

*Caregiver LMIA*s

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Hiring a TFW as a Caregiver

- In-home care for children, seniors or those with certified medical needs
- Must be full-time (30+ hours per week)
- Requires an LMIA-based work permit → employer-driven process
- Low-wage LMIA process
 - Exempt from the “cap”

Managing client expectations

- **Everything must be done by the book**
 - Employment contract setting out all terms including hours, wage, working conditions
- **Cannot over-tailor advertising to your desired candidate**
 - No languages other than English or French
 - No post-secondary education requirement for child caregivers
 - Wading through resumes, interviewing

Managing client expectations

- **Costs**

- **\$1000 fee UNLESS high medical needs OR gross annual income of \$150K or less**
- **Fees must be paid by the employer**
- **Need to cover transportation, initial healthcare**

Managing client expectations

- **Time Commitment**
 - **Direct employer involvement needed**
 - **Likely need to interview**
 - **Service Canada reluctance to communicate via representative**

Managing client expectations

- **Timelines**
 - Set up a separate CRA business number
 - Advertise for 4 weeks (account for JobBank delays!)
 - LMIA takes 6-8 weeks
 - Plus time for the work permit
 - 2-year maximum duration

Managing client expectations

- **May not be a pathway to PR**
 - **Current pilot pathways set to expire in November 2019**
 - **Caring for Children Class**
 - **Caring for Persons with High Medical Needs Class**
 - **Live-In Caregiver Program only for those who entered before 30 November 2014**

Advertising

- **Minimum requirements:**
 - **JobBank**
 - **Must use JobMatch feature**
 - **Plus two sources targeting two different under-represented groups**
 - **Four consecutive weeks**
 - **One ad must remain active until LMIA approval**

Advertising Tips

- Review TFW's background in detail
 - But can't over-tailor
- Be cautious of language regarding "live-in"
- Representative access to JobBank
- Need a reliable BF system
- Go beyond the minimum
- Help client through applicant tracking and interviews

Effective Representation

- **Joint retainer**
- **Clarity on employer's obligations throughout the process**
 - **Ensure understanding of compliance obligations from the outset**
 - **Follow up with reporting letter**

Thank You!



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