



CDWCR seeks to improve the lives and working conditions of caregivers and domestic workers through information, counseling, organizing, support networks, educational and training programs, referrals for legal advice and temporary accommodation.

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Preparing for PR Workshop: New Caregiver Program

The Vancouver Committee for Domestic Workers and Caregivers Rights held its workshop on Preparing for Application for Permanent Residency (PR) under the New Caregiver Program last October 15, 2017 as part of the Care-Net Project 2017. The workshop aimed to provide participants with information on the requirements to qualify and apply for permanent residency (PR). These included the list of documents and forms that are needed to apply for PR.

Following are the summary of we learned during the workshop:

- 1) A live-in caregivers who were already working in Canada with a Live-in Caregiver Program work permit, as well as caregivers who were approved for their first Live-in Caregiver Program work permit based on an employer's positive Labour Market Impact Assessment (LMIA) application that was submitted to Service Canada on or before November 30, 2014 could still apply PR under the Live-In Caregiver Program (LCP).
- 2) For those in-home caregivers who came under the Temporary Foreign Workers Program (TFWP),



Participants of the Preparing for PR workshop with LMIA submitted after November 30, 2014 , they could apply under the two new pathways for permanent residence for foreign workers with experience as caregivers in Canada. The two new pathways are: Caring for Children and Caring for People with High Medical Needs. Under the new Caregiver Program, caregivers must meet the work experience, education and language ability in order to be eligible to apply for PR. See table below for summary of requirements. (Continuation page 3.)

	Caring for Children	Caring for People with High Medical Needs
Work Experience at least 24 months of full-time work experience (at least 30 hours of paid work per week) in Canada in the four years (48 months) Canadian National Occupational Classification (NOC)	NOC Group 4411	Registered nurses and registered psychiatric nurses (NOC 3012), Licensed practical nurses (NOC 3233), Nurse aides, orderlies and patient service associates (NOC 3413), and Home support workers and related occupations (NOC 4412) . If you got your work experience in Canada as a registered nurse or registered psychiatric nurse (NOC 3012) or as a licensed practical nurse (NOC 3233), you must: prove that you are licensed to practice in Canada, proof that you are registered with the regulatory body, as required, in your province/territory at the time you apply.
Language ability: language test results must be less than two years old on the day CIC gets your application	Meet the minimum language levels of Canadian Language Benchmark (CLB) 5	For registered nurse or registered psychiatric nurse (NOC 3012), (CLB) 7 For (NOC 3233, NOC 3413 or NOC 4412), CLB 5
Education: Educational Credential Assessment (ECA) report must be less than five years old on the date that we receive your application.	Canadian post-secondary education credential of at least one year, OR a completed foreign education credential, and an original ECA to show it is equal to a completed Canadian post-secondary education credential of at least one year.	Canadian post-secondary education credential of at least one year, or a completed foreign education credential, and an original ECA to show it is equal to a completed Canadian post-secondary education credential of at least one year.

CAREGIVER'S PERSPECTIVE

I attended a workshop on Preparing for Permanent Residency under the Caregiver Program organized by the Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR) last October 15. I found the workshop very useful for us newcomers in Canada. The speakers showed us what documents to prepare to secure our status in Canada, what documents to prepare to apply for Permanent Residency and what documents to prepare to extend our work permit before it expires. I learned that there are documents that should not expire if we want to continue to stay and work in Canada. This is very important if we want to continue to help and support our families back home.

As far as I know, the frequent changes in the immigration policy that affect our application for permanent residency has resulted to more difficulties and more confusing to comply with the policy's requirements. The new policy called Caregiver Program has two pathways to permanent residency – Child Care pathway and High Medical Needs pathway. These pathways are a bit complicated. We need to make sure we stay in one of the pathways, we are performing what is in NOC, and we have achieved the academic requirements which are quite high. There is also the Language ability which is not required in the older policies. The waiting for the approval of the LMIA and the renewal of the work permit are long which makes us unemployed for almost six months, if we want to change employer or if our work permit has to be renewed.

Attending the different workshops organized by the CDWCR is really important not only for the newcomers but also for those who are still working as caregivers in Canada. The information they provide helps us a lot. Meeting and hearing the different stories from participants and CDWCR members at the workshop inspire us to be successful in staying and working here in Canada.

This article is written by one of the participants of the 2017 Care-Net Project-Lalaine Zamora. She is a caregiver who arrived in Canada as an In-home Caregiver under the TFWP. She hopes that by attending the series of workshops under the CDCWR Care-Net Project, the information she learned from the workshop would help her when she applies for PR under the new Caregiver Program and as she settles in Canada. Lalaine is also an active volunteer of CDWCR.

Q&A on Domestic's Issues

Ginny, a 27-year-old caregiver who arrived in Canada on May 11, 2016, as an In-home Caregiver under the TFWP attended the Care-Net Preparing for PR Workshop. She finds the workshop very helpful particularly the topics relating to the history of the Caregivers Program in Canada. During the workshop, she captured some of these questions that require further clarifications.

