that I could be used in this situation. Grateful if you can provide your thoughts by tomorrow at noon.

Thanks,

Neida

=====

Dear |

Thank you for your email to the Immigration Representatives mailbox.

**Question:**

1. Are you able to confirm that it is not necessary for a Canadian employer wishing to hire a foreign worker pursuant to the C20 work permit category to have a written agreement in place with the current foreign employer of the worker?

My understanding is that it is sufficient if the Canadian employer can demonstrate, with proof, that it has a pattern of sending Canadian employees abroad to take advantage of employment opportunities at its locations abroad. My understanding is that an HR mobility policy or a detailed letter from the employer setting out how the transfer / assignment program is administered, along with a list of Canadians who have worked abroad, as applicable, is typically sufficient to demonstrate reciprocity. I note that each actual application must be reviewed by a CIC officer on its merits, but are you able to confirm this interpretation of the criteria for the C20 category is generally accurate?

My understanding is that for the C20 category that the foreign worker does not need to be a current employee of a foreign company related to the Canadian employer nor must he/she have a certain amount of experience with that foreign company, as is the case with the intra-company transfer category. Are you able to confirm this also?

**Response:**

Generally, reciprocity (C20) allows foreign workers to work in Canada when Canadians have similar reciprocal opportunities abroad. Canadians who go abroad to work under a reciprocal agreement are typically working under the employment of the foreign company. Likewise, a foreign national in the exchange to Canada under that reciprocal agreement, will be working for the Canadian company. Although a written agreement is not required in Section 205(b) of the regulations, it certainly would help to satisfy the processing officer if a formal HR plan or Memorandum of Understanding (MOU) exists. If there is no formal HR policy in place, an officer might want to ask for a letter from the employer that shows the company has a formal program in place that allows for reciprocity. The letter should clearly stipulate how the program is administered and what opportunities are available for reciprocity. If necessary, the officer may even request that statistics be provided related to their program, i.e. how many people participated in the program in the last year.

In assessing reciprocity applications, officers have to be satisfied that the foreign national meets the criteria set out for reciprocal employment. The assessment is made based on the information provided by the employer as per the Offer of Employment, and any documents provided by the applicant. The program delivery instructions <http://www.cic.gc.ca/english/resources/tools/temp/work/opinion/reciprocal.asp> provide general guidance for officers. However, each application is assessed on a case by case basis.

Ideally, employers are seeking the C20 category to provide their employees with opportunities to work abroad and to benefit from Canadian knowledge and expertise overseas. The onus is on the organization and the applicants to demonstrate that reciprocity exists. There is no experience requirement for C20. Only that the processing officer is satisfied that a formal reciprocity program exists. C20 exemption was not intended to facilitate foreign nationals who do not meet the eligibility criteria of ICTs.

If evidence of reciprocity is not presented to the satisfaction of the officer, the work permit may be refused, or the applicant may be notified that a LMIA must be obtained for further consideration of a work permit.

Trusting this information is useful.

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**From:** ImmigrationRepresentatives

**Sent:** June 25, 2015 10:06 AM

**To:** Hou.Vicky

**Cc:** Delaney.Linda; ImmigrationRepresentatives

**Subject:** FW: C20 Reciprocal employment category -

· Due by July 22

Hello,

For your action, see inquiry below.

- Please provide a response approved by your manager directly to the ImmigrationRepresentatives mailbox, before the due date indicated in the subject line.
- The response will be sent directly to the representative from the ImmigrationRepresentatives mailbox. Please do not respond directly to the representative as we are tracking all messages received and responses sent out. This will encourage representatives to use the mailbox and not direct their request to the officers and provide a more efficient way of responding to clients.
- If you are unable to provide a response within the service standard please send a message to the ImmigrationRepresentatives mailbox and we will inform the representative.

Thank you kindly

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**From:**

**Sent:** June 24, 2015 5:13 PM

**To:** ImmigrationRepresentatives

**Subject:** C20 Reciprocal employment category -

- Due by July 22

Dear CIC

Are you able to confirm that it is not necessary for a Canadian employer wishing to hire a foreign worker pursuant to the C20 work permit category to have a written agreement in place with the current foreign employer of the worker?

My understanding is that it is sufficient if the Canadian employer can demonstrate, with proof, that it has a pattern of sending Canadian employees abroad to take advantage of employment opportunities at its locations abroad. My understanding is that an HR mobility policy or a detailed letter from the employer setting out how the transfer / assignment program is administered, along with a list of Canadians who have worked abroad, as applicable, is typically sufficient to demonstrate reciprocity. I note that each actual application must be reviewed by a CIC officer on its merits, but are you able to confirm this interpretation of the criteria for the C20 category is generally accurate?

My understanding is that for the C20 category that the foreign worker does not need to be a current employee of a foreign company related to the Canadian employer nor must he/she have a certain amount of experience with that foreign company, as is the case with the intra-company transfer category. Are you able to confirm this also?

Many thanks, as always.

**Page 112**

**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'accès à l'information**

**Bouchard, Jennifer (IRCC/IRCC) (she, her | elle, la)**

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**From:** Harvey.Alison  
**Sent:** November 26, 2014 12:44 PM  
**To:** Harvey.Alison; Albert.Chantal; Santini.Neida; Tan.Melissa  
**Cc:** Starkings.Suzanne; Wiseman.Ruth  
**Subject:** RE: RE: - Exemption C20

Addendum.

I had a discussion on this with Suzanne, who pointed out that the applicant is not a current employee with [redacted] I think that that is actually a key feature for companies to be allowed to use C20—to move their employees around to gain international experience. Private companies have used C20 more as an ICT-like provision, only for junior staff. In this case, there is no reason why [redacted] Canada should not advertise for a new employee in Canada and go through the LMIA process.

Alison Harvey  
NHQ - Immigration | AC - Immigration  
Citizenship and Immigration Canada | Citoyenneté et Immigration Canada  
365 Laurier Avenue West Ottawa ON K1A 1L1 | 365, avenue Laurier Ouest Ottawa ON K1A 1L1  
Office | Bureau JETS D876  
[Alison.Harvey@cic.gc.ca](mailto:Alison.Harvey@cic.gc.ca)  
Telephone | Téléphone  
Facsimile | Télécopieur 613-954-0850  
Government of Canada | Gouvernement du Canada

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**From:** Harvey.Alison  
**Sent:** November 26, 2014 12:23 PM  
**To:** Albert.Chantal; Santini.Neida; Tan.Melissa  
**Cc:** Starkings.Suzanne; Wiseman.Ruth  
**Subject:** RE: RE: - Exemption C20

Hi Neida,

It seems that [redacted] is a large company with an international presence (mainly based in France though) [redacted] There are other large consulting companies which have been allowed to use C20 on a regular and frequent basis. I believe that they provide evidence of numbers of Canadians posted abroad, which has been considered sufficient evidence of global mobility or reciprocity, without pointing to specific country-to-country agreements. So as long as the officer is satisfied that there are a similar number of Canadians who have been sent to work in Thales offices in other countries, then C20 could apply. I believe that Ruth and Suzanne have dealt with a lot of these kinds of requests before, and may have more/better advice to offer 😊

All of the foregoing being said, the guidelines may change in the future to disallow companies from using C20 in the future. Stay tuned...

