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New rules for federal live-in caregivers program

Ottawa has changed its decades-old live-in caregivers program to a two-stream program that will restrict the number of foreign nannies or caregivers it will accept.



VINCE TALOTTA / TORONTO STAR FILE PHOTO

Pura Velasco, a spokesperson with the Caregivers Action Centre, says the new changes are bad news for caregivers because the "pathway to permanent residency has been revoked."

By: Debra Black Immigration Reporter, Published on Fri Nov 28 2014

Ottawa has officially changed its decades-old live-in caregivers program to a two-stream program that will restrict the number of foreign nannies or caregivers it will accept.

Under the [program](#), which comes into effect Sunday, caregivers will no longer have universal access to permanent residence status after working in Canada for two years. They must now apply under two categories — those caring for children, and those caring for people with high medical needs.

Ottawa will allow 2,750 caregivers under both new streams to access permanent residency, for a total of 5,500 applicants a year.

A spokesperson for Immigration Minister Chris Alexander's says about 4,500 applicants have applied for permanent residence under the old program from 2011 to 2013.

The changes are bad news for caregivers, says Pura Velasco, a spokesperson with the [Caregivers Action Centre](#), a Toronto-based group with 1,000 plus members.

"The pathway to permanent residency has been revoked," says Velasco, a former caregiver herself. "It's gone."

Under the terms of the old program caregivers had a "guaranteed pathway to permanent residency," Velasco says. But not anymore, thanks to the annual cap.

The caregivers advocacy group says what's needed is permanent residency upon arrival for all caregivers. It's the only thing that would protect workers from abuse and allow them to speak up about abuses without risk of deportation.

According to the group's website, the annual average of caregivers who have come to Canada over the past five years is over 8,000 — well above the cap Ottawa has set.

To [qualify for permanent residency](#) caregivers must now have one year-post secondary study in Canada or a foreign diploma or certificate that has been given equivalency here.

Caregivers must also pass stringent language requirements — a Level 5 language test in either English or French, or if the caregiver is a registered nurse or a psychiatric nurse he or she must pass a Level 7 language test.

Under the new program Ottawa has removed the requirement that caregivers must live in — a move that has pleased some.

But Velasco is also very concerned about another change — Ottawa will no longer entertain humanitarian and compassionate appeals for caregiver's dependants.

“Previously we were able to fight for humanitarian and compassionate consideration,” she explained. But not anymore.

“If dependents are declared inadmissible, the caregiver will also be declared inadmissible.”

“That is new and it's too harsh. All these changes are so harsh and will push caregivers into more precarious employment.”

Another area of concern in the new regulations is that those who don't get permanent residency will be sent home after four years; caregivers will still have to find an employer who has an approved Labour Market Impact Assessment, and they will be tied to one employer and must complete two years of service under the program.

In an October news conference the Minister of Immigration said that the department will issue permanent resident status to 30,000 eligible caregivers (including their spouses and dependents) in 2015 to reduce the backlog.

The minister also said that Canada hopes to bring in between 260,000 to 285,000 new immigrants in 2015.

With files by Nicholas Keung