

# What Employers Should Know About Recent Changes To Student Work Visas In Canada



On April 29, 2024, Immigration Minister Marc Miller announced that the temporary public policy which allowed eligible students to work more than 20 hours per week ended on April 30, 2024. The allowable hours which full-time students can work per week off campus are now 20 hours. However, starting in the Fall of 2024, the allowable hours full-time students can work per week will increase to 24 hours. Because the changes came into effect in the middle of the week, IRCC has confirmed that for the week students can work up to 20 hours between May 1, 2024 to May 3, 2024. The hours worked on April 29 and April 30, 2024 would not count towards the 20 hours allowed.

This article outlines the temporary rules that were in place and what employers should expect in the coming year.

## **Temporary rules that were in place**

Prior to the temporary public policy coming into effect, foreign nationals who had a valid study permit were only authorized to work up to 20 hours per week off campus if they were studying full-time. Study permit holders who were studying part-time (unless it was their final academic semester) were not authorized to work.

On October 7, 2022, Immigration Refugee Citizenship Canada (IRCC) implemented a temporary public policy which allowed study permit holders who met certain criteria to work more than 20 hours per week off campus from November 15, 2022 to December 30, 2023 if they met the following criteria:

- the study permit was issued or the application/extension was received by IRCC on or before October 7, 2022;
- the study permit holder was studying at a Designated Learning Institute (DLI) full time (or part time if it was their final academic semester);
- the study permit had expired, but they had maintained status (submitted extension application before October 7, 2022) and they were studying at a DLI full time (or part time if it was their final academic semester);
- they were approved for a study permit but had not arrived in Canada yet;
- they were in Canada or had re-entered Canada by December 30, 2023; and
- the study permit had one of the following conditions noted:
  - may work 20 hours per week off campus or full time during regular breaks if meeting criteria outlined in paragraph 186(v) of the Immigration and

Refugee Protection Regulations; or

- may accept employment on or off campus if meeting eligibility criteria per paragraphs 186(f), (v) or (w) of the Immigration and Refugee Protection Regulations, and must cease working if no longer meeting these criteria.

On December 7, 2023, IRCC extended the above temporary public policy to April 30, 2024. Due to the extension, study permit holders who were issued a study permit or applied for a study permit or extension between October 8, 2022 and December 7, 2023 also became eligible to work more than 20 hours per week off campus from January 1, 2024 to April 30, 2024, if they met the following criteria:

- the study permit was issued or the application/extension was received by IRCC between October 8, 2022 and December 7, 2023;
- the study permit holder was studying at a DLI full time (or part time if it was their final academic semester);
- the study permit had expired, but they had maintained status (submitted extension application between October 8, 2022 and December 7, 2023) and they were studying at a DLI full time (or part time if it was their final academic semester);
- they were approved for a study permit but had not arrived in Canada yet;
- they were in Canada or had re-entered Canada by April 30, 2024; and
- the study permit had one of the following conditions noted:
  - may work 20 hours per week off campus or full time during regular breaks if meeting criteria outlined in paragraph 186(v) of the Immigration and Refugee Protection Regulations; or
  - may accept employment on or off campus if meeting eligibility criteria per paragraphs 186(f), (v) or (w) of the Immigration and Refugee Protection Regulations, and must cease working if no longer meeting these criteria.

At the same time, for study permit holders who submitted an application to extend their study permit after December 7, 2023, their authorization to work off campus full-time ended on whichever date below came first:

- the date the study permit they were applying to extend expired, or
- on April 30, 2024.

## What to expect in 2024

IRCC announced on April 29, 2024, the following:

- The public policy allowing eligible study permit holders to work full-time will not be extended. As such, unless the study permit holders are on [scheduled academic break](#), they are only authorized to work up to 20 hours per week off campus starting May 1, 2024.
- The allowable off campus work hours will increase to 24 hours per week starting in the Fall of 2024.

*The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.*

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