NEXIMM
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WORK PERMITS | SPOUSES OF SKILLED AND LOWER-SKILLED LMIA WORKERS

SOWP for Spouses of Employer-Specific (LMIA) Work Permit Holders

If you work in Canada on an employer-specific LMIA work permit, your spouse or common-law partner may get an open work permit. The rules depend on your TEER category, the months left on your permit and your plans for permanent residence.

PERMIT TYPE	SKILLED (TEER 0–3)	LOWER-SKILLED (TEER 4–5)	IRCC FEE
Open (C41 / C47)	**16+ months left**	**PR pathway only**	**$255 CAD**

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Scope of this guide: This guide is for spouses and common-law partners of foreign workers who hold, or are approved for, an employer-specific LMIA work permit and have not applied for permanent residence yet. The spouse can be inside or outside Canada. Start with the eligibility checker in section 1.

1. SOWP Eligibility Checker for LMIA Workers

Answer each question from the dropdown lists. The checker shows which route fits and what is missing. It follows IRCC's family open work permit page and the officer instructions for C41 and C47 and C48.

Choose an answer in each list; the result updates after each choice. Question 4 only counts for TEER 4 or 5 jobs. The form works in Adobe Acrobat Reader and most desktop PDF readers. If no result appears, use the checker on the Neximm webpage for this guide, or the requirements in sections 3 and 4.

1. What is the TEER category of the worker's job on the LMIA?

Choose an answer

2. What is the worker's work permit situation?

Choose an answer

3. Where is the worker on the road to permanent residence (PR)?

Choose an answer

4. Which LMIA stream is the worker's permit based on? TEER 4 or 5 only

Choose an answer

5. How long will the work permit be valid after IRCC receives the spouse's application?

Choose an answer

6. Is the worker employed in that job?

Choose an answer

7. What is the relationship?

Choose an answer

8. Where is the spouse or partner now?

Choose an answer

9. Does a special program apply to the worker?

Choose an answer

Your result

Self-check only: This is general information, not legal advice. The officer decides based on your facts and documents.

2. What Is This Category?

There is no separate "LMIA spouse" permit. Spouses of LMIA workers apply under the family open work permit categories in paragraph R205(c)(ii). Since January 21, 2025, which category fits depends on the worker's job and plans (IRCC, officer instructions). The spouse's permit is open, so they do not need a job offer or their own LMIA.

ROUTE	WHO IT IS FOR	KEY RULES
A. Skilled worker (C41)	TEER 0 or 1, or a TEER 2 or 3 job on IRCC's list, not on a PR pathway	Permit valid 16+ months after IRCC receives the spouse's application. Spouses only
B. Skilled worker on a PR pathway (C41 / C46)	Any TEER 0 to 3 job, on an eligible PR pathway, PR not applied yet	Permit valid 6+ months. Dependent children can apply too (C46)
C. Lower-skilled worker on a PR pathway (C47 / C48)	TEER 4 or 5 job, on an eligible PR pathway, PR not applied yet	Permit valid 6+ months. LMIA not low-wage, agricultural or seasonal (Agri-Food Pilot aside)

Lower-skilled workers not on a PR pathway: Their spouses and children cannot get a new open work permit. Family members already in Canada may only renew (section 6) (IRCC).

3. Skilled Workers (TEER 0 to 3)

Route A: not on a PR pathway (C41)

At the time IRCC decides the spouse's application, the LMIA worker must meet **all** of these (C41 instructions, IRCC). Tick each one that applies.

- ☐ Holds a valid employer-specific work permit, or an approval (port of entry letter of introduction)
- ☐ Works, or will work, in any TEER 0 or 1 job, or a TEER 2 or 3 job on IRCC's list (section 5)
- ☐ The permit is valid for at least 16 months after IRCC receives the spouse's application
- ☐ Lives, or plans to live, in Canada while working
- ☐ Does not hold a spousal open work permit, a study permit, or a pending refugee claim

Count the 16 months from the date IRCC **receives** the spouse's application. Many LMIA permits run 1 to 3 years, so apply early, or apply together when the worker extends.

Route B: on a PR pathway, PR not applied yet (C41 / C46)

If the worker is on an eligible PR pathway (see section 4) and has not applied for PR, **any** TEER 0 to 3 job counts, the permit needs only 6 months left, and dependent children may also apply under C46. Provincial nominees and CSQ holders must live in the province that selected them (C41 and C46 instructions).

