

QUESTIONS / ANSWERS

What does international student status mean?

A temporary resident enrolled full-time in a university or college program recognized by the Ministry of Education. The **study permit** may be extended if an international student wishes to extend their stay for the purpose of their education.

What does temporary worker status mean?

A temporary resident who has obtained a **work permit**. A temporary worker who wishes to extend their period of employment beyond the expiry date appearing on the **work permit** must apply for an extension or renewal.

Can I become a permanent resident?

YES. It is possible for a temporary worker and a new graduate to apply for permanent residence under the **Canadian Experience Class**.

JUSTICE

Can I consult a lawyer for free if I have a legal problem?

YES, if a person is eligible for **Legal Aid**, depending on their income and if they live in Quebec, **regardless of immigration status**.

Services available include several legal matters: family, administrative, immigration, youth, criminal, housing, etc.

Can I go to court if I have a problem with my landlord regarding the dwelling where I live?

YES. The *Régie du logement* can intervene if there is a **lease** between the tenant and the landlord. **Immigration status is not verified.**

Tenants who are victims of discrimination may file a complaint with the *Commission des droits de la personne et des droits de la jeunesse*.

This document provides general information and does not in any way constitute legal advice or statement of opinion. The Canadian and Quebec immigration systems being particularly complex, they sometimes create quite intricate situations. Therefore, it is necessary to consult specialists to validate the application of various notions to any specific case. The information in this document was verified in May 2017.

For more information and a list of resources, see our guide for community workers: “Immigrants’ and Refugees’ Access to Social Benefits and Programs in Quebec”, available to download for free at: www.servicesjuridiques.org

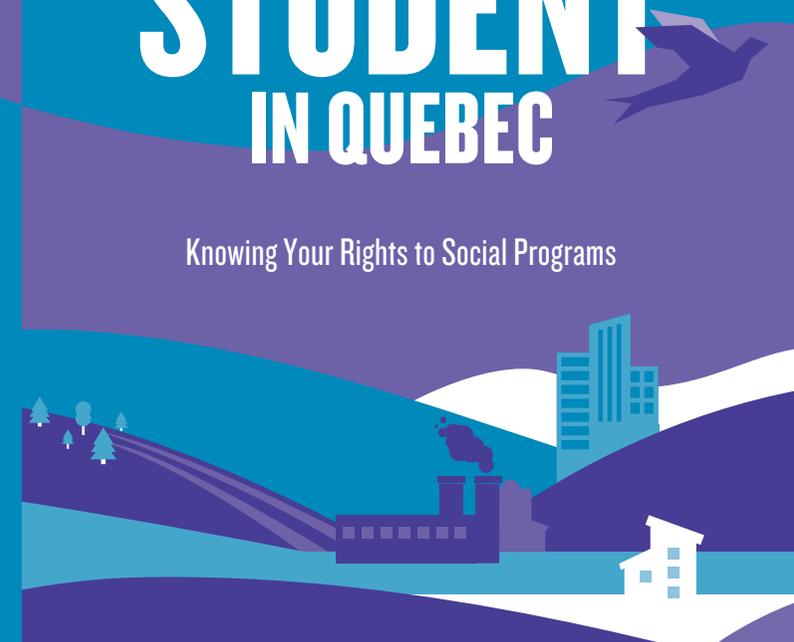
We would like to thank the Ministère de la Justice du Québec (Fond Accès Justice) for their financial assistance. The views expressed in this document do not necessarily represent those of the Ministère de la Justice du Québec.

Also available in this series (in French, English, Arab, Creole, simplified Chinese and Spanish):

- Being an asylum seeker in Quebec
- Being a temporary resident permit holder in Quebec
- Being a non-status person in Quebec
- Being an accepted refugee in Quebec
- Being a permanent resident in Quebec
- Being a rejected refugee in Quebec
- The criterion of residence

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BEING A TEMPORARY WORKER OR AN INTERNATIONAL STUDENT IN QUEBEC



Knowing Your Rights to Social Programs



COMMUNITY LEGAL SERVICES
OF POINT ST-CHARLES AND LITTLE-BURGUNDY

FAMILY

Can my child go to school?