Q. As an In-home caregiver, do we need a new LMIA to apply in extending the work permit?

A. Yes, you can apply to extend a work permit from within Canada if the work permit you applied for outside of Canada is still valid. You may get an extension if you apply for your new work permit before your current work permit expires; and you and your employer sign a new employer-employee contract, and your employer gets a new Labour Market Impact Assessment (LMIA) from Employment and Social Development Canada that says the employer is allowed to hire you.

Q. Can we apply for Bridging Open Work Permit together with the PR Application?

A. If you are currently working in Canada and you have applied for permanent residence under the Caring for Children Class, or Caring for People with High Medical Needs Class, you may be eligible for a bridging open work permit if your work permit will expire in **four months or less**. This means you can keep working while we make a decision on your permanent resident application. Based on these requirements, if you are an In-home caregiver applying under either the two Caregiver classes, it appears that you can not apply for your open work permit at the same time with your PR application. You can apply for bridging open work permit only if you have already applied for PR and your work permit is expiring in four months or less.

Q. What will happen if the NOC in my contract does not say NOC 4411, mine says NOC 6474? Will I still qualify to apply for PR?

A. Yes, for example **an applicant with a work permit issued under NOC 6474 per the 2006 edition would be eligible to apply under the caring for children class, provided they demonstrate they meet the requirements specified in the 2011 NOC 4411 description.** For the periods of work experience claimed in the application, all applicants must demonstrate they performed both of the following: the actions identified in the initial lead statement of the NOC description; and a substantial number of the main duties, including all the essential duties, listed in the NOC description.

Q. If my employer doesn't want to give me the proof of employment that I need for PR application will it affect my application? What should I do?

A. Following are the acceptable proof of qualifying work experience: copy of your most recent work permit in Canada; employer reference letters for the periods of work experience identified in your application; copies of your T4 and your Notice of Assessment (CRA) (CIC Preferred), **OR** sufficient combination of other supporting documentation, such as record of employment from employer in Canada, work contracts, and pay stubs for the periods of work experience identified in the application. So, if your employer does not want to you a reference letter to support your work experience, you can use the combination of other proof listed to support your work experience.

Please visit the CIC website: www.cic.gc.ca. You can also call CDWCR at (604.874.0649) or West Coast Domestic Workers' Association (604.669.4482).

Preparing for PR... cont'd from page 1

- 4) Your application will **not** be processed and will be sent back to you : if you do not provide proof that you meet the minimum education requirement when you apply; if you do not provide **original** language test results that show you meet the minimum language levels when you apply. You will not have another chance to prove your language proficiency. The CIC officer will only use test results that you provide when you apply. Your application will be refused if you do not show that your work experience meets the NOC job description.
- 5) Complete applications under the new pathways will be processed within six months, according to the new program.
- 6) You can count the time that you have worked under the Live-in Caregiver Program towards the work requirement of either the Caring for Children Pathway or the Caring for People with High Medical Needs Pathway of the Caregiver Program, as long as your work experience meets the specific requirements of the pathway you plan to apply to, your work experience as a live-in caregiver in Canada may be counted towards meeting the work requirement of the Caring for Children Pathway or the Caring for People with High Medical Needs Pathway. You will also need to meet all other requirements to be eligible to apply through one of the pathways.
- 7) It is a serious offence to give false or misleading information on the application forms. The information you provide on your application is subject to verification. Be truthful! No misrepresentation. You must answer all questions on this application form unless indicated otherwise.
- 8) Cap on the number of applications CIC will process for caregivers. 2,750 applications from principal applicants each year for both the Caring for Children and the Caring for People with High Medical Needs pathways, for a total of 5,500. That does not include spouses and dependants.

How much money you should prepare to apply for PR under the Caregiver Program?

Application Fee (per person)

Your application

Processing fee (\$550) and right of permanent residence fee (\$490)

Total: **\$1,040**

Include your spouse or partner

Processing fee (\$550) and right of permanent residence fee (\$490)

Total: **\$1,040**

Include a dependent child : \$150

Other Expenses:

Proof of Language Proficiency: Ex: CELPIP (General test only): **\$265**

Proof of Education Equivalency: Ex: standard educational credential with ICES: **\$200.00**

Travel documents and passports and photos for application for you, your spouse and dependent children; cost of securing identity and civil status documents like Birth certificates, Marriage contracts...etc.; proof of medical examination; Police Certificates and Clearances; and postal service

Based on the discussion and questions from the participants, following are the issues we identified.

