



**CORPORATE IMMIGRATION
LAW FIRM**

Changes To Post Graduation Work Permit Program/Ohip Eligibility

On April 22, 2008 Citizenship and Immigration Canada implemented a new Post Graduation Work Permit Program (PGWP). The new policy was implemented to recognize the contribution of international students to Canada's economic and cultural environment and to facilitate an increase in the number of international students accessing the PGWP program and contributing to Canadian labour markets; an increase in the pool of highly qualified candidates for eventual immigration to Canada; and in making Canada a more attractive destination to study.

The program is open to graduates of eligible Canadian universities and colleges: Under the old program an eligible graduate had to secure a job offer prior to applying for a work permit and the type of employment had to be related to the student's field of study. They were given 90 days after graduation in which to make the application. A student who had graduated from an institution in Montreal, Toronto or Vancouver was only eligible for a 1 year work permit while those who found employment outside these areas and went to school outside these areas could work for up to two years.

Under the new policies it is not necessary for the graduate to find an offer of employment: The application can be made for an open work permit with no restrictions on the type of employment and the new graduate can work in any occupation. The duration of the new work permit is extended to three years on a country-wide basis and students are allowed to accept work in any location. To be eligible for the new program students must have studied full-time at a Canadian university, community college, CEGEP, or publicly funded trade/technical school. Private institutions authorized by provincial statute to confer degrees are also eligible but only if the student is enrolled in one of the programs of study leading to degree as authorized by the province. If the program of study is two years or more the student is eligible for a three year work permit. If a student has studied in a program that is less than 2 years but at least 8 months in duration, then they will only be allowed to obtain a work permit for a period of time equal to the length of their course of study.

Ineligibility: If the course of study is less than 8 months the student is not eligible for the program.

Students receiving funding from certain government funded programs are also ineligible and international students enrolled in English as a second language or French as a second language programs or programs of general interest are also not eligible.

Extension: Students currently working on a work permit issued under the previous rules may apply for an extension but the total duration of the work permit including the extension will not exceed the maximum duration allowed under the new policy.

OHIP Eligibility Conflict: Unfortunately, when CIC implemented the new PGWP program they did not consult with provincial health insurance ministries including OHIP. As a result, there is a conflict between the new PGWP program and OHIP eligibility rules. Although OHIP's policy is currently under review, individuals who obtain a new PGWP work permit in the open category for a period of three years will, in most cases, will be refused OHIP coverage.

Apply To The General Manager of OHIP For A Review: Until the current OHIP policy is reviewed and a decision is made in this regard, post-grad work permit holders who are refused OHIP coverage may apply to the General Manager of OHIP for a review. These individuals should write a letter to the General Manager of OHIP indicating they are part of the PGWP program; that they have been issued a new 3 year open work permit; include a copy of their new work permit; and ask that their application for OHIP be reconsidered and approved. They should send this letter with a photocopy of their new work permit to:

General Manager, OHIP, 49 Place d'Armes, Kingston, Ontario K7L 5J3
They can send it by fax to 613-548-6524.

If they are still refused OHIP coverage they will be notified of the refusal by letter and they will be given an opportunity to request re-consideration by the Health Services Appeal and Review Board. The HSRB is an independent review panel and has the power to overturn a decision by the General Manager to refuse coverage.



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