Alison Harvey  
NHQ - Immigration | AC - Immigration  
Citizenship and Immigration Canada | Citoyenneté et Immigration Canada  
365 Laurier Avenue West Ottawa ON K1A 1L1 | 365, avenue Laurier Ouest Ottawa ON K1A 1L1  
Office | Bureau JETS D876  
[Alison.Harvey@cic.gc.ca](mailto:Alison.Harvey@cic.gc.ca)  
Telephone | Téléphone  
Facsimile | Télécopieur 613-954-0850  
Government of Canada | Gouvernement du Canada

**From:** Albert.Chantal  
**Sent:** November 25, 2014 3:18 PM  
**To:** Santini.Neida; Tan.Melissa; Harvey.Alison  
**Subject:** RE: RE: - Exemption C20

Hi Neida,  
 Adding Alison to this request as she is the lead on this provision.

Chantal

**From:** Santini.Neida  
**Sent:** November 25, 2014 3:16 PM  
**To:** Tan.Melissa  
**Cc:** Albert.Chantal  
**Subject:** FW: RE: - Exemption C20

Happy Tuesday afternoon ladies!

I am in need of your expert comments to respond to the question below from our colleague in Paris. I drafted the response below and I am looking for guidance on whether the fact that the company seems to be looking to hire the FN specifically to work in Toronto would allow him to be exempted under C20. There is more details in the incoming, pls let me know your thoughts by cob Nov 27. Thanks in advance! N.

Votre question : cite notre guide FW1 <http://cicintranet/connexion/tools-outils/temp/work-travail/opinion-avis/reciprocal-reciproque-fra.aspx> en affirmant que le réseau et sa grande mobilité en plus de l'impact du travailleur au Canada justifie la dispense d'AMT.

Pouvez-vous nous guider à cet égard ? Je trouve un peu étrange qu'une grande firme puisse justifier la dispense d'EIMT tout simplement en donnant une liste de leurs employés affectés ailleurs... surtout quand aucun de leurs employés canadiens ne sont affecté à l'entreprise ou dans le pays du requérant. À noter les commentaires du consultant qui ont été copiées dans le SMGC.

The reciprocal employment guidance on **R205(b)**, also known as the Labour Market Impact Assessment (LMIA) exemption code C20, allows foreign workers to take up employment in Canada when Canadians have similar reciprocal opportunities abroad. Based on the information you have provided, it appears that Thales is engaged in business activities worldwide and that there is little evidence to establish that there is a reciprocity agreement with Canada. As stated in the guidelines the onus is on the institutions and/or applicants to demonstrate that reciprocity exists, upon assessing the information submitted by the institutions or applicants and/or their representatives, officers must be satisfied that reciprocity exists even if it is not exact reciprocity. If evidence of reciprocity is not presented to the satisfaction of the officer, the work permit may be refused, or the applicant may be notified that an LMIA must be obtained for further consideration of a work permit.

Hoping you find this information useful.

Neida Santini  
 NHQ - Operational Management and Coordination | AC - Gestion opérationnelle et coordination  
 Citizenship and Immigration Canada | Citoyenneté et Immigration Canada  
 365 Laurier Avenue West Ottawa ON K1A 1L1 | 365, avenue Laurier Ouest Ottawa ON K1A 1L1  
 Office | Bureau JETS D1473  
[Neida.Santini@cic.gc.ca](mailto:Neida.Santini@cic.gc.ca)  
 Telephone | Téléphone

Facsimile | Télécopieur 613-952-5382  
 Government of Canada | Gouvernement du Canada

**From:** [di@international.gc.ca](mailto:di@international.gc.ca) [mailto:[di@international.gc.ca](mailto:di@international.gc.ca)]  
**Sent:** November-25-14 8:52 AM  
**To:** OMC-GOC-Immigration  
**Cc:** Brazeau.Sarah; Delaney.Linda  
**Subject:** RE: RE: - Exemption C20

Bonjour

Demande envoyée le 4 novembre. Je n'ai pas reçu de réponse comme quoi ma demande était complexe. Nous sommes bien au-delà des 10 jours que vous vous êtes fixés comme délai.

Merci.

CIC - PARIS  
 Tél.: MITNET:

**De :** OMC-GOC-Immigration [mailto:[OMC-GOC-Immigration@cic.gc.ca](mailto:OMC-GOC-Immigration@cic.gc.ca)]  
**Envoyé :** mardi 4 novembre 2014 15:51  
**À :** -PARIS -IM  
**Cc :** Brazeau.Sarah; Delaney.Linda; OMC-GOC-Immigration  
**Objet :** RE: - Exemption C20

Thank you for your e-mail. OMC will endeavor to respond to all standard internal inquiries within 10 business days. When a request is deemed complex and cannot be concluded within 10 business days, OMC will advise the requestor within 5 business days of this and provide an expected response time.

Please note your unique tracking number e-mail.

Please refer to this number in all correspondence related to your

Thank you.

Merci pour votre courriel. La DGGOC s'efforcera de répondre à toutes les demandes de renseignements ordinaires des clients internes dans les 10 jours ouvrables. Quand elle juge une demande complexe et ne peut y répondre dans les 10 jours ouvrables, la DGGOC avisera l'auteur du courriel dans les 5 jours ouvrables et lui indiquera dans quel délai il peut s'attendre à recevoir une réponse.

Veuillez noter que nous avons assigné un numéro de suivi unique à cette demande numéro dans toute correspondance en lien à cette demande.

Veuillez indiquer ce

Merci.

**From:** [di@international.gc.ca](mailto:di@international.gc.ca) [mailto:[di@international.gc.ca](mailto:di@international.gc.ca)]  
**Sent:** November 4, 2014 4:28 AM  
**To:** OMC-GOC-Immigration  
**Cc:** [Jillan.Sadek@international.gc.ca](mailto:Jillan.Sadek@international.gc.ca); [Valerie.Colombeau@international.gc.ca](mailto:Valerie.Colombeau@international.gc.ca)  
**Subject:** - Exemption C20

Bonjour

Nous avons reçu la demande de permis de travail de :

cite notre guide FW1 <http://cicintranet/connexion/tools-outils/temp/work-travail/opinion-avis/reciprocal-reciproque-fra.aspx> en affirmant que le réseau Thales et sa grande mobilité en plus de l'impact du travailleur au Canada justifie la dispense d'AMT.

