

Interim Pathway for Caregivers

to Apply for Permanent Residence in Canada

Applications must be made by June 4, 2019

In late February 2019, Immigration, Refugees and Citizenship Canada (IRCC) announced a new interim program for caregivers in Canada to apply for permanent residence.

The requirements under this interim program are intended to encourage home childcare and home support caregivers in Canada to apply for permanent residence now. The government also announced that two new 5-year pilot programs will soon be introduced to replace current caregiver pathway to permanent residency programs.

Applicants for the interim program must submit their applications to IRCC by June 4, 2019. Applications received by IRCC after June 4, 2019 will not be accepted for the interim program.

Applicants may be eligible for the interim program if:

- They hold a work permit, have applied to extend a work permit before it expired (implied status), or have applied to restore their worker status in Canada after it expired;
- They have worked in Canada for 12 months as a caregiver (with children or people with high medical needs or a combination of the two) since November 30, 2014 and have documents to confirm the work experience;
- They are not currently part of the live-in caregiver program. Applicants who were previously in the live-in program may apply if they have one year of additional work experience in Canada other than live-in caregiving since November 30, 2014;
- They are not otherwise inadmissible to Canada; and
- They have documents to show that they have:
 - met the level 5 language requirement in English or French (or have scheduled an exam and then provide proof of passing the exam);
 - successfully completed secondary (or higher) education in Canada or equivalent education abroad.

The requirements for this temporary program are less onerous than the requirements under the current caregiver immigration pilot pathways.

Eligible caregivers are encouraged to apply even if they do not have the documents required to establish the language and/or education requirements so long as they are in the process of obtaining the documents (they will have to provide proof that the documents are pending).

The fees for the program are the same as the fees for permanent residence.

The IRCC website has more information about the program, process and fees: <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/caregivers/interim-pathway.html>

The application process may be difficult to navigate so we recommend that people seek legal advice from an immigration lawyer.

Ontario's community legal clinics provide free legal services to people in their communities. Staff at many of Ontario's community legal clinics provide immigration law services. You can find information about community legal clinics on the Legal Aid Ontario website: https://www.legalaid.on.ca/en/getting/type_civil-clinics.asp

People living with HIV in Ontario can contact the HIV & AIDS Legal Clinic Ontario (HALCO) for free legal advice about any legal issue: <https://www.halco.org>