YES. Children of temporary workers and international students have the right to attend **public school for free** as well as the obligation to go to school in Quebec.

Am I entitled to child benefits?

EVENTUALLY. Temporary workers and international students are entitled to the **Canada Child Benefit** (federal) and the **Child Assistance Payment** (provincial) as of the 19th month of residence in Quebec.

It is not necessary to have had a valid permit or visa during the entire 19-month period, as long as the applicant can provide a valid work or study permit, or renewal, at the time of applying.

Am I entitled to government benefits following my child's birth or adoption?

YES. Temporary workers and international students who have worked in the last 12 months are entitled to benefits under the Quebec Parental Insurance Plan (QPIP) (parental, maternity, paternity, adoption).

BENEFITS

Am I entitled to welfare?

A person who has applied for permanent residence as a **skilled worker** is **not entitled to welfare** benefits right away. Because skilled workers are required to arrive to Canada with a certain amount of money, the government considers that these applicants must wait 90 days after arriving to Canada before being entitled to welfare. This is the case even if the skilled worker runs out of money well before this delay.

Such a financial requirement does not apply to a worker who has already received a job offer, is already working, or is authorized to work in Canada.

International students and **work permit holders** are generally not eligible for welfare.

Am I entitled to financial compensation as a victim of crime?

YES. The IVAC (*Indemnisation des victimes d'actes criminels*) program **does not take into account the victim's immigration status** to assess eligibility for benefits.

Am I entitled to financial compensation as a road accident victim?

YES. The SAAQ (*Société de l'assurance automobile du Québec*) program covers all persons considered to be **legal residents** (who are authorized to reside in Canada), which includes temporary workers and international students, for accidents occurring outside and inside Quebec, regardless of fault.

HEALTH

Am I entitled to free medical care and medicine?

IT DEPENDS. **Temporary and seasonal workers** holding a work permit valid for at least six months for a specific employer (closed permit) are entitled to health insurance (but not prescription drug insurance) after a 3-month waiting period, meaning they, and their spouses and dependents, are entitled to free medical care but not free medicine.

Seasonal workers under the **Seasonal Agricultural Worker Program (SAWP) for Mexico and the Caribbean** are entitled to health insurance (but not prescription drug insurance). The 3-month waiting period does not apply to workers under this category.

Generally, **international students** are not eligible for public health or prescription drug insurance. Exceptions apply for students who have a scholarship or an internship under an official program of the Ministry of Education. These students are entitled to health insurance but not prescription drug insurance.

International students enrolled in a full-time post-secondary program and temporary workers from countries part of a **social security agreement** with Quebec are entitled to health insurance (not prescription drug insurance). For the updated list of countries, contact the *Régie de l'assurance maladie du Québec*. The 3-month waiting period does not apply to these students.

That said, only students from France and Belgium are entitled to both health and prescription drug insurance.

WORK

Can I work as an international student?

YES, with a **valid study permit**, international students registered at a recognized school can work **on campus** and **off campus** without a work permit.

There is no maximum number of hours that can be worked **on campus**.

Off campus, international students cannot work more than 20 hours per week during the academic session. Full time work is allowed during holidays (for example, in December, summer and spring break).

Can I file a complaint against my employer if my working conditions are unfair?

YES. The government agency regulating **minimum labour standards** (the CNESST) accepts complaints **regardless of the worker's immigration status**.

Am I entitled to financial compensation as a result of a work accident that prevents me from working temporarily or permanently?

YES. The government agency that is responsible for **occupational health and safety** (the CNESST) will study the application of a student holding a valid **study permit** and a temporary worker holding a valid **work permit**.

Am I entitled to financial compensation if I lose my job?

YES. Temporary workers holding a **valid work permit** and international students holding a **valid study permit** are eligible for Employment Insurance (EI), administered by Service Canada, which replaces up to 55% of gross income (before tax) for a certain period.

If the EI application is accepted, the claimant must be available to work during the benefits period, meaning having a **valid work or study permit** or having applied for the renewal of the permit.