Pouvez-vous nous guider à cet égard ? Je trouve un peu étrange qu'une grande firme puisse justifier la dispense d'EIMT tout simplement en donnant une liste de leurs employés affectés ailleurs... surtout quand aucun de leurs employés canadiens ne sont affecté à l'entreprise ou dans le pays du requérant. À noter les commentaires du consultant qui ont été copiées dans le SMGC.

Dans l'attente de votre réponse, je vous remercie.

Cordialement,

Premier secrétaire (Immigration) | First Secretary (Immigration)  
[@international.gc.ca](mailto:@international.gc.ca)

Téléphone | Telephone : MITNET :  
35 avenue Montaigne 75008 PARIS France

Ambassade du Canada | Embassy of Canada  
Gouvernement du Canada | Government of Canada



[www.france.gc.ca](http://www.france.gc.ca)



## **Bouchard, Jennifer (IRCC/IRCC) (she, her | elle, la)**

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**From:** Hunsley.Tim  
**Sent:** March 24, 2022 2:18 PM  
**To:** Leung, Stephanie (IRCC/IRCC) (she, her | elle, la); Ayoub.Rachelle  
**Cc:** Gillespie.Ian; Gavra, Cristina (IRCC/IRCC)  
**Subject:** FW: [For Action Mar 25 4PM] F-01221635: Request to change IMP for international fishing guides  
**Attachments:**

Hi Stephanie, Rachelle.

Just looking for a quick signal/consult here with you regarding whether it is a good time –

The context here is:

- The ability to do so is as a result of an agreement between CA and US some 30 years ago (no paper can be found – Library of Parliament confirmed this), where both agreed parties to facilitate the issuance of seasonal work permits for fishing guides working on a shared waterway (interestingly, the US don't require a work authorization – just a fishing license), allowing those individuals to bring nationals from the non-issuing country, to fish (in this case) on the Canadian side of the lake.
- The Department has responded previously explaining how the program works, the reciprocal nature of the provision (C20), extending across all shared waterways, etc.

Thus, from the perspective of the current state of the relationship and timing, is this a venture that could get picked-up by the US? Or would you anticipate a lukewarm reception?

Happy to discuss. Tim

Tim Hunsley

Assistant Director, International Trade and Agreements, Immigration  
 Immigration, Refugees and Citizenship Canada / Government of Canada  
[Tim.Hunsley@cic.gc.ca](mailto:Tim.Hunsley@cic.gc.ca) / Tel:

Directeur adjoint, Accords et Commerce Internationale, Immigration  
 Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Tim.Hunsley@cic.gc.ca](mailto:Tim.Hunsley@cic.gc.ca) / Tél.:

---

**From:** Singh.Mehr <Mehr.Singh@cic.gc.ca>  
**Sent:** March 6, 2022 9:21 PM  
**To:** Gillespie.Ian <Ian.Gillespie@cic.gc.ca>; Hunsley.Tim <Tim.Hunsley@cic.gc.ca>

**Cc:** IRCC.F IB DGO / BDG DGI F.IRCC <IRCC.IBDGO-BDGDGI.IRCC@cic.gc.ca>; Jean-Pierre.Linda <Linda.Jean-Pierre@cic.gc.ca>

**Subject:** FW: [For Action Mar 25 4PM] F-01221635: Request to change IMP for international fishing guides

**Due to DGO:** March 22<sup>nd</sup>

**Due to ADMO:** 4 PM March 25<sup>th</sup>

**Tasking:**

Hi Ian and Tim,

I think this is your team, but please let me know if it's not, and I'll redirect!

If we could develop a document outlining the issue and the team's analysis for March 22<sup>nd</sup>, that would be great! Please let DGO know if additional information is required to do so.

**Tina, please track.**

Thanks,  
Mehr

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**From:** Gareau.Erin <Erin.Gareau@cic.gc.ca>

**Sent:** March 3, 2022 4:26 PM

**To:** IRCC.F IB DGO / BDG DGI F.IRCC <IRCC.IBDGO-BDGDGI.IRCC@cic.gc.ca>

**Cc:** IRCC.F ADMO SPP / PSP BSMA F.IRCC <IRCC.ADMOSPP-PSPBSMA.IRCC@cic.gc.ca>

**Subject:** [For Action Mar 25 4PM] F-01221635: Request to change IMP for international fishing guides

Good afternoon IB,

We are tracking the tasking below with F-01221635. Due to ADMO on March 25<sup>th</sup> at 4 pm.

Thank you,

Erin Gareau

Briefings Coordinator, Office of the ADM, Strategic and Program Policy  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Erin.Gareau@cic.gc.ca](mailto:Erin.Gareau@cic.gc.ca)

Coordonnatrice de breffages, Bureau du SMA, Politiques Stratégiques et de Programmes  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Erin.Gareau@cic.gc.ca](mailto:Erin.Gareau@cic.gc.ca)

---

**From:** Hol.Darryl <Darryl.Hol@cic.gc.ca>

**Sent:** March 3, 2022 4:07 PM

**To:** IRCC.F ADMO SPP / PSP BSMA F.IRCC <IRCC.ADMOSPP-PSPBSMA.IRCC@cic.gc.ca>

**Cc:** IRCC.F DMO 21 Advisors / Conseillères BSM 21 F.IRCC <IRCC.DMO21Advisors-ConseilleresBSM21.IRCC@cic.gc.ca>; IRCC.F DMO 20 Advisors / Conseillères BSM 20 F.IRCC <IRCC.DMO20Advisors-ConseilleresBSM20.IRCC@cic.gc.ca>

**Subject:** Request to change IMP for international fishing guides

Hi SPP,

I know everyone is super stretched right now, so we will of course buy as much time as we can on this one, but I wonder if we could aim to provide either something in writing or address this at a bilat (pick your poisson, if you will) by the end of the month?

Please keep us posted, and let us know if you need any further info.

Thanks,  
Darryl

Darryl Hol

Senior Advisor, Office of the Deputy Minister  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Darryl.Hol@cic.gc.ca](mailto:Darryl.Hol@cic.gc.ca) / Tel:

Conseiller principal, Bureau du sous-ministre  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Darryl.Hol@cic.gc.ca](mailto:Darryl.Hol@cic.gc.ca) / Tél.:

**Pages 120 to / à 125  
are withheld pursuant to section  
sont retenues en vertu de l'article**

**21(1)(b)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Pages 126 to / à 127  
are withheld pursuant to section  
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**21(1)(b)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Bouchard, Jennifer (IRCC/IRCC) (she, her | elle, la)**

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**From:** Dib.Suzanne  
**Sent:** September 26, 2022 9:59 AM  
**To:** Olszowka.Zofia  
**Cc:** Paslat.Alexandra  
**Subject:** RE: C20 -

Thank you Zofia for your reply. I will advise CMB accordingly.

