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by Salimah Valiani, PhD

The recently announced reform of the Live-in Caregiver Program (LCP) may be lauded for one key change: elimination of the live-in requirement for temporary migrant caregivers entering Canada. This is a demand that has been made by live-in caregivers, feminists and trade unionists for at least three decades. In eliminating the live-in requirement, the government of Canada is finally acknowledging that a host of abuses occur when workers are forced to live with their employers, including forced overtime, under or unpaid overtime, excessive charges for room and board, and sexual abuse. In the text of the current reform, government explicitly acknowledges that the live-in requirement has kept the wage of temporary migrant caregivers artificially low. In turn, government assumes that with the lifting of the live-in requirement, the wage for carework will increase thereby drawing-in more Canada-based workers and lowering demand for temporary migrant caregivers. This assumption is problematic, particularly in the childcare sector, as discussed further below. Additionally, it should be noted that temporary migrant caregivers may elect to live with employers regardless of the lifting of the requirement given that carework is poorly remunerated and living independently is costly when added to other obligations typically carried by migrant workers including recruitment fees and remitting money to family back home. While stating in the reform that workers may elect to live with employers who will not be permitted to deduct room and board from wages, government does not provide for a means of enforcement to ensure that this and other abuses do not occur after workers arrive in Canada.

Though as many feared, the option to apply for permanent residency after completing two years of work (within four years) in Canada has not been totally eliminated from the LCP, it has been significantly narrowed. As of December 2014, the number of caregivers on temporary work permits and caring for children to be accepted as permanent residents will be limited to 2,750 principal applicants per year. The permanent residency cap will be applied specifically to temporary migrant caregivers hired to care for children in Canada, therefore not including those hired to care for the elderly or/and ill. Nevertheless, given that the LCP has historically been used primarily for the care of children, the new cap may be compared against past numbers of LCP workers granted permanent residency upon completion of two years of carework in Canada. The cap of 2,750 is significantly below the number of permanent residencies granted under the LCP in the past twelve years, as shown in Table 1. In more detail, the new cap of 2,750 is between 313 and 4,914 below the number of LCP workers accepted as permanent residents each year since 2005. Clearly, the cap does not include the permanent residencies to be (potentially) offered to family members of caregivers.

Table 1. Permanent Residency granted to Live-in Caregivers, 2003-2013

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
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Live-in caregivers, principal applicants

2,230 2,496 3,063 to your Inbox. 7,664 5,033 3,690 4,845^[1]

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Source: Facts and Figures – Citizenship and I

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In examining the number of temporary migrant workers *entering* Canada under the LCP in the past several years (Table 2), the new cap is cause for further concern. Though not steady, the number of LCP workers granted entry to Canada has exceeded 5,000 for most years since 2003. This is a reflection of the need for caregivers in a country where publically-provided, affordable care for children, the elderly and the ill is in severe shortage. This shortage is unlikely to fade given shrinking public spending in most provinces and nationally. With the creation of a ‘stream’ of temporary migrant providers of elder and medical care who can apply for permanent residency after two years of work in Canada (along with the attainment of certain Canadian credentials) in unlimited numbers, government seems to partly acknowledge this need. However, it is unclear that demand for temporary migrants to care for children will fall with the elimination of the live-in requirement, as government seems to assume. If it does not – in particular because temporary migrant caregivers tend to be better trained than the informally trained childcare providers who form the bulk of this labour force in Canada – and demand for temporary migrant childcare providers continues in the pattern of the past decade, the cap of 2,750 will eliminate the possibility of permanent residency to growing numbers of temporary migrant caregivers. By way of illustration, 2,750 is only 60 per cent of the number of LCP workers that entered Canada in 2002, the year in which the lowest number of LCP workers entered Canada in the last 12 years (2002-2013).

Table 2. Entries of LCP workers, 2002-2013

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	
Entries of temporary migrants under the Live-in Caregiver Program	4,664	5,007	6,624	7,103	9,050	12,930	11,848	8,740	7,521	5,878	6,242	4,671

Source: Facts and Figures – Citizenship and Immigration Canada, 2013

In closing, the 2014 reform of the Live-in Caregiver Program is problematic in several ways. In maintaining the two year requirement of ‘Canadian work experience’ as a condition for permanent residency for temporary migrant caregivers, it allows for the carrot-stick relationship between employers and temporary migrant caregivers to continue.^[2] In capping the number of migrant childcare providers to be accepted as permanent residents, the reform invites division and competition among workers already difficult to organize given their precarious immigration status.^[3] An acceptable reform would include, at minimum, immediate permanent residency for all temporary migrant caregivers (and other migrant workers needed in Canada), a living wage for *all* careworkers in Canada, and adequate public spending to create regulated, care programs for all those in need.

^[1] This is a preliminary figure according to CIC Facts and Figures 2013.

^[2] For elaboration of the ‘carrot-stick’ relationship, see “The Shift in Canadian Immigration Policy and Unheeded Lessons of the Live-in Caregiver Program”, at <https://www.ccsl.carleton.ca/~dana/TempPermLCPFINAL.pdf>

^[3] For an extensive exploration of the challenges and possibilities of mobilizing temporary migrant workers, including domestic and care workers, see “Mobilizing Temporary Migrant Workers – A Compendium of Forms and Preliminary Discussion”, at <http://www.socialistproject.ca/bullet/1014.php>

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