

This document provides a brief overview of policy changes to the Live-in-Caregiver and Caregiver Programs from November 2014 to 2016. Below we present demographic statistics on permit holders and Caregivers who successfully applied for permanent residence.

Quick Facts

- In 2015, Live-in Caregivers (LICs) represented 13% of the temporary foreign workers in Canada (IRCC, 2015a)
- Women represented 94% of the Caregiver Program entries in 2016 (IRCC, 2017b)
- In 2016, the vast majority of new Caregiver permit holders were from the Philippines (88% or 6,910). Other countries include India (180), China (135), and Indonesia (40). There are 33 countries that have between 35 and 5 Caregiver permit holders (e.g. Nepal, Thailand, Jamaica) (IRCC, 2017a)
- After completing the program, Caregivers wait an average of 47-51 months for their permanent residence application to be processed.
- A backlog of 27,000 permanent residence applications are waiting for processing (Minister A. Hussen, personal communication, July 6, 2017).

Live-in Careivers Work Permit Holders and Years Permits Became Effective, 2007 to 2016

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Work Permit Holders	27,752	32,601	31,610	29,579	21,756	18,726	16,185	16,238	14,004	-
Permits Became Effective	29,571	23,289	20,051	17,117	16,670	12,672	11,079	11,964	7,398	7,785

(IRCC, 2015a; IRCC, 2015b; IRCC, 2017b)

Policy Changes since November 2014

- In November 2014, Citizenship and Immigration Canada created the Caregiver Program with several distinct regulations in comparison to the Live-in-Caregiver Program. The program includes a “sunset clause” so it will expire in 2019 (CIC, 2014)
 - Live-in requirement waived (CIC, 2014), though employers may still charge room and board due to caregivers' minimum remuneration (Valiani, 2014)
 - Work permits now require an approved Labour Market Impact Assessment (LMIA) for the designated employer (CIC, 2014)
 - Two new pathways to permanent residence were introduced:
 - Low Skills - Caring for Children Pathway**, for childcare in Canadian homes; and
 - High Skills - Caring for People with High Medical Needs Pathway**, for care to the elderly and people with disabilities in health facilities (CIC, 2014)
- The Caregiver Program has a cap on new permanent resident applications of 5,500/year: 2,750 for childcare providers and 2,750 for health occupations (CIC, 2014). There is no cap for applications for permanent residence for people who originally entered through the Live-in-Caregiver Program (CIC, 2015a)
- Requirements to be eligible for permanent residence: one-year post-secondary study in Canada or foreign degree that is equivalent to a Canadian degree; and a Level 5 (Caring for Children Pathway) or Level 7 (High Medical Needs Pathway) language requirement
- 2-years (3,900 hours) work requirement for PR eligibility still in place (CUPE, 2014)
- In November 2016, the Liberal government announced plans to repeal the Live-in-Caregiver Program, closing the program to new applicants. LICs who are currently working in Canada may continue to work and apply for permanent residence if their initial work permit was based on a LMIA requested on or before November 30, 2014. LICs who choose this pathway to permanent residence must continue to live with their employer (Canada Gazette, 2017)

Permanent Residents

Admission of Permanent Residents in the Caregiver Program by Category, 2014 – 2016

Immigrant Category	2014	2015	2016
Caring for Children Program	0	10	200
Caring for People with High Medical Needs Program	0	25	55
Live-in Caregiver Program	11,445	10,920	6,380

Policy Recommendations for Caregivers

- 1. Address the backlogs and reduce processing times for permanent residence applications.**

IRCC has made a commitment to reduce processing times for all other programs. Many Live-in-Caregiver applications have been pending since 2007 and 2011. Caregivers are often separated from their families during the 24 months that is required to apply for permanent residence. Long processing times for application can extend this period for up to 4 years depending on the country of origin of the applicant.
- 2. Remove caps on applications for permanent residence for Caregivers.**

Caregivers must currently complete 24 months or 3900 hours of work prior to applying for permanent residence. The cap on the number of applications for permanent residence from caregivers extends the waiting period for those who have already completed the requirements of the (Live-in) Caregiver Program. When combined with the 4 in and 4 out rule, the cap may force some to leave Canada and return home despite having met the requirements.
- 3. Open Work Permits for Caregivers.**

The removal of the live-in requirement from the Caregiver program was intended to improve the quality of life of caregivers and reduce means of employer abuse. Open work permits are the next step in achieving this goal. In the current system, where a Caregivers' work permit is tied to their employer, employers are provided the means to exert control over caregivers in the form of exploitation and abuse which leaves caregivers with little recourse. Caregivers are often asked to work overnight without pay, prevented from taking time off to attend medical appointments, and paid less than the agreed upon amount leaving them unable to meet their basic needs.
- 4. Extend the right to for Caregivers to enter Canada with their spouse and children.** The long term negative impacts of family separation and workplace exploitation are directly linked to the temporary work permit system for caregivers and domestic workers. Caregivers should have the right to enter Canada as immigrants with the same right to bring their families when they move to Canada from overseas. This would enable caregivers the capacity to maintain their own families while providing care work to Canadian families.

Resources:

Migrant Worker Guide - Caregiver Stream (Available in English, Tagalog, French, and Chinese)

<http://yourlegalrights.on.ca/resource/migrant-worker-guide-caregiver-stream>

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- Valiani, S. (2014). *Briefing Note: An analysis of the recently reformed Live-in Caregiver program in Canada*. Retrieved on March 23 from <https://salimahvaliani.wordpress.com/2014/11/04/briefing-note-an-analysis-of-the-recently-reformed-live-in-caregiver-program-in-canada/>