Suzanne

Suzanne Dib

Senior Program Advisor, Immigration Program Guidance  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Suzanne.Dib@ic.gc.ca](mailto:Suzanne.Dib@ic.gc.ca) / Tel:

Conseillère de programme principale, Orientation du programme d'immigration  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Suzanne.Dib@ic.gc.ca](mailto:Suzanne.Dib@ic.gc.ca) / Tél.:

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**From:** Olszowka.Zofia <Zofia.Olszowka@ic.gc.ca>  
**Sent:** Monday, September 26, 2022 9:50 AM  
**To:** Dib.Suzanne <Suzanne.Dib@ic.gc.ca>  
**Cc:** Paslat.Alexandra <Alexandra.Paslat@ic.gc.ca>  
**Subject:** RE: C20 -

Good morning Suzanne,

We discussed internally and there is agreement that the overall objective of the C20 and the current scenarios identified in the PDI (athletes, youth, academic or cultural exchanges, etc.) interpret reciprocity as in situations that are similar, relatable to a sector or otherwise demonstrate a commonality.

Specifically, the PDI indicates that “ In assessing reciprocity, officers can consider not only the number of individuals working in Canada and abroad, but also employment duration and job level.” further suggesting that looking at the jobs involved in the exchange is reasonable. A NOC difference in itself may not be the key element but rather the broader context is important, which from the notes included below appears to have been considered. From the notes it appears the officer was not convinced that issuing an LMIA exempt work permit to this caregiver would create reciprocal for Canadians in Argentina or abroad.

Even with the NOC discussion aside, it appears that Canadian workers were being hired by this Canadian employer, which is not special in itself, given that the workers were not being hired by an Argentinian or another employer in the world. It is just not clear how hiring this Argentinian caregiver would advance opportunities for other Canadians to be hired in Argentina or elsewhere, which is the key objective of the C20 LMIA exemptions under R205(b).

Please let me know if you have concerns or view this differently. I am available to discuss.

Have a great week,

Zofia

Zofia Olszowka

Senior policy analyst, Immigration  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Zofia.Olszowka@cic.gc.ca](mailto:Zofia.Olszowka@cic.gc.ca) / Tel:

Analyste principale des politiques, Immigration  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Zofia.Olszowka@cic.gc.ca](mailto:Zofia.Olszowka@cic.gc.ca) / Tél.:

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**From:** Dib.Suzanne <[Suzanne.Dib@cic.gc.ca](mailto:Suzanne.Dib@cic.gc.ca)>  
**Sent:** September 21, 2022 9:57 AM  
**To:** Olszowka.Zofia <[Zofia.Olszowka@cic.gc.ca](mailto:Zofia.Olszowka@cic.gc.ca)>  
**Subject:** RE: C20 -

Hi Zofia,

Just following-up on our conversation re. the refusal of a caregiver WP application under C20. You mentioned that you will consult internally on whether under C20 an employer can hire their own caregiver under C20 (NOC C occupation) if they are hiring Canadians to help him in a tour overseas.

CMB litigation is questioning whether the rationale that the agent provided is accurate:

1. *Employer has not shown that he has several caregivers for his children that he transfers between countries, has not shown that Canadian caregivers are able to be hired and authorized to work in Argentina without labour market assessments.*
  - a. Can you please confirm if this is a correct rationale?

Thanks!  
Suzanne

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**From:** Rowe.Leslie <[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)>  
**Sent:** Wednesday, September 14, 2022 1:13 PM  
**To:** Dib.Suzanne <[Suzanne.Dib@cic.gc.ca](mailto:Suzanne.Dib@cic.gc.ca)>  
**Cc:** Haganji.Boris <[Boris.Haganji@cic.gc.ca](mailto:Boris.Haganji@cic.gc.ca)>; Abdel-Malek.Reem <[Reem.Abdel-Malek@cic.gc.ca](mailto:Reem.Abdel-Malek@cic.gc.ca)>  
**Subject:** RE: C20 -

Bonjour Suzanne,

Thanks for meeting with us and doing this follow up.

In our meeting, you mentioned that reciprocity doesn't have to be in the same NOC code, but it seems from your email below that skill level does matter. Can you please confirm?

*If the ER is bringing someone to work in NOC C occupation but they are sending Canadians to work in NOC A or B, then reciprocity may not be applicable.*

Merci,

Leslie Rowe

Litigation Analyst, Litigation Management Branch  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)

Analyste des litiges, Direction générale de la gestion des litiges  
 Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)

Have your say! Complete the Anti-Racism 2.0 Survey today!

À vous la parole! Répondez au sondage sur la lutte contre le racisme 2.0 dès aujourd'hui !

**From:** Dib.Suzanne <[Suzanne.Dib@cic.gc.ca](mailto:Suzanne.Dib@cic.gc.ca)>

**Sent:** Wednesday, September 14, 2022 12:11 PM

**To:** Rowe.Leslie <[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)>; Haganji.Boris <[Boris.Haganji@cic.gc.ca](mailto:Boris.Haganji@cic.gc.ca)>; Abdel-Malek.Reem <[Reem.Abdel-Malek@cic.gc.ca](mailto:Reem.Abdel-Malek@cic.gc.ca)>

**Subject:** RE: C20 -

Hi again,

Just wanted to let you know that I discussed the second question below with IB colleagues. They will consult internally and get back to me.

1. *Employer has not shown that he has several caregivers for his children that he transfers between countries, has not shown that Canadian caregivers are able to be hired and authorized to work in Argentina without labour market assessments.*

- a. Can you please confirm if this is a correct rationale?

Also, I wanted to bring to your attention that the C20 PDI provides that 'In assessing reciprocity, officers can consider not only the number of individuals working in Canada and abroad, but also **employment duration and job level.**'

If the ER is bringing someone to work in NOC C occupation but they are sending Canadians to work in NOC A or B, then reciprocity may not be applicable.

Regards,  
 Suzanne

Suzanne Dib

Senior Program Advisor, Immigration Program Guidance  
 Immigration, Refugees and Citizenship Canada / Government of Canada  
[Suzanne.Dib@cic.gc.ca](mailto:Suzanne.Dib@cic.gc.ca) / Tel:

Conseillère de programme principale, Orientation du programme d'immigration  
 Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Suzanne.Dib@cic.gc.ca](mailto:Suzanne.Dib@cic.gc.ca) / Tél.:

-----Original Appointment-----

**From:** Rowe.Leslie <[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)>

**Sent:** Tuesday, September 13, 2022 1:46 PM

**To:** Rowe.Leslie; Dib.Suzanne; Haganji.Boris; Abdel-Malek.Reem

**Subject:** C20 -

**When:** Wednesday, September 14, 2022 10:30 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Microsoft Teams Meeting



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**Bouchard, Jennifer (IRCC/IRCC) (she, her | elle, la)**

---

**From:** Andola.Sheen  
**Sent:** October 3, 2023 2:14 PM  
**To:** Duffy, Kathleen (IRCC/IRCC) (she, her | elle, la); Wheatley, Fiona (IRCC/IRCC)  
**Cc:** Zheng, Justin (IRCC/IRCC); Paslat.Alexandra  
**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20  
**Attachments:** RE: POLICY GUIDANCE REQUIRED - Professional eSports athletes and work permits - Response required for a Processing Office

Hi Fiona – here is our previous response to the question on eSports from Ruth (email attached).

