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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