

Loss of Status and Options for Renewing or Restoring Your Status

This fact sheet explains the law in general. It is not intended as legal advice for your particular problem. Because each person's situation is different, you may need to seek legal advice. The information in this fact sheet was reviewed by a lawyer and was last updated on 6 October 2023.

As a migrant worker in Canada, you need a valid work permit to maintain your legal status to remain in Canada. It is possible to lose your status while you are still in Canada. This fact sheet explains what loss of status means and options for migrant workers in Canada to renew or restore their status.

What does “loss of status” mean?

As a migrant worker, your work permit allows you to enter Canada and work in the country. Depending on the type of work permit that you hold, you may work for any employer in Canada, or you may only work for one specific employer. Your work permit has an expiration date and may have additional requirements that you need to comply with. With a valid work permit, you have temporary resident status in Canada, even if you have left your job. If your work permit expires, you lose your temporary resident status in Canada.

Do I lose my status when my job is terminated?

No. You hold temporary resident status if your work permit is still valid, even if your job is terminated. You may remain in Canada until the expiration date of the work permit. However, if your work permit is “closed,” meaning that it only allows you to work for a particular employer, you wouldn't be able to work for a new employer under the old work permit. You will need to apply for a new work permit in order to work for a new employer.

I will be applying for a new work permit with a new employer. Is there anything that I should know?

The good news is that application for a new work permit with a new employer is made easier under a new public policy released on 24 August 2020. With your new job offer, if you have valid **visitor** status in Canada on the day that you apply for a new employer-specific work permit, once your application is approved, you will receive the new work permit without having to leave the country. This policy was extended to **February 28 2025**. The full text of this modified public policy can be found at: <https://www.canada.ca/en/immigration-refugees->

[citizenship/corporate/publications-manuals/operational-bulletins-manuals/service-delivery/coronavirus/temporary-residence/work-permit/visitor-work-permits.html](https://www.mwcbc.ca/citizenship/corporate/publications-manuals/operational-bulletins-manuals/service-delivery/coronavirus/temporary-residence/work-permit/visitor-work-permits.html)

There is also currently a special policy that allows former workers with visitor status to request permission to start working while their work permit application is in process. This special measure is called “Interim Authorization”. It is only available to people with valid visitor status who held a valid work permit in the previous 12 months.

How would I know if my work permit is still valid?

As a common example, a work permit is no longer valid when it expires, although this is not the only way that a work permit becomes invalid. The best time to take actions to renew your status is always before your work permit expires. Please also note that immigration officers cannot grant a work permit extension beyond the expiration date of your passport.

What can I do if I lost my status but I’m still in Canada?

The law requires that anyone without legal status in Canada leave the country. However, it is possible to restore your status after your work permit has expired, so that you can remain in Canada legally. Work permit holders need to apply for restoration of status within 90 consecutive days after their status has expired.

Flag-poling is prohibited in applying for restoration of status

Flag-poling is a term used to mean going to a port of entry at the Canadian border in order to apply for a new work permit. IRCC is clear that restoration of status cannot be granted at the port of entry. If you are considering flag-poling after losing your status to get a new work permit, you should seek legal advice to learn the risks of doing so.