Happy to chat,

Sheen

---



**From:** Duffy.Kathleen <Kathleen.Duffy@cic.gc.ca>  
**Sent:** October 3, 2023 2:10 PM  
**To:** Wheatley.Fiona <Fiona.Wheatley@cic.gc.ca>; Andola.Sheen <Sheen.Andola@cic.gc.ca>  
**Cc:** Zheng.Justin <Justin.Zheng@cic.gc.ca>  
**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Adding Sheen as he was the pervious lead on eSports

Kathleen Duffy

Policy Analyst, Social and Temporary Migration Branch  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Kathleen.Duffy@cic.gc.ca](mailto:Kathleen.Duffy@cic.gc.ca) / Tel:

Analyste des politiques, Direction générale d’immigration sociale et temporaire  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Kathleen.Duffy@cic.gc.ca](mailto:Kathleen.Duffy@cic.gc.ca) / Tél.

M   L	T   M	W   M	T   J	F   V
	Colonnade	JETS		

---

**From:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>  
**Sent:** Tuesday, October 3, 2023 11:40 AM  
**To:** Duffy.Kathleen <[Kathleen.Duffy@cic.gc.ca](mailto:Kathleen.Duffy@cic.gc.ca)>  
**Cc:** Zheng.Justin <[Justin.Zheng@cic.gc.ca](mailto:Justin.Zheng@cic.gc.ca)>  
**Subject:** FW: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20  
**Importance:** High

Hi Kathleen and Justin,

Just wondering if you could shed some light on the questions below. Basically we are updating the C20 PDI to include eSports, but a little confused on the scope and were hoping you had some input.

**Fiona Wheatley**  
Junior Program Officer  
Immigration Program Guidance  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)

---

**From:** Wheatley.Fiona  
**Sent:** September 28, 2023 12:03 PM  
**To:** Campeau.Julie <[Julie.Campeau@cic.gc.ca](mailto:Julie.Campeau@cic.gc.ca)>  
**Cc:** IPG ADMIN Worker Unit / Unité des travailleurs ADMIN OPI (IRCC) <[IRCC.IPGADMINWorkerUnit-UnitedestravailleursADMINOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGADMINWorkerUnit-UnitedestravailleursADMINOPI.IRCC@cic.gc.ca)>  
**Subject:** FW: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20  
**Importance:** High

Hi Julie,

I was just hoping to get your input on this and your advice whether to consult with policy.

Melanie and I are working on the C20 update specifically in regards to eSports athletes. Are we allowing foreign nationals who work on Canadian-based teams to come and work without a permit? Or foreign nationals who are participating in Canadian-based tournaments? Is there a distinction?

Your guidance would be greatly appreciated!

**Fiona Wheatley**  
Junior Program Officer  
Immigration Program Guidance

Immigration, Refugees and Citizenship Canada / Government of Canada  
[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)

---

**From:** Lebeau.Melanie <[Melanie.Lebeau@cic.gc.ca](mailto:Melanie.Lebeau@cic.gc.ca)>  
**Sent:** September 13, 2023 1:19 PM  
**To:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>  
**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Hi Fiona,

What is the status on this request?

I would like to meet with Julie this week or next week to get her guidance and whether we need to consult with STMB (Policy).

Thanks!

*Melanie*

---

**From:** Lebeau.Melanie  
**Sent:** August 8, 2023 8:05 AM  
**To:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>  
**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Sounds good, my calendar is up to date, you can send me an invitation. 😊

*Melanie*

---

**From:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>  
**Sent:** August 8, 2023 8:04 AM  
**To:** Lebeau.Melanie <[Melanie.Lebeau@cic.gc.ca](mailto:Melanie.Lebeau@cic.gc.ca)>  
**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Sure, meeting would be great! I've updated a couple areas, but I definitely need to run a couple things by you before it's ready!

Thanks 😊

**Fiona Wheatley**

Junior Program Officer

Immigration Program Guidance

Immigration, Refugees and Citizenship Canada / Government of Canada

[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)

---

**From:** Lebeau.Melanie <[Melanie.Lebeau@cic.gc.ca](mailto:Melanie.Lebeau@cic.gc.ca)>

**Sent:** August 8, 2023 7:30 AM

**To:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>

**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Good morning Fiona,

Any updates on this request?

Let me know when it's ready for my review and if you have any questions, we could meet sometime this week.

Have a wonderful day!

*Melanie*

---

**From:** Lebeau.Melanie

**Sent:** July 13, 2023 2:20 PM

**To:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>

**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Correct!

*Melanie*

---

**From:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>  
**Sent:** July 13, 2023 1:46 PM  
**To:** Lebeau.Melanie <[Melanie.Lebeau@cic.gc.ca](mailto:Melanie.Lebeau@cic.gc.ca)>  
**Subject:** RE: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Nope, no real questions! I will simply pick up where you left off! Just working on updating the PDI, correct?

Thanks,

**Fiona Wheatley**  
Junior Program Officer  
Immigration Program Guidance  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)

---

**From:** Lebeau.Melanie <[Melanie.Lebeau@cic.gc.ca](mailto:Melanie.Lebeau@cic.gc.ca)>  
**Sent:** July 13, 2023 1:43 PM  
**To:** Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>  
**Subject:** FW: Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Hi Fiona,

If you don't have any questions before I leave for my vacation, we could also meet once I get back.

Have a wonderful afternoon!

*Melanie*

---

**From:** Lebeau.Melanie  
**Sent:** June 29, 2023 8:19 AM  
**To:** Holt.Lisa <[Lisa.Holt@cic.gc.ca](mailto:Lisa.Holt@cic.gc.ca)>; Bedard.Marc <[Marc.Bedard@cic.gc.ca](mailto:Marc.Bedard@cic.gc.ca)>; Wheatley.Fiona <[Fiona.Wheatley@cic.gc.ca](mailto:Fiona.Wheatley@cic.gc.ca)>

**Cc:** Campeau.Julie <Julie.Campeau@cic.gc.ca>; Arens.Bradley <Bradley.Arens@cic.gc.ca>  
**Subject:** Heads up - PDI UPDATE – WP – Reciprocal employment general guidelines R205(b), C20

Good morning, PDI Coordinators, Lisa and Marc,

You will find below the heads-up for the PDI update on the **Reciprocal employment general guidelines R205(b) (C20)**.