Exemptions from the 16-month rule

- **Quebec health care recruits** (from May 25, 2026): NOC 31301, 32103 or 32120 under a Quebec recruitment project. The spouse enters **CONJOINTSANTEQC** as the job title (IRCC).
- **BC Significant Investment Projects** (from March 23, 2026): any TEER. The spouse enters **SIPSPOUSEBC** as the job title and includes the provincial letter of support (IRCC).

4. Lower-Skilled Workers (TEER 4 or 5)

A spouse or dependent child qualifies under C47 or C48 only if the worker meets **all** of these when IRCC decides (C47 and C48 instructions, IRCC):

- ☐ Holds a valid work permit or an approval, valid for at least 6 months after IRCC receives the family member's application
- ☐ Works, or will work, in a TEER 4 or 5 job, and lives or plans to live in Canada
- ☐ Is on an eligible PR pathway but has not applied for PR yet
- ☐ The LMIA is not in the low-wage stream, the agricultural stream or the Seasonal Agricultural Worker Program (unless the Agri-Food Pilot exception applies)

Eligible PR pathways

Provincial Nominee Program; provincial business candidates and Quebec self-employed applicants with a CSQ; CSQ holders in or outside Quebec; Quebec investors; Start-up Visa; Atlantic Immigration Program; Agri-Food Pilot; Yukon Community Pilot (IRCC).

Agri-Food Pilot exception: family members qualify even with an agricultural or low-wage stream LMIA, once IRCC sends an acknowledgement of receipt confirming the PR application is complete. Include a copy of that letter (C47 and C48 instructions).

Check the LMIA stream: Most TEER 4 and 5 LMIAs are in the low-wage stream, which is excluded. Officers confirm the stream from the LMIA approval letter, so include it (C47 and C48 instructions).

5. NOC Code Eligibility Checker

The second digit of a five-digit NOC code is the TEER category. For route A, only some TEER 2 and 3 jobs qualify: 105 TEER 2 and 32 TEER 3 codes listed in Annex A of the C41 instructions. Enter the NOC code from the LMIA, or choose from the list. Confirm the code with the official NOC search.

Enter a 5-digit NOC code

Press Tab or click outside the box to see the result.

Or choose from IRCC's list of TEER 2 and 3 occupations

Choose an occupation

Result

The checker and dropdown work in Adobe Acrobat Reader and most desktop PDF readers. If your reader does not show a result, use the interactive checker on the Neximm webpage for this guide, or apply the TEER rule in section 5.

> **Duties count, not the title:** Officers assess the TEER from the job duties using NOC 2021. If the employer letter has no NOC code, they assess the title and duties (C47 and C48 instructions).

6. Renewals and Extensions

- **Still eligible:** A spouse can renew under the same route if all its rules are still met, including the 16-month or 6-month rule (C41 instructions, C47 and C48 instructions).
- **Permits issued before January 21, 2025:** A spouse in Canada may renew under the older rules only to match the end of the **same** permit the worker held then, with 6 months or more left. A new permit for the worker, even with the same employer, means the current rules apply (officer instructions).
- **TEER 4 or 5 worker not on a PR pathway:** family members in Canada may extend only if their permit is shorter than the worker's and they apply before it expires (IRCC).
- No renewal can go past the worker's permit or the spouse's passport.

7. Applying From Inside or Outside Canada

SITUATION	WHAT TO DO
Apply together as a family (new LMIA permit or extension)	IRCC assesses the worker first. The worker's application can serve as proof of the permit, job level and duration. Spouses of employer-specific permit holders applying at the same time do not need separate proof of the work permit (IRCC).
Spouse outside Canada	Apply online, give biometrics if asked, and get a visitor visa or eTA if needed. The worker must enter Canada before or with the spouse (officer instructions).
Spouse in Canada with status	Apply online before status ends. A worker spouse keeps working under maintained status while IRCC decides (IRCC Help Centre).
Spouse's status expired under 90 days	Apply for the permit and restoration together. No work until approved (IRCC).

In the online tool, answer **Yes** to "Are you a spouse, common-law partner or dependent child of a foreign worker…?" and choose **"Open work permit"**. Do not travel to the border just to apply; flagpoling ended on December 23, 2024 (CBSA).

