

Mobility: Immigration alert

April 2023

Canada

Government workers possible strike may cause immigration delays

Executive summary

The Government of Canada has confirmed that the union representing a large number of government workers, including those within the immigration department (Immigration, Refugees and Citizenship Canada, or IRCC) and Employment and Social Development Canada (ESDC), are now in a legal position to strike. In the event of a labor disruption and strike action, a number of government services may be affected, and this would negatively impact already backlogged processing of applications by IRCC and ESDC/Service Canada. This could, in turn, place additional burden on Border Services Officers at Canadian ports of entry, resulting in longer lines for services delivered by these officers who handle immigration matters at ports of entry into Canada.

Background

The main union representing federal government workers across Canada is currently in negotiations with the federal government over its collective agreement, seeking better wages, benefits, and working conditions for their members. The union is now in a legal strike position, so those workers who are responsible for processing many applications for people seeking to come to Canada for work, study, visit or to become permanent residents may shortly be walking off the job.

Key developments

If the strike action goes ahead, IRCC has confirmed that the following services will remain available

- ▶ Online application filing system will continue to function

- ▶ Paper applications mailed to the IRCC will still be delivered
- ▶ Access to some emergency services
- ▶ Settlement services from IRCC's partner organizations
- ▶ Health care through the Interim Federal Health Program
- ▶ Visa application centres outside of Canada
- ▶ Employment Insurance
- ▶ Social Insurance Number resources

It is also expected that the CBSA border services for travellers will be maintained, due to the essential nature of the work performed by Border Services Officers.

However, the following services will be partially or fully disrupted

- ▶ Immigration application processing will be delayed
- ▶ In-person appointments or events including citizenship ceremonies
- ▶ Contacting the IRCC via email, phone, or social media
- ▶ Consular citizenship and passport services
- ▶ Passport services in Canada, this includes new passports and renewals
- ▶ Temporary Foreign Worker Program

What this means

A strike action could result in delays in processing applications, as well as increased backlogs in the systems. This delay could have profound consequences for individuals who are relying



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on these services to come to Canada, including skilled workers, international students, and refugees. The strike could also impact Canadian employers who are looking to hire foreign workers to meet their labor demands. Many employers rely on temporary foreign workers to fill labor shortages, and a strike could make it difficult for them to obtain the necessary work permits in a timely manner.

It is important to note that negotiations between the union and the government are ongoing, and a strike only remains a threat at this time. However, the union is in a legal position to strike and could do so on short notice. Applicants and businesses need to be aware of the potential impact that a strike could have on their applications and potential delays in processing. We will continue to monitor the situation closely and provide further updates once received.

Should you have any questions, please do not hesitate to contact your EY Law LLP professional.

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