Fiona will be working on the updates with my support. However, I will only be working on this request until further notice as the C20 file has recently been transferred under Julie as lead and Brad as back-up as they are currently busy working on other files.

Fiona, lets meet to discuss next step once you have reviewed the steps to the PDI publication as well as the changes that are required to this PDI (see Heads-up table below).

- [Document Properties: PDI Publication - Steps for TWISD Workers - Program Delivery Instructions \(PDI\).docx \(ci.gc.ca\)](#).

Best regards,  
Mélanie

### Heads-up

<b>What is the change or update to be made?</b>	<p>We will add <a href="#">Policy guidance on professional eSports athletes</a> to the Reciprocal employment general guidelines R205(b) (C20) instructions.</p> <p>We will also address these 2 emails for changes found in the GCdocs folder <a href="#">2. PDI Updates Needed (ci.gc.ca)</a>:</p> <ul style="list-style-type: none"> <li>• C20 OWP for Athletes 01.21.2022.08.11.43.AM 01.21.2022.08.11.44.AM <a href="https://gcdocs2.ci.gc.ca/otcs/cs.exe/link/444442635">https://gcdocs2.ci.gc.ca/otcs/cs.exe/link/444442635</a></li> <li>• C20 Reciprocal employment 01.21.2022.07.45.07.AM 01.21.2022.07.45.07.AM <a href="https://gcdocs2.ci.gc.ca/otcs/cs.exe/link/444429042">https://gcdocs2.ci.gc.ca/otcs/cs.exe/link/444429042</a></li> </ul> <p>We will also format the instructions as per the <a href="#">Document Properties: PDI template.docx (ci.gc.ca)</a>.</p>
<b>GCdocs Folder location in <a href="#">*IPG - TWISD (TRPD) - Workers (ci.gc.ca)</a></b>	<a href="#">2023 06 Update to Reciprocal employment general guidelines R205(b), C20 - Adding eSports</a>
<b>Is this request related to a ministerial or public policy announcement?</b>	<b>No</b>
<b>Other dependencies?</b>	<b>No</b>

e.g. IT releases, Reg implementation date, other Branch requirements, etc.	
Publication date requested - *Must provide date (allow 3 weeks for publication)	Date – no specific timeline
IPG division and unit name:	TWISD Workers – IMP Unit
Name of PDI author(s):	<b>Authors: Fiona Wheatley and Mélanie Lebeau (New: Lead- Julie Campeau / Back-up- Bradley Arens)</b>
Name of Strategic Communications advisor (if posted on external, public website)	Comms Advisor: Peter Norton  WP Web Advisor: Liza Hamilton  Employer compliance Web Advisor: Ariana Emond
Internal publication only	<b>No</b>
<b>PDI update</b>	
<b>International Mobility Program (IMP): Canadian interests - Reciprocal employment general guidelines R205(b), C20</b>	<p><b>Internal:</b>  <a href="http://cicintranet.ci.gc.ca/connexion/tools-outils/temp/work-travail/opinion-avis/reciprocal-reciproque-fra.aspx">International Mobility Program (IMP): Canadian interests - Reciprocal employment general guidelines R205(b), C20</a>  <a href="http://cicintranet.ci.gc.ca/connexion/tools-outils/temp/work-travail/opinion-avis/reciprocal-reciproque-fra.aspx">http://cicintranet.ci.gc.ca/connexion/tools-outils/temp/work-travail/opinion-avis/reciprocal-reciproque-fra.aspx</a></p> <p><b>External:</b>  <a href="https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/exemption-codes/canadian-interests-reciprocal-employment-general-guidelines-r205-b-c20.html">https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/exemption-codes/canadian-interests-reciprocal-employment-general-guidelines-r205-b-c20.html</a>   <a href="https://www.canada.ca/fr/immigration-refugies-citoyennete/organisation/publications-guides/bulletins-guides-operationnels/residents-temporaires/travailleurs-etrangers/codes-dispense/temporaires-interets-canadiens-emploi-reciproque-directives-generales-r205b-c20.html">https://www.canada.ca/fr/immigration-refugies-citoyennete/organisation/publications-guides/bulletins-guides-operationnels/residents-temporaires/travailleurs-etrangers/codes-dispense/temporaires-interets-canadiens-emploi-reciproque-directives-generales-r205b-c20.html</a></p>

*Mélanie Lebeau*

Conseillère de programme, Direction générale de l'orientation du programme d'immigration  
**Division des travailleurs temporaires, étudiants étrangers** – Équipe de programme de mobilité internationale  
 Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Melanie.lebeau@ci.gc.ca](mailto:Melanie.lebeau@ci.gc.ca) / Tél. :

Program Advisor, Immigration Program Guidance Branch



***Temporary Workers and International Students Division*** – International Mobility Program Unit  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Melanie.lebeau@cic.gc.ca](mailto:Melanie.lebeau@cic.gc.ca) / Tel :

## **Bouchard, Jennifer (IRCC/IRCC) (she, her | elle, la)**

---

**From:** Andola.Sheen  
**Sent:** May 12, 2023 8:26 AM  
**To:** Paslat.Alexandra; Wiseman.Ruth  
**Cc:** Rowe.Leslie; IPG ADMIN Worker Unit / Unité des travailleurs ADMIN OPI (IRCC)  
**Subject:** RE: POLICY GUIDANCE REQUIRED - Professional eSports athletes and work permits - Response required for a Processing Office

Good morning Ruth,

To your request for policy guidance on processing an application submitted under the International Mobility Program (IMP): Canadian interests - Reciprocal employment general guidelines R205(b) – C20 for ESports Athletes, please find our detailed response: [E-Sports Athletes Policy Guidance](#)

In summary, here are our responses to IPG's questions:

1. **Does this eSports applicant meet the definition of 'work' under R2 - if they are being paid a wage rather than relying on winnings?**
  - Yes, the applicant's activities as described meets the definition of "work" under section 2 of the Immigration Refugee Protection Regulation (the *Regulations*)
2. **Would the applicant be considered an "athlete"?**
  - Yes, the applicant would be considered an "athlete" as defined by the [National Occupation Classification \(NOC\)](#)
3. **Are eSports tournaments considered to be "sporting activities or events"?**
  - Notwithstanding the high mental and physical skills required from players, eSports tournaments may be considered as "sporting activities and events" due to the following considerations: recognition by official sporting bodies; the way the tournaments are organized; mainstream media coverage and audience size; financial rewards; and the development of infrastructure and support systems.
4. **How is reciprocity determined in cases such as this?**
  - General [guidance on reciprocity](#) stipulates that the onus to prove reciprocity is always on the applicant/employee (e.g., are there arrangements that the Canadian company has signed with foreign companies?). Based on the information provided by the applicant, reciprocity for the purposes of Section 205(b) of the *Regulations* may be supported in this case. Information on eSports in the applicant's country of citizenship suggests that regular reciprocal opportunities are available to Canadians in KSA. At an industry-level, information suggests that the rise of eSports globally means that opportunities are similarly available to Canadians to take temporary employment abroad under the same circumstances through the or other similar games.

