

Caregiver Reforms in the Time of Elections

Early this month, an email invitation was circulated to members of the Filipino-Canadian community to attend a supposed "major policy announcement" by the former Minister of Citizenship and Immigration Canada (CIC) Jason Kenney at the Mt. Zion Church in Toronto. Based on the press release circulated shortly afterwards, the announcement simply reiterated the promises and pronouncements made by CIC Minister Chris Alexander in late October 2014 upon launching the supposed "Improvements to the Caregiver Program."

Excerpts from the related press release are reproduced in italics below while my non-italicized comments follow.

The Harper Conservative government remains on track to admit 60,000 caregivers in 2015 and 2016, the highest admissions for caregivers in Canadian history.

When the supposed improvements to the Caregiver Program was launched with much fanfare nearly a year ago, Minister Alexander also claimed that the government will eliminate the backlog of 60,000 permanent residence applications by 2016 - 30,000 of these will be processed by end of 2015 and the other half of 30,000 will be processed by 2016.

However, recent trends show that many of the processed caregiver permanent residence applications have resulted in refusals due to alleged non-compliance to requests for additional documents by CIC. That is, many were refused due to the failure of the applicants to respond to emails or letters allegedly sent by CIC requiring updated forms, supporting documents or immigration medical examinations for the applicants and/or their overseas family members.

In many cases, the applicants and dependents deny having received the CIC emails or letters or that they have actually submitted the additional documentation required. Yet, when these refused applicants tried to explain, clarify or request a reopening or reconsideration from CIC, many were still refused and simply instructed to submit new permanent residence applications with new fees, forms and other required documents. Aside from causing undue hardship to the refused applicants and their families, these permanent residence reapplications are even adding to the already huge backlog of pending caregiver permanent residence applications.

One can reasonably surmise therefore, that in the process of trying to eliminate the backlog, the government bureaucrats are either becoming too careless in tracking communications sent and received or are conveniently denying requests to rectify administrative or technical errors for the sake of expediency.

It might have been more newsworthy if Minister Kenney or Minister Alexander provided more specific and updated information not only on the number of applications processed but as to how many of these led to positive decisions as opposed to quick and convenient refusals.

The Conservative Government removed the requirement that a caregiver live in the home of their employer, provided additional pathways to permanent residency with better career options, and reunited families faster than ever before.

The removal of the live-in requirement under the new Caregiver Pathways is already a well-known fact and part of the Caregiver Program reforms which took effect in November 2014. Although the intent behind the removal of the live-in requirement is commendable, most of the so-called reforms are deemed prejudicial to caregivers due to the additional language and education requirements as well as limited quota in the number of applications to be accepted each year.

Moreover, the reforms have been causing some confusion in that many are unaware that those who came to Canada under the Live-in Caregiver Program (LCP) are still entitled to apply for permanent residence under the terms and conditions of the LCP and are not limited to applying under the new Caregiver Program. Since the new Caregiver Program is less preferred by many caregivers due to the added expense entailed by the official language test and educational credential assessment, many caregiver participants who apply under the old LCP continue to experience delays in their PR application processing and suffer prolonged family separation as a result.

Caregivers will receive permanent residence in less than a year, and in many cases within six months, a huge improvement over the previous program that had caregivers wait away from their families for 4-5 years.

Again, Minister Kenney simply reiterated the same promise made by Minister Alexander at last year's launch of the new Caregiver Program. In reality however, the expedited processing of PR applications is mostly felt only by applicants with no dependants. While the expedited processing of some applications is greatly appreciated, it seems unfair that the same benefit is not extended to caregiver applicants with dependent family members who still continue to experience long processing delays in obtaining their permanent residency.

Under the improved Caregiver Programs, 90% of all completed Labour Market Impact Assessments applications have been approved.

Since many prospective employers and employment agencies have been reporting high refusal rates for LMIA applications lately, this statement sounds specious if not accompanied by details on actual numbers and how a "completed" LMIA application is defined.

After first being elected in 2006, our Conservative Government acted quickly to reverse 13 years of Liberal failure on the caregiver program. Caregivers can continue to count on Conservatives to ensure they receive permanent residence and are reunited with their families quickly, and have a safe work environment.

Reiterating the very same promises and repackaging them as part of a "major policy announcement" regarding the Caregiver Program in the thick of a tightly-fought political campaign, sadly smacks of unabashed electioneering. The following last statement from the same press release actually makes this even more clear:

Since 2006, the Conservative Government has welcomed more than 271,000 Filipinos to Canada, an increase of 135% compared to the Liberals over the same period of time.

I thought that the press release is about a major policy announcement on Canada's Caregiver Program? A way of pandering to the Filipino-Canadian voters? Hopefully, Filipino-Canadian voters are smarter than they are being given credit for.

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