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At BorderLaw® we are, first and foremost, immigration law experts. Our exclusive focus means that we are able to provide expert advice and comprehensive services in an increasingly complex area of law.

PERSONAL SERVICES

When you contact us, you deal with a qualified and experienced lawyer who will take the time to identify and address your specific immigration issues.

FLEXIBILITY

We can help with a specific immigration problem or develop your business immigration plan. We provide services on a fixed fee basis or bill hourly, in US or Canadian currency, as per our clients' request.

REFERRALS

We value referral relationships. Because of our restricted practice area, we regularly assist Canadian, US & international law firms. We work hard to support you and your clients.

ACCOUNTABILITY

Qualified and licensed in Canada and the US, at Borderlaw® we adhere to stringent regulatory requirements applicable to practice, accounting and ethical conduct, in both countries.

BEREZOWSKI'S BORDERLAW®

*** UPDATE ***

To: Berezowski Business Immigration Law Clients
From: Nan Berezowski, Barrister & Solicitor
Date: March 7, 2019
Re: Taking Care of Caregivers

Canada has had a number of foreign caregiver programs over the years. Each has worn the mark of the government of the day. In this context, it is not surprising that the Minister of Immigration, Refugees and Citizenship, Ahmed Hussen, announced on February 23, 2019 changes to the current programs which were designed and implemented by the Harper Conservatives. Later this year, Immigration, Refugees & Citizenship Canada (IRCC) will unveil two new five-year pilot programs:

1. the Home Child Care Provider Pilot; and
2. the Home Support Worker Pilot.

The programs will replace the "Caring for Children" and "Caring for People with High Medical Needs" pilot programs that expire on November 29, 2019.

The details of the two new pilot programs have yet to be provided; however, there are some indicators of what to expect. These early signs speak to a more facilitative approach - one that considers the aspirations of care workers and their families. For instance, we have learnt that:

- Care workers will be able to apply for Study Permits for their children and Open Work Permits for their spouses or common-law partners;
- IRCC will assess whether a care worker meets requirements for permanent residence *before* she or he is approved for a Work Permit and comes to Canada;
- Once in Canada, the main criteria for Permanent Residence remaining will be a two-year work experience requirement; and
- Care workers will have improved ability to change employers.

The Minister has also announced a new "Interim Pathway for Caregivers" that will open shortly, albeit, for only three (3) months ~ from March 4, 2019 until June 4, 2019. This program is intended to provide a pathway for certain care workers who ceased to be eligible for permanent residence following the introduction of the "Caring for Children" and "Caring for People with High Medical Needs" pilot programs in 2014. To qualify, care workers must:

- Be admissible to Canada;
- Have a valid work permit or be awaiting a decision on an application to extend a work permit or restore status as a worker;

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The principal lawyer at Berezowski Business Immigration Law, I am an internationally recognized Canadian lawyer (Ontario) and a licensed US Attorney-at-Law (New York) who has been featured in Who's Who Corporate Immigration for over a decade.

- Have at least 12 months of full-time work experience since November 20, 2014 as a home child care provider (NOC 4411) and/or home support worker (NOC 4412);
- Have taken an IRCC-approved language test and scored at least CLB 5 in English or NLCL 5 in French in all language abilities;
- Hold a Canadian secondary school diploma or its equivalent; and
- Intend to reside in a province other than Quebec.

The new programs acknowledge and appear to address many of the problems with the present and earlier care worker programs. We are cautiously optimistic therefore that the immigration challenges that care workers, and their employers, face will indeed become more manageable.

Nan Berezowski (BA. LL.B, LL.M) compiled this Update with the latest available information for the general information of Berezowski Business Immigration Law clients and other interested parties. This Update is not comprehensive and should not be relied upon without appropriate legal advice.