FISHER LAW

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<u>fisherlawimmigration</u>



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How Can I Stay in Canada?

CUAET to Permanent Residence

Presenters: Rowan Fisher Olha Senkovych

Our Team

FISHER **LAW**



















- From 9 countries with many different languages
- Lawyers in Calgary, Airdrie, Whitehorse, Ottawa, Dubai & Saudi Arabia
- Full suite of business and personal immigration solutions
- Making applications and finding immigration solutions for Ukrainians



Disclaimers

This information is up-to-date until the day of the live presentation you are attending.

This presentation is not legal advice.

This is public information for general reference only.

If you need legal advice about your specific immigration situation, or a lawyer to help plan your path to permanent residence, please book a consultation here:

www.fisher-law.ca/consultations WhatsApp/Text: 403-903-3716

Free Legal Services



Calgary Legal Guidance: +1 403-716-6499

https://clg.ab.ca/index.php/programs/immigration-law/

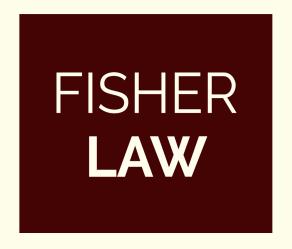
Edmonton Community Legal Centre: +1 780-702-1725

https://www.eclc.ca/programs-services/legal-clinics/

Legal Aid Alberta: +1 866-845-3425

https://www.legalaid.ab.ca/







- TEERs and NOCs
- Federal Immigration
- Alberta Immigration
- Special Programs



TEER Categories (Training, Education, Experience, Responsibilities)





- The 2021 National Occupational Classification (NOC) system is used to classify jobs.
- The jobs are put into TEER
 categories based on the related
 job duties and the work a person
 does.

https://www.canada.ca/en/immigration-refugeescitizenship/services/immigrate-canada/expressentry/eligibility/find-national-occupation-code.html

TEER Categories (Taken directly from the IRCC website)



<u>TEER</u>	Occupation types	<u>Examples</u>
TEER o	Management occupations	Advertising, marketing and public relations managers Financial managers
TEER 1	Occupations that usually require a university degree	Financial advisors Software engineers
TEER 2	Occupations that usually require •a college diploma •apprenticeship training of 2 or more years, or •supervisory occupations	Computer network and web technicians Medical laboratory technologists
TEER 3	Occupations that usually require •a college diploma •apprenticeship training of less than 2 years, or •more than 6 months of on-the-job training	Bakers Dental assistants and dental laboratory assistants
TEER 4	Occupations that usually require •a high school diploma, or •several weeks of on-the-job training	Home childcare providers Retail salespersons and visual merchandisers
TEER 5	Occupations that usually need short-term work demonstration and no formal education	Landscaping and grounds maintenance Delivery service drivers and door-to-door distributors

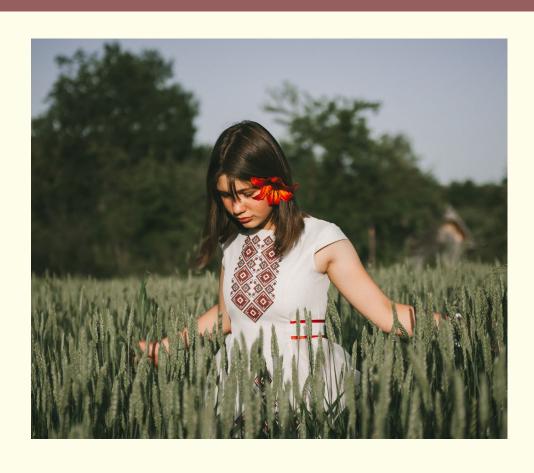
NOC Names & Duties <u>DO</u> matter! ASSISTANT



TEER	NOC Code	Job = 'ASSISTANT'
TEER 1	31303 41201 41201	Physician Assistant Post-Secondary Teaching Assistant Post-Secondary Research Assistant
TEER 2	12100	Executive Assistant
TEER 3	13110 13111 13112 14300 33100 33103	Administrative Assistant Legal Administrative Assistant Medical Administrative Assistant Dental Assistant Medical Lab Assistant Pharmacy Assistant
TEER 4	14300	Library Assistant

