

New laws will expedite permanent residence for caregivers

Written by special to the filipino reporter
Friday, 21 November 2014 14:24

**IMMIGRATION
NEWSWEEK**



By: Atty. Henry Moyal

The last few months have been precarious for caregivers.

The Federal Government hinted that abuse of the system would perhaps cancel the live-in caregiver program.

Others worried that family members would be banned from hiring relatives.

Finally, rumors were that caregivers would be granted open work permits from the start.

All of those never happened.

In a surprise move, the Canadian Immigration Department has announced that caregivers are no longer required to be live-in and that caregivers will be reunited with their spouses and

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children much faster by expediting permanent residence.

The following is Canada Immigration's announcement of Nov. 1, 2014.

Canada's Citizenship and Immigration Minister, Chris Alexander, announced significant reforms to the Caregiver Program that acknowledges the valuable contributions caregivers make to Canadian families and the economy.

Changes to the program include ending the live-in requirement, and providing eligible caregivers with two pathways that will lead to permanent residence within six months.

One pathway features criteria for child care providers that are very similar to current requirements, but without the need for the caregiver to live in the home of their employer where they may be vulnerable to abuse.

In addition, caregivers in a variety of health care occupations, including registered nurses, registered psychiatric nurses, licensed practical nurses, nurse aides, orderlies, patient service associates and home support workers, will also have a pathway to permanent residence.

Eligible caregivers in this stream would be able to gain their work experience either in providing in-home care or care in a health-care facility to an elderly person or a person with a disability or chronic medical condition.

This pathway offers more career options for eligible caregivers, and targets workers in occupations that are expected to face labor shortages in the future.

Applications in this stream would also be processed within six months.

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The Government of Canada is taking aggressive action to reduce the backlog of applications for permanent residence through the Live-in Caregiver Program.

As part of the 2015 Levels Plan tabled in the House of Commons, Canada will welcome 30,000 new permanent residents in this category.

Reducing the backlog and processing times will mean that eligible caregivers will be reunited sooner with their families.

Caregivers who have already applied for Live-in Caregiver Program work permits, and any who apply based on an employer's approved Labor Market Impact Assessment submitted before Nov. 30, will also be able to complete the work requirement on a live-in basis and eventually apply for permanent residence.

Quick facts

- Citizenship and Immigration Canada will set an all-time record in the number of caregiver permanent resident admissions in 2014, with levels set at 17,500.
- Both pathways will have a cap on applications of 2,750 each year, for a total of 5,500.

This does not include spouses and dependents, and is consistent with the number of caregivers coming to Canada in recent years.

From 2011 to 2013, about 4,500 principal applicants applied each year for permanent residence through the Caregiver Program.

- In recent years, the Government of Canada has made a number of improvements to the

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Caregiver Program, including making open work permits available to live-in caregivers immediately upon applying for permanent residence, increasing the amount of time available for a caregiver to complete the work requirement from three years to four, adopting a standardized employment contract for live-in caregivers that defines the employer's obligations to the caregiver and arranging emergency processing of new work permits for caregivers who have been abused and need to leave their employment urgently.

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The above article is general advice only and is not intended to act as a legal document.

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