Happy to chat if you have any questions,

Sheen Andola

Senior Policy Analyst  
 Social and Temporary Migration Branch  
 Immigration, Refugees and Citizenship Canada / Government of Canada  
[Sheen.Andola@ic.gc.ca](mailto:Sheen.Andola@ic.gc.ca) / Tel.:

Analyste principal des politiques  
Direction générale d'immigration sociale et temporaire  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Sheen.Andola@cic.gc.ca](mailto:Sheen.Andola@cic.gc.ca) / Tel.:

---

**From:** Paslat.Alexandra <[Alexandra.Paslat@cic.gc.ca](mailto:Alexandra.Paslat@cic.gc.ca)>  
**Sent:** May 5, 2023 2:18 PM  
**To:** Wiseman.Ruth <[Ruth.Wiseman@cic.gc.ca](mailto:Ruth.Wiseman@cic.gc.ca)>  
**Cc:** Rowe.Leslie <[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)>; IRCC.F IPG Workers Unit / Unité Travailleurs OPI F.IRCC <[IRCC.IPGWorkersUnit-UniteTravailleursOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGWorkersUnit-UniteTravailleursOPI.IRCC@cic.gc.ca)>; Andola.Sheen <[Sheen.Andola@cic.gc.ca](mailto:Sheen.Andola@cic.gc.ca)>  
**Subject:** RE: POLICY GUIDANCE REQUIRED - Professional eSports athletes and work permits - Response required for a Processing Office

Hi Ruth,

Jobina is on assignment so I'm removing her from this thread. I believe it is a 'yes' for 1-3, will have to look into demonstrating reciprocity.

I am tagging Sheen with this, and we endeavour to get back to you next week.

Thanks!

Alexandra Paslat

Assistant Director, Social and Temporary Migration Branch  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Alexandra.Paslat@cic.gc.ca](mailto:Alexandra.Paslat@cic.gc.ca) / Tel:

Directrice adjointe, Direction générale d'immigration sociale et temporaire  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Alexandra.Paslat@cic.gc.ca](mailto:Alexandra.Paslat@cic.gc.ca) / Tél.:

---

**De :** Wiseman.Ruth <[Ruth.Wiseman@cic.gc.ca](mailto:Ruth.Wiseman@cic.gc.ca)>  
**Envoyé :** Friday, May 5, 2023 2:12 PM  
**À :** Paslat.Alexandra <[Alexandra.Paslat@cic.gc.ca](mailto:Alexandra.Paslat@cic.gc.ca)>  
**Cc :** Li.Jobina <[Jobina.Li@cic.gc.ca](mailto:Jobina.Li@cic.gc.ca)>; Rowe.Leslie <[Leslie.Rowe@cic.gc.ca](mailto:Leslie.Rowe@cic.gc.ca)>; IRCC.F IPG Workers Unit / Unité Travailleurs OPI F.IRCC <[IRCC.IPGWorkersUnit-UniteTravailleursOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGWorkersUnit-UniteTravailleursOPI.IRCC@cic.gc.ca)>  
**Objet :** POLICY GUIDANCE REQUIRED - Professional eSports athletes and work permits - Response required for a Processing Office

Hi Alexandra-

IPG received a question from one of our Migration offices who received a work permit for a job as an 'eSport athlete'. For our previous guidance, Jobina and I worked on it.

IPG needs a policy decision on whether eSport participants would

- (1) Meet the definition of 'work' under R2 - if they are being paid a wage rather than relying on winnings
- (2) Would be considered an 'athlete'
- (3) Are eSport tournaments considered to be 'sporting activities or events'?

(4) How would we determine reciprocity in cases such as this?

As the response is needed in order to process an existing work permit application, we are requesting a response as soon as possible.

Thank you,

Ruth Wiseman

Senior Program Advisor, Immigration Program Guidance  
 Temporary Workers and International Students Division – Temporary Workers  
 Immigration, Refugees and Citizenship Canada / Government of Canada  
[Ruth.Wiseman@cic.gc.ca](mailto:Ruth.Wiseman@cic.gc.ca) /

Analyste principales, Orientation du programme d'immigration  
 Division des travailleurs temporaires, étudiants étrangers - travailleurs temporaires  
 Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Ruth.Wiseman@cic.gc.ca](mailto:Ruth.Wiseman@cic.gc.ca) /

---

**From:** Lebeau.Melanie <[Melanie.Lebeau@cic.gc.ca](mailto:Melanie.Lebeau@cic.gc.ca)>  
**Sent:** May 5, 2023 1:51 PM  
**To:** Wiseman.Ruth <[Ruth.Wiseman@cic.gc.ca](mailto:Ruth.Wiseman@cic.gc.ca)>  
**Cc:** Cameron.Jennifer.L <[Jennifer.L.Cameron@cic.gc.ca](mailto:Jennifer.L.Cameron@cic.gc.ca)>  
**Subject:** RE: Professional eSports athletes and work permits  
**Importance:** High

- DUE 25-Apr-23

Hi Ruth,

As discussed this morning, could you please **send this request to Policy team for their guidance and possibly Legal advice as well.**

Previously, our guidance was a participant in an e-sport tournament would generally not meet the definition of work as specified in R2 : an activity for which wages are paid or commission is earned, or that is in direct competition with the activities of Canadian citizens or permanent residents in the Canadian labour market. An individual competitor in an e-sport has no guarantee of receiving a wage or commission and they are not entering the Canadian labour market. Which is similar to a chess player coming to Canada for a tournament, they too are not entering the Canadian labour market, thus don't required a work permit.

However, this applicant is applying for a professional eSports player hired by a Canadian team based in Toronto under the LMIA exemption code C20 for [NOC 53200](#) job offer, and as per the information in GCMS, the applicant will be receiving a wage of \$80,594 a year. We note that in the NOC for this occupational code 'Gamer' is listed under the Job titles section.

Some of the duties of this job offer includes:

- Representing the \_\_\_\_\_ while competing both online and at live professional eSports events (video game: \_\_\_\_\_)
- Practicing and training with the team and coach daily;
- Live streaming for fans on popular streaming websites such as \_\_\_\_\_
- Attending the team's professional events;

- Supporting and promoting sponsors on social media, and while competing wearing branded team jersey;
- For additional information please refer to the enclosed letters of support from the employer, league and representative.

