

Good afternoon. My name is Faye Arellano and I thank you for inviting me to participate in this important and timely hearing about a study on temporary foreign workers.

I am a former lead person of the Ministry of Social Justice and Caregiver Ministry under the Archdiocesan Filipino Catholic Mission in Toronto. It was a volunteer position that exposed me to the myriad problems faced by foreign temporary workers especially caregivers. And I would like to speak about my observations and recommendations for possible solutions and remedies to shortage of foreign temporary workers particularly caregivers.

It's a fact that Canada has relied on foreign caregivers for vital services to Canadian families with regard to their young children, elderly and loved ones with disabilities.

By employing caregivers, working families leave for work with peace of mind and confidence that their young children are being taken care of by reliable caregivers in the privacy of their homes. With Canada's ageing population, the need for care at home, long-term facilities and hospital will only continue to grow. And Canadians with disabilities also benefit from the care and support of a dedicated caregiver.

The current pandemic has obviously put a strain on the Immigration Department's ability to process applications. Immigration officers, who are working remotely, simply would not be able to process applications in the usual manner and could not be expected to provide accurate processing times to most applicants.

I would like to highlight some major findings in the course of my research.

On Home Child Care Provider Pilot and Home Support Worker Pilot.

- I personally do not know of any successful applicant who have made it to Canada under the current programs.
- I also inquired from lawyers, immigration consultants, social workers and settlement coordinators about successful applicants, but was told

the same thing that they were not aware participants who have been admitted.

- Finally, The Toronto Star reported of April 15, 2021, that there were only five applications processed under the current programs since its inception in 2019. One of these five was even withdrawn.

On Labour Market Impact Assessment (LMIA)

- The LMIA, which is still a requirement prior to issuance of work permits to temporary workers under the 2014 changes to the LCP. The LMIA is not only causing delay, but also undue hardships to caregivers applying for extension or renewal of their work permits.
- The processing fee of \$1,000 is exorbitant for employers, who are Canadian families, wanting to hire caregivers.
- It takes longer to process and there is always a risk that caregivers lose status before the process is completed.

- On Eligibility Criteria

- The education requirement proves to be a systemic obstacle to many caregivers. And this is despite the fact that those caregivers have already worked the job that they applied for in the first place. They were functional and successful in what they do in care giving and they paid taxes while working. The additional education requirement will likely lead to the caregivers working temporarily until such time that he or she is ordered to leave Canada.
- Many caregivers are failing the language tests. One caregiver describes the stressful experience of taking the four-part test as this, "All questions have to be answered under time pressure. At times, my mind went blank because I was very nervous."
- She passed the benchmark of Level 5 in listening, speaking and writing, but failed the reading part. And this means that she has to

retake all four parts of the test again and pay the fee of \$339 plus tax. Some caregivers are asking why they cannot just re-take that one part that they fail instead of re-doing the four parts again.

Recommendations

For caregivers trying to meet requirements for work permit or PR

- The fact that LMIA is no longer a requirement under the current two pilots. It will be consistent and will make more sense in streamlining the process if LMIA is also waived under the 2014 pathway programs.
- Allow cumulative scores for language tests which will may result in higher chance of passing the exams. Combined test scores for may mean more caregivers passing the language test and will reduce the financial burden of re-taking the test.
- I call on the IRCC to remove the caregiver program under its current economic immigration programs. The federal caregiver program has been around for the last three decades. The LCP, which ran from 1992 to 2014, was an important source for those families needing caregivers. The program may have its flaw, but it gave more caregivers a chance to become permanent residents. However, starting 2014 participants lost their automatic path to permanence. Caregivers, who, despite having toiled for many years in Canadian households, are refused PR.
- I also recommend the removal of the language and educational requirements, which did not exist prior to 2014 changes that prevent these caregivers from obtaining their PR.

It is such a welcome news to hear Minister Mendicino announced new initiatives to prioritize the granting of permanent residence status to 6,000 caregiver applicants, who have been waiting in queue. This will benefit those caregivers who have managed to maintain valid temporary resident status while waiting for their PR.

However, there's is a vast number of caregivers who will certainly remain on the margins society. Mostly due to no fault of their own, these people have lost their legal status. Their lives are in limbo. They are undocumented and are, therefore, exposed to further vulnerability, abuse and exploitation.

I respectfully request that this Committee support, and that Minister Mendicino implement, an amnesty program to regularize out-of-status caregivers.

These potential workers are already here, bringing them into the light and regularizing their contributions be it in terms of taxes, filling the shortages in essential workers or as caregivers could only mean benefits for Canada to continue to grow its economy post-pandemic.

The caregiver amnesty program may be patterned after the temporary policy used in 2020 for out-of-status construction workers. The minimum requirements and qualifications may mean more caregivers will have a second chance to work legally and have a shot at PR.

Conclusion

We live in an unprecedented time that calls for innovative, creative and calibrated approaches to address shortages of temporary workers especially for those needing personal care whether at home, long-term facilities and hospitals. Now is the time to value the care work and vital contributions that caregivers provide to Canadian families.

Canada has a proud tradition of welcoming immigrants and we believe that communities are strengthened when we unite to support those who want to build a better Canada, especially the most vulnerable sector. COVID 19 has impacted the processing of caregiver applications. The more important question though is: how can foreign nationals willing and able to work as home care workers and home childcare providers help Canada recover from the pandemic, and help Canada grow?

The Minister has said repeatedly that immigration will be key to Canada's growth post-pandemic. I would respectfully put to you, to the honourable

members of this committee, to the Minister, to the Prime Minister, and to all Canadians, that the support of caregivers will ensure that other sectors of the labour market can do their part in supporting Canada's post-pandemic growth agenda.

If Canada wants younger skilled professionals, a majority of those young professionals will be actively in the labour market if they have people helping them care for their young children. And as the baby boomers grow older, their needs for care will change, and having people helping them with their home care needs will allow their partners and children stay employed and working. Take caregivers away, limit their numbers, block their path to becoming permanent members of this ecosystem, would mean that you remove more skilled workers from the labour market, and instead of growing our economy this will stunt its growth.

With the pandemic still upon us, now may be the appropriate time to consider a compassionate approach to solving the labour market shortage and the problems faced by undocumented caregivers.