General Criteria to Assess





- Age 28
- Husband, 30, Bachelor's Degree and Master's in petroleum engineering, IELTS 5
- Education: Bachelor's Degree in hospitality management and a Post Graduate Diploma in hotel management
- Education Credential Assessment completed
- Language test in past 2 years: CLB 7
- Has CUAET work permit and started working in April 2022 as a manager at the Sheraton Hotel
- Has a two brothers in Canada

PR Path For Ukrainians





- Be inside Canada AND have a CUAET visa AND have one or more Canadian citizen or permanent resident family members in Canada.
- spouses, common-law partners, parents, grandparents, siblings, children or grandchildren of a Canadian citizen or permanent resident. No aunts, uncles, or cousins.
- No financial undertaking required.
- Deadline for application: October 22, 2024

https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/ukraine-measures/pr-family-reunification/eligibility.html

PR Path For Ukrainians Category 1: Primary Applicant





Primary applicant (PA) must:

- be inside Canada, but members of their UKR family can be inside OR outside Canada and still apply for PR.
- be inside Canada when application is submitted AND when PR is granted.
- must be able to supply some kind of identity documents.
- provide a Statutory Declaration(IMM 0191)
 from Canadian family member
- not be inadmissible (medical, criminal etc.)

PR Path For Ukrainians Category 2: Eligibility





- Partner is the one who has family member who is a citizen or PR.
- Partner is unable to leave UKR, is missing, or has died.
- Same family member list as Category 1.
- PA must:
 - Be in Canada at application and at PR date.
 - Not be in a remarried or common law with anyone else.
 - Have some kind of identity documents
 - Provide a Statutory Declaration from partner's citizen or PR family member
 - Be admissible (criminal, medical etc.)

PR Path For Ukrainians Principal Applicant's UKR Family



The PA may include their eligible family members* on their PR application. These are:

- Spouse or common law partner
- Dependent child under 22 years old
- Dependent child over 22 years old if they have no spouse or partner and can't support themselves due to a mental or physical condition.
- Grandchildren

*put on application even if not immigrating now.

PR Path For Ukrainians How to Apply



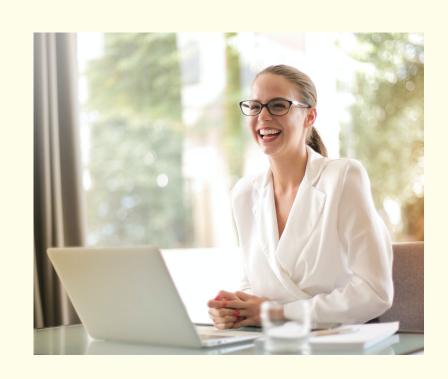


- Online application Fee \$515.00/adult,
 biometrics \$85/person
- Use the Instruction Guide IMM 0189 and read all application instructions before starting.
- There are digital/online forms AND PDF forms (that are uploaded manually uploaded).
- Statutory declaration form needs to be signed <u>by</u> <u>hand</u> and not electronically.
- Need Adobe Reader 10 or higher
- Photos must follow IRCC specifications

https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/ukraine-measures/pr-family-reunification/apply.html







Three Express Entry Programs

- 1. Federal Skilled Worker Program
- 2. Federal Skilled Trades Program
- 3. Canadian Experience Class

https://www.canada.ca/en/immigration-refugeescitizenship/services/immigrate-canada/express-entry.html

Express Entry – Federal Skilled Worker





https://www.canada.ca/en/immigration-refugeescitizenship/services/immigrate-canada/expressentry/eligibility/federal-skilled-workers.html

FSW Eligibility Criteria

Language

• CLB 7

Type/Level of Work Experience

• TEER 0, 1, 2 or 3

Amount of Work Experience

 1560 hours/1 year continuous in last 10 (PT, FT, more than one job in primary occupation)

Job Offer

Not required, but can get more points for having one
 Education

 Secondary required, but can get more points for post-secondary

Express Entry – Federal Skilled Trades





https://www.canada.ca/en/immigration-refugeescitizenship/services/immigrate-canada/expressentry/eligibility/skilled-trades.html

FST Eligibility Criteria

Language

 CLB 5 for speaking & listening, CLB 4 for reading and writing

Type/Level of Work Experience

Trade experience in key groups of TEER 2 or 3

Amount of Work Experience

2 years in last 5, either combination of FT or PT

Job Offer

 Required – FT for 1 year OR certificate in skilled trade from a provincial or federal authority

