

WITH YOU TODAY



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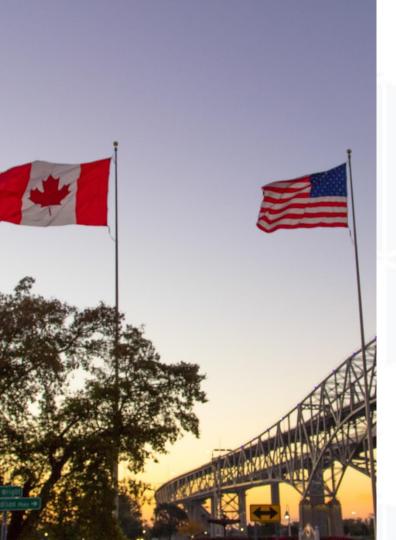




WHO CAN ENTER CANADA?

MORE PEOPLE THAN YOU MIGHT THINK

- The entry ban does *not* apply to asymptomatic:
 - Canadian citizens, Permanent Residents (PR), and the immediate family members of both groups
 - If coming to work, valid work permit holders and those approved for a work permit on or before March 18th
 - Foreign nationals intending to perform specific duties in ten sectors including Energy, IT, Finance, Health, Food/Water, Transport, Manufacturing, etc. Specifics can be found here
 - If coming to study, valid study permit holders and those approved for a study permit on or before March 18th
 - Those approved for PR status but who did not land to acquire it by March 18th
 - Foreign nationals with immediate family members legally residing in Canada as temporary residents
 - Other various groups



TRAVEL RESTRICTIONS

INBOUND AND DOMESTIC

- Foreign nationals cannot enter Canada for a "non-essential" purpose – defined as tourism, entertainment or recreation.
- Medical pre-screening in place for all incoming and domestic flights/trains. Symptomatic passengers will be denied boarding and face a 14-day ban on such travel
- Medical screening also in place at all land crossings
- If entering from the US, foreign national must be exclusively present in Canada and/or the US in the 14 days prior to entry
- All incoming flights except those from the US, Mexico and the Caribbean are landing at one of Toronto-YYZ, Montreal-YUL, Calgary-YYC or Vancouver-YVR only.
- Helpful "Decision trees" issued by Transport Canada for anyone looking to fly to Canada:
 - International flights to Canada: <u>see here</u>
 - Transborder flights (US to Canada direct): <u>see here</u>

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MANDATORY SELF-ISOLATION

14 DAYS - WITH NARROW EXEMPTIONS

- All travelers to Canada will have their health assessed prior to leaving the POE. A mandatory 14-day isolation period follows immediately thereafter, even if showing no symptoms.
- Foreign nationals must present an isolation plan upon arrival. Absence of a plan may result in a refusal to enter.
- Nonadherence is punishable by fines and/or imprisonment.
- Exemption to the mandatory 14-day self-isolation applies to those providing essential services: i.e. truck drivers regularly crossing to maintain the flow of critical goods, medical service providers, certain health care professionals. Specific can be found here.
- Inconsistent outcomes being experienced for daily, crossborder commuters doing so for work. Calling the POE beforehand is advised.

HOW TO NAVIGATE THE CURRENT ENVIRONMENT



- Entry strategies
 - Are you preparing your foreign national employee for entry?
 - Alternative methods of obtaining approval: i.e. visa office filings
 - How do I prove the job and/or foreign national is "essential"



- Common questions about foreign workers presently in Canada
 - Can they work from home?
 - What happens if we need to layoff/furlough any foreign workers?
 - What about a reduction in salary/hours/benefits for a foreign worker?
 - Can a foreign national stranded here and who can't return home work in Canada?
 - Can employees who need to travel to another country do so?



WHAT'S HAPPENING AT THE US LAND BORDERS?

- US-Canada Land Borders Closed to Non-Essential Traffic
 - Effective March 21 for at least 30 days
 - "Non-essential" travel is defined as travel that is considered tourism or recreational in nature (e.g., sightseeing)
 - "Essential" travel includes, but is not limited to:
 - US citizens and lawful permanent residents returning to the US
 - o Individuals engaged in lawful cross-border trade (e.g., truck drivers carrying cargo)
 - Individuals traveling to work in the US
 - Individuals traveling for medical purposes (e.g., to receive medical treatment in the US)
 - Individuals traveling to attend educational institutions
 - Individuals traveling for emergency response and public health purposes
 - Travel by members of the US Armed Forces, returning to the US
 - Other forms of travel as determined by CBP on a case-by-case basis

WHAT IS <u>ACTUALLY</u> HAPPENING AT THE US LAND BORDERS?

- CBP Peace Bridge port of entry in New York
 - Still accepting initial TN and L-1 applications (in most cases, but not all), and readmitting those granted any employment-based nonimmigrant status
 - POE indicated it is doing so "for now"
- Mixed reports from other ports of entry
 - Detroit POE approved new TN
 - But anecdotes of denials, some ports awaiting guidance from CBP Headquarters

WHAT'S HAPPENING AT US PREFLIGHT INSPECTION LOCATIONS AND CONSULATES?

- Air travel is exempt from "essential travel" restrictions
 - New travel restrictions do not affect air travel between Canada (or Mexico) and the United States
 - "As of now", all Preclearance in Canada is open and will continue to adjudicate employment visas
 - Preflight Inspection at Toronto Pearson International Airport has confirmed it continues to adjudicate initial TN and L-1 applications, and to conduct business as usual
- US Consulates globally have cancelled routine visa appointments
 - Emergency services only
 - For non-Canadian residents (TCNs) US Consulates in Canada are completely booked; unable to schedule future appointment dates at this time
 - For Canadian residents limited appointments available, in July/August and only at certain consular posts

We are pleased to take your questions.

For global immigration news, including all Canadian updates, we invite you to visit Fragomen's dedicated COVID-19 website, revised daily.