As there is currently no information about eSports players/teams/coaches/etc. in our instructions, we are requesting guidance from Policy on how they should be processed.

I am sharing, for Policy's information, the DSC Flash Report shared in April 2023 as well as the IRCC Shanghai who wrote a report in 2021 that detailed the rise of eSports in Canadian, including investments made by various companies and institutions. The Canadian employer on this file is mentioned in that report: <https://gcdocs2.ci.gc.ca/otcs/cs.exe/link/444157305>

We would appreciate any guidance on this issue as soon as reasonably possible.

Thanks!

*Melanie Lebeau*

Conseillère de programme, Direction générale de l'orientation du programme d'immigration  
**Division des travailleurs temporaires, étudiants étrangers** – Équipe de programme de mobilité internationale  
[Melanie.lebeau@cic.gc.ca](mailto:Melanie.lebeau@cic.gc.ca) / Tél.

Program Advisor, Immigration Program Guidance Branch  
**Temporary Workers and International Students Division** – International Mobility Program Unit  
[Melanie.lebeau@cic.gc.ca](mailto:Melanie.lebeau@cic.gc.ca) / Tel :

---

**From:** IPG Functional Guidance / Orientation Fonctionnelle OPI (IRCC) <[IRCC.IPGFunctionalGuidance-OrientationFonctionnelleOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGFunctionalGuidance-OrientationFonctionnelleOPI.IRCC@cic.gc.ca)>

**Sent:** April 11, 2023 1:12 PM

**To:** IPG ADMIN Worker Unit / Unité des travailleurs ADMIN OPI (IRCC) <[IRCC.IPGADMINWorkerUnit-UnitedestravailleursADMINOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGADMINWorkerUnit-UnitedestravailleursADMINOPI.IRCC@cic.gc.ca)>

**Cc:** IPG Functional Guidance / Orientation Fonctionnelle OPI (IRCC) <[IRCC.IPGFunctionalGuidance-OrientationFonctionnelleOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGFunctionalGuidance-OrientationFonctionnelleOPI.IRCC@cic.gc.ca)>; laniri.Sandra <[Sandra.laniri@cic.gc.ca](mailto:Sandra.laniri@cic.gc.ca)>

**Subject:** FW: Professional eSports athletes and work permits -

-- DUE 25-Apr-23

Hello,

Thank you for your e-mail. IPG will endeavor to respond to all standard internal inquiries within 10 business days. When a request is deemed complex and cannot be concluded within 10 business days, we will advise the requestor within 5 business days of this and provide an expected response time. Please note your unique tracking number (IM-2023 - 0402). Please refer to this number in all correspondence related to your e-mail.

Thank you,

IPG- OPI Mailbox

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 Bonjour,

Merci pour votre courriel. L'OPI s'efforcera de répondre à toutes les demandes de renseignements ordinaires des clients internes dans les 10 jours ouvrables. Quand elle juge une demande complexe et ne peut y répondre dans les 10 jours ouvrables, nous aviserons l'auteur du courriel dans les 5 jours ouvrables et lui indiquera dans quel délai il peut s'attendre à recevoir une réponse.

Veuillez noter que nous avons assigné un numéro de suivi unique à cette demande (IM-2023 - 0402). Veuillez indiquer ce numéro dans toute correspondance en lien à cette demande.

Merci,  
Immigration Program Guidance - Orientation du programme d'immigration  
IPG- OPI Mailbox

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**From:** Ianiri.Sandra <[Sandra.Ianiri@cic.gc.ca](mailto:Sandra.Ianiri@cic.gc.ca)>  
**Sent:** April 11, 2023 1:56 PM  
**To:** IPG Functional Guidance / Orientation Fonctionnelle OPI (IRCC) <[IRCC.IPGFunctionalGuidance-OrientationFonctionnelleOPI.IRCC@cic.gc.ca](mailto:IRCC.IPGFunctionalGuidance-OrientationFonctionnelleOPI.IRCC@cic.gc.ca)>  
**Cc:** [@international.gc.ca](mailto:@international.gc.ca)>  
**Subject:** FW: Professional eSports athletes and work permits -

Good day,

We received a request for guidance on processing a work permit application submitted under the International Mobility Program (IMP): Canadian interests - Reciprocal employment general guidelines R205(b), C20. Specifically regarding eSports. While the request stems from a case, the information being solicited is about the program and the absence of specific instructions for the eSports scenario.

As there is no guidance/information in the PDIs about eSports and it is not within CMB's purview to create or dictate policy, we will defer this email to you on what is appropriate from a program perspective. When providing your response to the requestor, grateful if you could cc us as we would like to know what to answer future eSports inquiries.

Thank you,

Sandra Ianiri

Analyst, Case Management Branch, Immigration  
Immigration, Refugees and Citizenship Canada / Government of Canada  
[Sandra.Ianiri@cic.gc.ca](mailto:Sandra.Ianiri@cic.gc.ca) / Tel:

Analyste, Direction générale du règlement des cas, Immigration  
Immigration, Réfugiés et Citoyenneté Canada / Gouvernement du Canada  
[Sandra.Ianiri@cic.gc.ca](mailto:Sandra.Ianiri@cic.gc.ca) / Tél.:

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**From:** [@international.gc.ca](mailto:@international.gc.ca)>  
**Sent:** March 28, 2023 6:22 AM  
**To:** CMB Immigration Case Advice / Conseil Cas Immigration DGRC (IRCC) <[IRCC.CMBImmigrationCaseAdvice-ConseilCasImmigrationDGRC.IRCC@cic.gc.ca](mailto:IRCC.CMBImmigrationCaseAdvice-ConseilCasImmigrationDGRC.IRCC@cic.gc.ca)>  
**Cc:** [RYADHIM@international.gc.ca](mailto:RYADHIM@international.gc.ca)  
**Subject:** Professional eSports athletes and work permits ·

s.16(2)(c)

s.17

s.19(1)

s.20(1)(b)

Hello CMB,

We've received an application for a work permit based in Toronto. The file is rep'd by about how she believe the application should be processed (coding, etc.). for a professional eSports player hired by a Canadian team who has presented some interesting arguments

I checked the PDIs, there is currently no information about eSports players/teams/coaches/etc. and how they should be processed.

IRCC Shanghai wrote a report in 2021 that detailed the rise of eSports in Cda, including investments made by various companies and institutions. The Cdn employer on this file is mentioned in that report: <https://gcdocs2.ci.gc.ca/otcs/cs.exe/link/444157305>

I'd appreciate any guidance you could provide on this issue.

Regards,

(she/elle)

Migration Program Manager | Gestionnaire de Programme de Migration  
Embassy of Canada | Ambassade du Canada  
Riyadh, Saudi Arabia | Riyad, Arabie Saoudite  
Government of Canada | Gouvernement du Canada