Our Predicaments:

- 1) At the time of work permit application, the caregivers are assessed based on the requirements of the NOC employment requirements, and not necessarily based on the PR eligibility requirements as per the Caregiver Program. The requirements to be eligible to apply for PR under the new caregivers streams are much higher than the old programs in terms of education. Some caregivers may not meet the required education of the new Caregiver Program pathways. As per the requirement of the NOC and old LCP, caregivers only require to complete secondary education. However, the new pathways require an equivalent to post-secondary education credential of at least one year.
- 2) There is cap on the number of applicants that can apply per year. If you miss the cap, you will have to wait for another year. We are not certain whether the application will be accepted if the quota is already met, and what will happen if after one has submitted the PR application including what will happen to all of the submitted documents that have expiration or validity dates.
- 3) Under the Live-in Caregiver Program, the Principal applicant is processed first and when approved in principle, her dependents would be processed next. Under the new Caregiver Program, it is not clear whether the principal applicant under the Caregiver Program can still apply on her own without processing her dependents, if the principal's dependent fail his/her medical.
- 4) We are concerned that the validity of the work permit is not standardized to four years so that it is aligned to the requirements that the two years work experience must be met within four years. There were some participants whose work permit will expire few days or even one day before they meet the two years work experience. Since a new LMIA is required to renew/extend work permit even for the same employer, this can be a challenge since the employer will need to apply for new LMIA and pay \$1000 again.
- 5) It is not clear whether caregivers who already applied for PR and want to continue working can apply for open work permit even if they do not have an employer.
- 6) Work experience is specific to the stream. You can not use work experience in more than one occupation to be able to apply for permanent residence through the Caring for People with High Medical Needs Pathway.

What We Asked the Canadian Government So Foreign Caregivers Achieve Justice and Equality in Canada:

- 1) Review the eligibility requirements of the Caregiver Program in terms of education; these should be based on the requirements of the job as per the NOC.
- 2) As an interim measure, provide open work permit to all foreign caregivers in Canada so they are not tied up to one employer.
- 3) All foreign caregivers already in Canada must be able to become PR after meeting the work experience.
- 4) Landed status upon arrival in Canada - if we're good enough to work, we're good enough to stay.

ANNOUNCEMENT

2018 Care-Net Project Schedule

Feb 4: Study on Caregivers Immigration and TFWP
Feb 25: Caregivers Immigration Workshop
Mar 18: Income Tax Preparation
Apr 15: Financial Workshop
Jun 10: Health and Wellness Workshop
Sep 9: Study on Employment Standards Act
Oct 14: Employment Standards Workshop
Nov 4: Assertiveness Training

2018 CDWCR EVENTS

May 6: CDWCR Annual General Meeting and Social Media Workshop
Jul 1: Canada Day Walk/Picnic
Aug 18: Summer Fundraising Dance
Nov 24: Pasko Na Naman V
Dec 15: CDWCR 26th Anniversary and Christmas Party

CDWCR AGM and Care-Net Workshop will be held at South Vancouver Adult Day Centre, 3076 E. 49th Ave. (and Kerr Street), Vancouver unless specified on flyer from 1pm to 4pm with Free Lunch from 12pm to 1pm. Other events' venues and times will be announced closer to the date of the events.



Care-Net Project is funded by BCGEU (British Columbia Government & Service Employees Union)

ANNOUNCEMENT:

Due to the increasing printing and mailing cost, CDWCR will be sending out copy of Newsletter to its members though e-mail. If you want to receive your copy through email, please send your email address and updated contact information to cdwcr.org@gmail.com. Print out can be availed by attending CDWCR workshops. Thank you for your understanding.

CARE-NET Project 2017 Updates

CDWCR also completed the Employment Standards Workshop under the 2017 Care-Net last September 10, 2017. Following were the resource speakers during the workshop: Arshdeep Dhillon, Employment Standards Officer – Employment Standards Board- BC; David Fairey, Co-chair of the Employment Standards Coalition; and Jonathon Braun, Legal Advocate – West Coast Domestic Workers' Association.

The last workshop for the Care-Net 2017 will be the Preparing for Retirement with resource speaker from Seniors First BC on November 26, 2017 at 1:00pm – 4:00pm.

All the workshops under the Care-Net Project were held at South Vancouver Adult Day Centre, 3076 East 49th Ave., Vancouver from 1pm to 4pm.

The Care-Net project is made possible through the funding provided by the BCGEU (British Columbia Government & Service Employees Union)

CDWCR invites you to celebrate our 25th Anniversary and Christmas Party



Saturday, December 9, 2017 5:00pm – 8:00pm

South Vancouver Adult Day Centre

(3076 East 49th Avenue (and Kerr Street) Vancouver)

To RSVP and for more information Please call @ 604-874- 0649 no later than Saturday, December 2, 2017

We wish to thank:

- BC Government and Service Employees' Union (BCGEU)
- Hospital Employees' Union (HEU)
- Movement of United Professionals (MoveUp)
- Vancouver and District Labour Council (VDLC)
- BC Employment Standards Coalition
- Vancouver Rape Relief and Women's Shelter (VRRWS)
- Westcoast Domestic Workers Association
- Immigrant Services Society of BC

We also want to acknowledge everyone's effort in putting our newsletter together. Thank you very much for all your contributions.

Membership Form Mail to: CDWCR PO Box 37033, Vancouver, BC V5P 3X0 For inquiries: (604) 874-0649

Yes, I want to help the Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR)

Sign me up! I want to become a CDWCR member (membership is \$5/year)

Date of Membership: _____

I would like to make a donation to CDWCR 's work. (Sorry, we are not registered for tax deductible donations.)

Name: _____

Address: _____

City: _____ Province: _____ Postal Code: _____ Email address: _____

Telephone Number : Home: _____ Cell: _____