

How H-1B Visa Holders Can Move to Canada

Many H1-B Visa workers in the United States are considering moving to Canada. Canadian employers are searching for high-skilled foreign workers who want to live and work in Canada, and help grow the local economy. In November 2017, Canada announced a new 3-year immigration target of 1,000,000 new immigrants for 2018-2020, a nearly 20% increase in candidates granted permanent residence.



- Having an H-1B visa does not give you special rights to move to Canada, but it does demonstrate your ability to successfully work and assimilate in North America.

There are 3 main tracks for H-1B visa holders to move to Canada

Express Entry

- Canada's Express Entry system provides highly skilled H-1B visa holders an opportunity to immigrate to Canada.
- Canada's Government has taken steps to fast-track Express Entry applications in 2 weeks to 6 months.
- Express Entry is a point based system that evaluates applicants based on criteria including language ability - English and French, level of education and skilled work experience.
- 3 options for Express Entry:
 1. Express Entry - Permanent Residence - Federal Skilled Worker Applications
 2. Express Entry- Permanent Residence - Federal Skilled Trades Program Applications
 3. Express Entry - Permanent Residence- Canadian Experience Class Applications

Intra-Company Transfer

- Canada is the United State's largest trading partner and is home to many subsidiaries, parent companies, branches, and affiliates of companies that operate in the US.
- Often these businesses can bring foreign workers to Canada as an intra-company transferee without first having to offer the job to Canadian citizens and permanent residents.
- To be eligible for an Intra-Company Transfer to Canada:
 1. You must be coming to Canada to perform comparable work for the Canadian affiliate, in an executive, senior managerial, or specialized knowledge role
 2. You must have at least one year of full-time work experience with the foreign enterprise
 3. You must have a specialized knowledge position or a senior or managerial position
- Current US H-1B visa holders often qualify for an intra-company transfer, and it can be part of their journey to become a permanent resident of Canada.

Provincial Nominee Program

- Provinces and territories in Canada can nominate immigrants to move to Canada through the Provincial Nominee Program (PNP).
- If you want to immigrate to Canada through the Provincial Nominee Program (PNP), you must be nominated by that Canadian province or territory.
- These immigrants must have the skills, education and work experience to contribute to the economy of that province or territory, and must want to live there.
- After the province or territory approves your application, your next step is to apply for permanent residence in the required time period.
- 2 Options for PNP approved immigrants to apply to become permanent residents:
 1. Nomination under an Express Entry PNP stream: You can begin the process by using IRCC's Come to Canada tool.
 2. Nomination under a non-Express Entry PNP stream: Apply for permanent residence using the regular application process
- Each province has their own selection process and conditions to get a Provincial Nominee Certificate.

To have the best chance to be selected and invited to move to Canada, a Canadian immigration lawyer can help you avoid mistakes and guide you through the application process.

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