8. Documents Checklist

- [ ] Spouse's passport, and current status document if in Canada
- [ ] Marriage certificate, or Statutory Declaration of Common-law Union (IMM 5409) with proof of 12 months living together
- [ ] Copy of the worker's employer-specific work permit or port of entry letter, showing the expiry date
- [ ] Copy of the LMIA approval letter (shows the NOC, wage and stream)
- [ ] Employer letter or job contract: job title, NOC and TEER, duties, hours, wage and start date
- [ ] Recent pay stubs, to show the job is ongoing and the family can be supported
- [ ] Route B or C: proof of the PR pathway (nomination letter, CSQ, AIP endorsement, commitment certificate or similar); Agri-Food Pilot: AOR letter
- [ ] Quebec health or BC SIP exemption: letter of selection or provincial letter of support
- [ ] Fee receipt, biometrics, and a medical exam if the spouse plans to work in health care or with children

9. Permit Length, Conditions and Fees

The spouse's open permit can last until the worker's permit ends or the spouse's passport expires, whichever is first. If the worker's permit is revoked or ends, the spouse's permit depends on it (C47 and C48 instructions, officer instructions).

FEE (CAD)	AMOUNT
Work permit processing fee	$155
Open work permit holder fee	$100
Biometrics (if required)	$85 per person, $170 per family
Restoration of status (if needed)	$246.25 extra

Fees are from the IRCC fee list.

10. Common Refusal Reasons

REFUSAL REASON	WHAT IT LOOKS LIKE	HOW TO PREPARE
Not enough time left	Under 16 months (route A) or 6 months (routes B and C)	Apply early or with the worker's extension
Ineligible occupation	TEER 2 or 3 job not on the list with no PR pathway, or a TEER 4 or 5 job	Check the NOC in section 5
Excluded LMIA stream	TEER 4 or 5 worker on a low-wage or agricultural LMIA	Include the LMIA letter; check the Agri-Food exception
No proof of the job	No employer letter, pay stubs or LMIA	Send a recent, detailed letter
Relationship not genuine	Little proof of marriage or 12 months together	Send strong relationship proof

11. Other Options If Not Eligible

If the spouse does not qualify under this category, other paths may still work. The worker could move to a qualifying job, extend the permit to meet the time rule, or join an eligible PR pathway. If the worker has applied, or is about to apply, for permanent residence, read the Neximm Bridging Open Work Permit (BOWP) guide to explore the worker's options and the family permits that may follow.

12. How Neximm Can Help

Spousal permits for LMIA workers turn on the TEER, the LMIA stream, the months left on the permit and the PR pathway. One wrong detail can lead to a refusal.

Neximm Immigration is an RCIC-led consultancy based in Dehradun, India. A licensed Regulated Canadian Immigration Consultant advises on and represents your file. We check the route, dates and every document before you apply.

- **Route check:** matching the job, LMIA stream and PR plans to the right category
- **NOC review:** confirming the TEER from the LMIA and the duties
- **Timing plan:** the 16-month or 6-month rule and the worker's extension
- **Family applications:** applying with the worker from inside or outside Canada
- **Relationship evidence:** marriage and common-law proof
- **Application preparation:** forms, uploads, fees and follow-up with IRCC

Book your SOWP assessment today

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Official IRCC sources

IRCC – Open work permits for family members of foreign workers: who can apply: https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/special-instructions/spouses-dependent-children/eligibility.html

IRCC – Open work permits for family members of foreign workers: how to apply: https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/special-instructions/spouses-dependent-children/apply.html

IRCC program delivery instructions – Spouses of workers in high-skilled occupations [C41]: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/exemption-codes/public-policy-competitiveness-economy/spouses-common-law-authorized-work-high-skilled-occupations.html

IRCC program delivery instructions – Family members of high-skilled workers [C41 and C46]: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/public-policy-competitiveness-economy/c41-c46.html

IRCC program delivery instructions – Family members of low-skilled workers [C47 and C48]: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/public-policy-competitiveness-economy/c47-c48.html

IRCC – Work permit options for family members of foreign workers: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/family-members-wp.html

IRCC – 2026 updates to Canadian interest instructions: https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/updates/2026-canadian-interest-imp.html

IRCC Help Centre – Maintained status: https://ircc.canada.ca/english/helpcentre/answer.asp?qnum=188

IRCC – If your work permit expired (restoration): https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/extend/expired-permit.html

CBSA – Ending flagpoling for work and study permits: https://www.canada.ca/en/border-services-agency/news/2024/12/ending-flagpoling-for-work-and-study-permits-at-the-border.html

IRCC fee list: https://ircc.canada.ca/english/information/fees/fees.asp

ESDC – National Occupational Classification search: https://noc.esdc.gc.ca/

This guide offers general information and is not legal advice. It is based on IRCC web pages and program delivery instructions reviewed in October 2026. IRCC rules can change at any time. Contact Neximm Immigration for advice on your own situation.