



# Employment and Social Development Canada

[Home](#) > [Jobs and Training](#) > [Temporary Foreign Workers](#)

## Hiring Live-in Caregivers and Nannies

The Live-in Caregiver Program (LCP) allows families to hire a foreign live-in caregiver, often called a nanny, when Canadian citizens and permanent residents are not available.

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|----------------------------------|-----------------|---|
| 1. Description                   | 2. Requirements | 3. Wages, Working Conditions and Occupation |
| 4. Recruitment and Advertisement | 5. How to Apply | 6. Next Steps                               |

### Recruitment and Advertisement

Employers are required to conduct recruitment efforts to hire Canadian citizens and permanent residents before offering jobs to Temporary Foreign Workers (TFW). However, there are cases where the employer is exempted from the recruitment and advertising requirement.

### Exceptions to the recruitment and advertisement requirements

#### Emergency situations – abuse victims

The recruitment and advertisement requirements are waived in all provinces and territories when the employer is hiring a live-in caregiver who is already in Canada, but has been forced to leave his/her current place of employment due to a situation of abuse.

Abuse may include physical violence or any intentional physical contact that causes injury, such as physical or sexual assault or psychological abuse (e.g. threats or intimidation).

An emergency processing of the new employer's labour market opinion (LMO) and the caregiver's work permit application is available to facilitate the fastest possible transition of the live-in caregiver to the new employer.

To be eligible for emergency processing, live-in caregivers must present documentation to Citizenship and Immigration Canada (CIC) from a professional such as a: doctor, medical professional, police officer, shelter worker, psychiatrist, psychologist or social worker, indicating abuse by their employer or someone in the employer's home.

#### Employer moving to another province/territory

The recruitment and advertisement requirements are waived in all provinces and territories, when the live-in caregiver moves with the employer to a different province or territory. However, the employer must apply to Employment and Social Development Canada (ESDC)/ Service Canada for a new LMO that reflects the changes in wages (if applicable) and the new location of employment.

The live-in caregiver must also contact CIC to ensure that the changes are reflected in his/her existing work permit.

#### Live-in caregiver – already in Canada

The recruitment and advertisement requirements are waived in all provinces and territories when the employer is hiring a live-in caregiver who is already in Canada. The caregiver may be unemployed and available for work or may be looking for a job in a new household. However, the employer must apply to ESDC/Service Canada for a new LMO.

The live-in caregiver must also contact CIC to ensure that the changes are reflected in her/his existing work permit.

## Recruitment

Recruitment is the process of finding and selecting qualified employees. All employers are encouraged to conduct ongoing recruitment efforts, including advertising the job or contacting the [underrepresented groups](#) that face barriers to employment.

Employers do not need a third-party representative or recruiter to conduct recruitment on their behalf in order to hire a TFW. However, if employers choose to use the services of a third-party representative or a recruiter, they must pay for all the fees associated with this service. Employers cannot deduct or recover these recruitment fees from the wage of the worker.

## Advertisement

A job posting is an announcement of an employment opportunity in a public medium such as newspapers, job posting websites, bulletin boards, etc. It provides a broad exposure of the vacancy to Canadian citizens and permanent residents in Canada who would be potential candidates for the position.

To meet the minimum advertising requirements, employers must advertise on the national [Job Bank](#) or its provincial/territorial counterpart in [British Columbia](#), [Newfoundland and Labrador](#), the [Northwest Territories](#), [Quebec](#) (jobs must be advertised in French and may also be published in another language) or [Saskatchewan](#). For the purposes of the Temporary Foreign Worker Program, in all cases, the advertisement must be posted under the employer's Canada Revenue Agency business number, whether the ad is being posted directly by the employer or by a third-party representative on behalf of the employer. The advertisement must be posted:

- for a minimum of 14 calendar days starting from the first day the ad appears and is accessible to the general public;
- during the 3-month period prior to the employer applying for an LMO;
- under the title or category of "Private household"; and
- for one live-in caregiver position only (one ad per position).

### Note:

Employers advertising positions on Emploi Quebec's Online Placement service should be aware that the [Terms of Use](#) have been updated, resulting in MAJOR changes to the **Language of work and language of publication** section. As a result, in order to have a position posted for an English speaking caregiver, the employer must select the language French AND English. In addition, no French words are allowed in the English advertisement (and vice-versa); otherwise it will be refused by Emploi Québec.

Although it is not required, employers are also encouraged to advertise:

- on recognized employment websites such as Monster, Workopolis;
- in local and regional newspapers, newsletters;
- in ethnic newspapers and websites;
- in local stores, places of worship, community resource centres; and
- in local and regional employment centres.

### The advertisement must include the:

- **Title:** Live-in caregiver (include for a senior, child or person with disability);
- **Terms of employment:** full-time and live-in;
- **Salary:** wage offered;
- **Location:** community/neighbourhood location or major intersection;
- **Skills requirements:**
  - Education: secondary school or equivalent. (If an individual with post-secondary education is targeted, the advertisement should indicate "post-secondary education is an asset" as the requirement for a live-in caregiver is secondary school or equivalent.

- **Experience:** Under the LCP, employers can only request an individual who has worked as a full-time caregiver or in a related occupation for a minimum of 1 year and up to a maximum of 2 years (including 6 months with the same employer) during the past 3 years. Although candidates may have more experience this would not be considered when assessing the application in order to ensure that all Canadians and permanent residents have an opportunity to apply for the available position.
- **Work setting:** private home;
- **Work location information:** reside in private household for the duration of employment; private accommodation will be provided; amount charged for the room and board (if applicable)
- **Employer's name:** for privacy reasons only the first name of the employer is required; however, it cannot be the name of a third-party representative or recruiter; and
- **Contact information:** telephone or cell phone number, email address, fax number, or mailing address. The contact information of an authorized third-party representative or recruiter can be used.

**Note:**

Third-party representatives or recruiters can be the main contact for any job advertisements posted on behalf of the employer. However, the ad must be listed under the employer's Canada Revenue Agency business number.

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## **Additional Advertisement Efforts**

Employers may be required to conduct alternative or additional advertisement efforts such as, increased duration (length of time) or broader advertisement (whether local, regional or national). These additional efforts would be required if Employment and Social Development Canada (ESDC)/Service Canada determines that it would likely yield qualified Canadian citizens and permanent residents who are available to work in the occupation and region.

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## **Proof of Advertisement**

Employers must demonstrate that they meet the advertising requirements by providing proof of advertisement and the results of their efforts to recruit Canadian citizens and permanent residents (e.g. copy of advertisement and information to support where, when and for how long the position was advertised). Records of the employers' efforts should be kept for a minimum of 6 years, as stipulated in provincial/territorial and federal legislation, such as the *Income Tax Act*. ESDC/Service Canada may request these documents for future assessments.

**Note:**

Advertisement criteria vary slightly in the province of Quebec. For further information, consult [Hiring Temporary Foreign Workers in Quebec](#).

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