Education

Not required







CEC Eligibility Criteria

Language

- CLB 5 for TEER 2 or 3
- CLB 7 for TEER 0 or 1

Type/Level of Work Experience

• TEER 0, 1, 2 or 3

Amount of Work Experience

1 year in past 3, FT or PT

Job Offer

Not required

Education

Not required

https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/express-entry/eligibility/canadian-experience-class.html

Federal - Bring your Business to Canada





Start Up Visa Program

https://www.canada.ca/en/immigration-refugeescitizenship/services/immigrate-canada/start-visa.html

Intra-Company Transferees

https://www.canada.ca/en/immigration-refugeescitizenship/corporate/publications-manuals/operationalbulletins-manuals/temporary-residents/foreignworkers/exemption-codes/intra-company-transferees.html

Federal – Study Permit to PR





There are paths to permanent residence for those completing their studies in a Designated Learning Institution (DLI) which are Post Graduate Work Permit (PGWP) eligible institutions.

https://www.canada.ca/en/immigration-refugeescitizenship/services/study-canada/study-permit/prepare/designatedlearning-institutions-list.html

https://www.canada.ca/en/immigration-refugeescitizenship/corporate/publications-manuals/operational-bulletinsmanuals/temporary-residents/study-permits/post-graduation-workpermit-program.html

https://www.canada.ca/en/immigration-refugeescitizenship/corporate/publications-manuals/operational-bulletinsmanuals/temporary-residents/study-permits/post-graduation-workpermit-program/institutions.html

Alberta Advantage Immigration Program





Alberta Express Entry Stream

https://www.alberta.ca/aaip-alberta-express-entry-stream.aspx

Alberta Opportunity Stream

https://www.alberta.ca/aaip-alberta-opportunity-stream-eligibility.aspx

Rural Entrepreneur Stream

https://www.alberta.ca/aaip-rural-entrepreneur-stream.aspx

Religious Workers

https://www.alberta.ca/release.cfm?xID=846983207CECA-F124-897F-4F9099C13CECD623

Alberta Graduate Entrepreneur Stream

https://www.alberta.ca/aaip-graduate-entrepreneur-stream.aspx

Accelerated Tech Pathway

https://www.alberta.ca/aaip-alberta-express-entry-stream-eligibility.aspx

Alberta Express Entry Stream





You may receive a Notification of Interest letter if:

- you have an active Express Entry profile in the federal Express Entry pool
- your primary occupation in your federal Express Entry profile is an occupation that supports Alberta's economic development and diversification
- you have stated an interest in immigrating permanently to Alberta
- you have a minimum Comprehensive Ranking System score of 300

Alberta Opportunity Stream





- Must have a valid/in status CUAET
- Cannot be a refugee appellant or being removed
- Must be living inside Alberta
- Must be working in an 'eligible' occupation
- TEER 0, 1, 2, 3, 4 & 5 are eligible
- Language
 - TEER 0, 1, 2, 3 = CLB 5
 - TEER 4 & 5 = CLB 4
- Secondary School
- Min of 12 months FT in Alberta in last 18 months

 OR min 24 months FT in Canada or abroad IN

 CURRENT OCCUPATION (CO)
- Job offer required (paid, FT, 1year, CO, +++)

Humanitarian & Compassionate Applications





Approved in exceptional cases, where there is no other way to get PR.

Criteria include:

- Establishment/settlement
- Family ties in Canada
- Best interests of any children
- Hardship on return
- Health on return
- Separation from relatives

Family Sponsorship





https://www.canada.ca/en/immigrationrefugees-citizenship/services/immigratecanada/family-sponsorship.html

- Sponsor (be at least 18 years old, citizen/PR, living in Canada, basic needs can be met)
- Spouse (legally married in any country)
- Common-law partner (lived together at least 12 month)
- Conjugal partner (cannot be together for unique reasons i.e. war)
- Dependant children (under 22 years or special circumstances, do not have spouse/common-law partner)
- Parent and Grandparents (currently closed)

Conclusion





- Know your NOC and your TEER
- Assess the eligibility of any program against your own language skills, education, work experience and the other required factors.
- Do not rely on social media, or what others in community say. Programs and criteria change all the time. Go onto the government website for information.
- Get help from reliable and verifiable professionals to avoid immigration scams.



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