



CANADIAN FEDERATION OF MUSICIANS

An Organization of the American Federation of Musicians of the United States and Canada

150 FERRAND DRIVE, SUITE 202, TORONTO, ONTARIO M3C 3E5
(416) 391-5161 • 1-800-463-6333 FAX (416) 391-5165
E-MAIL: afmcan@afm.org www.cfmusicians.org

Foreign Artists Working In Canada

INFO SHEET

Hiring Foreign Workers in Film and Entertainment Occupations

Hiring foreign workers in film and entertainment can be an important part of making a production or holding a cultural or entertainment event in Canada. The entry of foreign workers in film and entertainment can also bring unique international talent to Canada and support cultural exchange.

Description

In most cases, Canadian employers hiring TFWs in film and entertainment must get a Labour Market Impact Assessment (LMIA) from Employment and Social Development Canada (ESDC)/Service Canada. The TFW also requires a work permit from Citizenship and Immigration (CIC) in order to work in Canada. These conditions are designed to take into account career development and employment opportunities for Canadians.

Under the *Immigration and Refugee Protection Act (IRPA)*, there are specific cases where employers in the film and entertainment industries do not need an LMIA, or the foreign workers do not need a work permit.

Positions exempt from an LMIA and work permit include:

- producers of film, television, video and documentary projects funded entirely from outside of Canada;
- adjudicators at music and dance festivals;
- performing artists and their essential crew, but only if they are:
 - entering Canada to perform for time-limited engagements;
 - not being hired for ongoing employment by the Canadian group that has contracted them; and
 - not involved in making a movie, television or radio broadcast.

Examples of performing artists include:

- musicians in a band performing several tour dates in Canada;
- guest conductors and artists performing with Canadian productions or groups for a few performances;
- actors in foreign touring theatrical productions;
- professional wrestlers and circus performers in foreign touring productions;

- musicians and buskers coming to Canada to perform in festivals;
- support crew and other workers who are integral to a live production;
- disc jockeys coming to Canada to work at private events, festivals, concerts and fairs.

An LMIA and a work permit are still required for foreign performing artists who are:

- on the production of film, television or radio broadcast;
- not performing in a time-limited engagement; or
- in an “employment relationship” with the organization or business in Canada that is contracting for their services (e.g. a permanent piano bar employee).

Entry to Canada

These TFWs can apply for a work permit directly at a CIC visa office or at a Canadian port of entry in the case of citizens of contiguous states including the United States, St. Pierre et Miquelon, and Greenland.

This information was taken from:

http://www.esdc.gc.ca/eng/jobs/foreign_workers/higher_skilled/film/index.shtml

American Federation of Musicians of the United States and Canada (AFM)

Musicians working under the Cultural Exchange Program between the Canadian Federation of Musicians (CFM) and the American Federation of Musicians (AFM) do not require an LMIA if they are members of the AFM and citizens of the United States (U.S.). They must possess a letter from the CFM identifying them as participants in the Cultural Exchange Program, and indicating that it would be appropriate for them to work in Canada provided they meet the usual requirements of a temporary resident.

Criterion: A work permit may be required, but an LMIA is not required pursuant to R205(b), C20.

The C-20 LMIA exemption is based on reciprocity intended to match the same length of reciprocal employment. Therefore, for those entering Canada as members of the AFM, the work permit may be issued for a maximum of three months from the original date of entry to reflect the duration of the P-Entertainer or Group Entertainer visa given to Canadians by the U.S. In situations where the requirements of R186(g) are met, no work permit is required.

<http://www.cic.gc.ca/english/resources/tools/temp/work/permit/arts/occupations.asp>

Any AFM members or other Foreign artists who wish to attain a letter from CFM will complete forms and submit contracts to Lily Kemeredin (lkemeredin@afm.org). She will review and process within 5 business days once all pertinent information is received. Should you have additional questions, kindly email her.

SUMMARY CHART:

Senarios	LMIA required	Work Permit Required	Cultural Exchange Letter
Foreign Artists -who are NOT AFM members, and working for a period of time exceeding 2 weeks	Yes	Yes	Not Applicable
Foreign Artists - who are NOT AFM members working for a time limited period of 2 weeks or less*	NO	NO	Not Applicable
AFM members who are US citizens- working for a period of time exceeding 2 weeks (max 3 months)	NO	YES	YES
AFM members who are US citizens working for a time limited of 2 weeks or less	NO	NO	YES

For travel visa information please visit: <http://www.cic.gc.ca/english/visit/visas.asp>

For work permit or an Labour Market Impact Assessment (LMIA) information please visit: <http://www.cic.gc.ca/english/work/employers/lmo-basics.asp>

Work permit fee: Individual \$155.00; Group of 3 or more \$465.00 if entering at the same place and time.