

Learn more about the Vulnerable Worker Open Work Permit (VWOWP)

Summary

INFORMATION FOR MIGRANT WORKERS

This fact sheet explains the Vulnerable Worker Open Work Permit, who is eligible, and answers common questions about the application process.

As a migrant worker in Canada, you are supposed to be protected from abuse at work. If your work permit **only allows you to work for one employer (closed)**, and that **employer is abusing you or putting you at risk**, you may be able to apply for a Vulnerable Worker Open Work Permit (VWOWP).



This fact sheet explains the law in general. It is not intended as legal advice for your particular situation. You may need to seek legal advice.

What is the vulnerable worker open work permit (VWOWP)?

A VWOWP is an open work permit for migrant workers who:

- Are experiencing abuse at work, or
- Are at risk of abuse **and**
- Have a work permit that only allows you to work for one specific employer (closed)

If approved, this permit lets you:

- Work for a different employer in Canada

- Protect yourself without losing your immigration status

These benefits might make it easier for you to leave an abusive employer



What is considered abuse?

Abuse is any behaviour that makes you feel afraid, controlled, or isolated. It can take many forms, including:

Type of abuse	Examples
Physical abuse	Such as assault or being locked in or confined
Sexual abuse	Including any sexual contact without your consent
Psychological abuse	Such as threats, intimidation, or humiliation
Financial abuse	Including fraud, theft, or extortion
Reprisals	Punishments for reporting unsafe or illegal working conditions or for cooperating with a workplace inspection

Common examples of abuse include:

- Physical violence or harm
- Being forced to work in unsafe conditions or puts your health at risk
- Unsafe or unsanitary conditions in employer-provided housing
- Sexual touching or sexual activity you did not agree to
- Unwanted sexual comments or behaviour
- Being controlled or restricted in where you can go
- Theft of your belongings or money
- Being prevented from seeing friends or co-workers
- Having some or all of your wages taken
- Threats, insults, harassment, or intimidation
- Being forced to commit fraud or illegal acts
- A third party charging you fees for a job or making false job promises

At the end of this document, you can find a more complete list of examples of abuse, provide by IRCC.



Who can apply for a VWOWP?

You can apply if **all** the following are true:

- **You are experiencing abuse or are at risk of abuse**
- **You are inside Canada**
- You have a **valid employer-specific work permit, OR maintained status**. *This is a work permit that has your employer's name on it and hasn't expired (or you applied to extend it before it expired)*



- Workers in the **Seasonal Agricultural Worker Program (SAWP)** can also apply
- If your employer-specific or SAWP work permit has already expired, you are eligible to apply for VWOWP if you applied to renew your work permit before it expired
- You **cannot** apply for VWOWP at the border/port of entry (**no flagpoling**)



Can I apply if I was already fired or quit?

Yes, you can **still apply**.

- If you were fired because you complained or reported abuse, this may count as abuse.
- If you left because of abuse, IRCC may decide you are **at risk** if you return to that employer.



Can I still apply if I previously did unauthorized work or did not follow a condition of my work permit?

You may **still be eligible**, even if you:

- Worked for a different employer
- Worked in a different type of job or location than allowed



Important: We recommend getting legal advice before applying if this applies to you.



How do I apply?

You must:

1. **Apply online**, and
2. **Explain the abuse and provide evidence**



What type of evidence do I need?

IRCC has provided the following [guidance](#) on the type of evidence to support your application:

- You must include a letter to describe your situation and the abuse you're facing or are at risk of facing.

You **may** also include other types of evidence, for example:

- a letter, statement or report from a support organization, medical doctor, healthcare professional, etc.
- a sworn statement, also known as an affidavit
- a copy of an official report you submitted to an enforcement agency, such as a police or CBSA report
- a copy of an official complaint submitted to a provincial enforcement agency, such as the Employment Standards Branch, Human Rights Tribunal, or WorkSafeBC
- photos showing injuries or working conditions

This list gives examples only. You may submit other types of evidence as well.

For more details, visit the IRCC vulnerable workers webpage and scroll down to the section called “**Types of evidence.**” <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/permit/temporary/vulnerable-workers.html>



Do I have to pay a fee to apply?

No. There is no cost to apply.



Will my employer find out about my application?

No.

- Your employer will **not be contacted** during the application process
- If approved, IRCC may investigate your former employer separately
- If your application is unsuccessful, your employer **will not be informed** about your application



Will IRCC contact me?

After IRCC receives your application, **an officer may contact you for an interview**. You may also be contacted in writing and asked to provide more information.



Where can I find more information about VWOWP?

Visit: canada.ca/vulnerable-foreign-workers.



The website has a **quick exit button** if you are worried your employer is watching your screen. You may also want to clear your browser history.

Important reminder: We recommend getting legal advice before applying.

EXAMPLES OF ABUSE

Immigration, Refugees and Citizenship Canada (IRCC) provides the following detailed list of definitions and examples of abuse. Please note this is not a complete list—IRCC may consider other types of abuse and reprisals, and we encourage you to speak with a lawyer if something at work doesn't feel right.

Physical Abuse

- Hitting, slapping, punching, choking, burning, pushing, or shoving in a way that results or could result in injury
- Confining a worker to a home or other space
- Unsafe or unsanitary employer-provided housing
- Forcing or pressuring a worker to do unsafe work or pose a risk to their health
- Forcing a worker to use drugs, alcohol, or take part in illegal activities against their will and possibly creating dependencies

Sexual abuse

- Forcing or manipulating a worker into sex or sexual acts
- Forcing unsafe, degrading, or humiliating sexual acts
- Using physical force, weapons, or objects during non-consensual sexual acts
- Involving others in sexual acts without consent
- Sexual acts involving someone who cannot understand, refuse, or communicate consent (for example due to illness, disability, intoxication, fear, intimidation, or pressure)

Psychological abuse

- Insults, humiliation, harassment, yelling, name-calling, or constant criticism
- Threats related to immigration status or deportation
- Controlling where a worker can go or what they can do
- Threatening a worker with serious harm or death
- Intimidating, threatening or harming a worker with a knife, gun, or other object or weapon
- Using religious or spiritual beliefs to control or manipulate a worker

Financial abuse

- Not paying wages you earned
- Stealing wages, cheques, or forcing you to give up money
- Limiting access to your own money or bank accounts
- Withholding money, credit cards or financial documents
- Closely monitoring or controlling how you spend money
- Destroying your personal property
- Spending your money without your consent
- Forcing you to deposit money for fraudulent purposes
- Charging illegal recruitment or job fees
- Making false job promises
- Laying you off or reducing work when the employer knew this would happen before you started

Reprisals

If taken in response to a worker reporting concerns or cooperating with an employer inspection, reprisals may include:

- Applying penalties, such as transferring the worker to another location or reducing hours or benefits
- Taking disciplinary action, including suspension or probation
- Ending the worker's employment
- Using intimidation or pressure
- Lowering the worker's job level or title
- Threatening to take any of the actions listed above

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