IMPEDIMENTS TO BELONGING: ECONOMIC PRECARIOUSNESS AFTER THE LIVE-IN CAREGIVER PROGRAM

ETHEL TUNGOHAN is a Grant Notley Postdoctoral Research Fellow in the Department of Political Science at the University of Alberta.

RUPA BANERJEE is an Associate Professor of Human Resources and Organizational Behaviour at Ryerson University.

WAYNE CHU is a planning analyst with the City of Toronto.

PETRONILA CLETO is Secretary-General of Gabriela-Ontario.

CONELY DE LEON is a PhD candidate in Gender, Feminist, and Women's Studies at York University.

MILA GARCIA is Research Director of the Community Alliance for Social Justice.

PHILIP KELLY is a Professor of Geography at York University and Director of the York Centre for Asian Research.

MARCO LUCIANO is the Secretary-General of Migrante-Canada.

CYNTHIA PALMARIA was the Chairperson of Gabriela-Ontario and is now a member of Migrante-Alberta.

CHRISTOPHER SORIO is a member of Migrante-Canada.

This study assesses the economic precariousness faced by Filipina live-in caregivers after completing the Live-in Caregiver Program (LCP). Using focus group interviews, we find that live-in caregivers' unique pathway to immigration lead them to face economic challenges that are distinct from other immigrants. Not only do live-in caregivers face onerous employment conditions under the LCP, but they also have difficulties transitioning into the Canadian labour market because they face the following challenges: being stigmatized when entering the Canadian labour market, having to take costly educational upgrading courses while simultaneously working in "survival" jobs, and having to be their families' sole breadwinners. We conclude by reflecting on the recent changes in the Live-in Caregiver Program and providing policy recommendations. This article summarizes the following published article: Tungohan, E., R. Banerjee, P. Cleto, C. De Leon, M. Garcia, P. Kelly, M. Luciano, C. Palmaria, and C. Sorio. (2015). "Impediments to Belonging: Economic Precariousness During and After the Live-in Caregiver Program", Canadian Ethnic Studies, 47(1), 87-105.

Over the past two decades, increasing numbers of foreign workers, primarily from the Philippines, have entered Canada through the Live-In Caregiver Program (LCP) to meet the childcare needs of working parents and the elder-care needs of an aging population (see Kelly et al. 2011). A main draw of the LCP for applicants is the opportunity to apply for permanent resident status upon completion of the program requirements.

However, the program has received significant criticism. The gendered and racialized nature of caregiving work and some of the legislated requirements of the LCP made caregivers particularly vulnerable to exploitation and abuse (Spitzer and Torres 2008). Studies have found many instances of contract violations and breaches of employment standards legislation (Chang 2000; Bakan and Stasiulis 2005; Spitzer 2008). The sense of isolation of living within the employers' home is often exacerbated by the deskilling and downward occupational mobility that many caregivers experience (Pratt 1999, 2004). Live-in caregivers themselves have been vocal about these violations and have successfully campaigned for policy changes to the LCP such as strengthening penalties against abusive employers (Velasco 1992; Elvir 1997; Tungohan 2012). However, many live-in caregivers still withstand exploitative conditions to get the opportunity to obtain permanent resident status in Canada.

The question of whether live-in caregivers' vulnerabilities disappear after they finish the LCP's program requirements remains. There is the expectation among policymakers and live-in caregivers that their lives in Canada will improve upon the acquisition of Canadian permanent residency and citizenship. It is assumed that most would seek to upgrade their occupational status as soon as possible after achieving permanent resident status. However, we know from previous studies that new immigrants in Canada face barriers to their employment integration, such as the devaluation of foreign education and work experience (Aydemir and Skuterud 2005) and challenges in obtaining occupational licences (Girard and Bauder 2007). The difficulties of family reunification present additional barriers impeding live-in caregivers' settlement in Canada (de Leon 2009; Pratt 2010; Tungohan 2012).

In order to investigate the settlement and integration issues facing live-in caregivers when transitioning out of the LCP, we undertook a research project between 2012 and 2015 titled "Life After the Live-In Caregiver Program: The GABRIELA Transitions Experiences Survey (GATES)". This study was a collaboration between lead community partner, Gabriela-Ontario, as well as Migrante-Canada and Community Alliance for Social Justice and academic partners at Ryerson and York universities. Based on the principles of Participatory Action Research (PAR), the goals of the project were to collect detailed data on the transition experiences of live-in caregivers once they had completed the program requirements and received either open work permits, permanent residency or Canadian citizenship. We collected survey data from 631 former LCP workers from across Canada (Greater Toronto Area, Vancouver, Calgary, Edmonton, Montreal, and Ottawa), as well as focus group data from over 40 focus groups. Through our data, we were able to provide a detailed overview of how LCP workers were faring in three major areas: labour market integration, health and well-being, and their use of "settlement' services provided by the federal and provincial governments.

This paper focuses on the first area of research. Specifically, we look at live-in caregivers' employment vulnerabilities after they have completed their time in the LCP. This is a particularly pressing issue as very large numbers of LCP applicants have been granted permanent residency in the last two years. Over 17,000 caregivers and their dependents were granted permanent residency in 2014, and a backlog of 60,000 or more is currently being processed. Through our focus group interviews in Toronto, Edmonton and Vancouver, we argue that former live-in caregivers face many of the same obstacles as new immigrants but also have to withstand a number of other specific issues given their unique path to immigration. We conclude by reflecting on the recent changes in the Live-in Caregiver Program and providing policy recommendations.

EMPLOYMENT VULNERABILITY AFTER THE LCP

All participants were ecstatic once they received their open work permits. Although some of these women continued to live and work with their employers, the fact that they had the option of leaving without having to worry about whether they were running out of time to complete the terms of the program was a source of relief. Moreover, obtaining work permits brought them a step closer to getting permanent residency and being reunited with their families.

DIFFICULTIES WITH LABOUR MARKET INTEGRATION AFTER THE LCP

Of course, having open work permits did not mean that their economic struggles abated. For most respondents, entering the Canadian labour market was challenging. They discussed the depressing process of regularly searching and applying for jobs without much success. Other studies have shown that Filipina live-in caregivers have training and work experience in a range of professions in different countries but are most likely to be relegated to "low-skilled' forms of employment (Kelly et al. 2009), and this certainly applied to the women we interviewed, who experienced a mismatch between their actual skills and the jobs that are available to them in Canada.

Furthermore, like other newcomers to Canada, their lack of "Canadian work experience" appeared to hinder their applications. Their work as live-in caregivers did not seem to count

as "Canadian work experience" and, in some women's minds, actually worked against them. This gave rise to pessimistic feelings about prospects in the labour market. The women we interviewed who were quickly able to find employment outside live-in care work frequently did so through existing connections. Because of the challenges they faced finding employment, some respondents felt they had little recourse but to return to care work despite having open work permits.

CHALLENGES ASSOCIATED WITH TAKING EDUCATIONAL UPGRADING COURSES

Eighty percent of the women we interviewed had bachelor's degrees. Despite their degree credentials, they were all aware that in order to be competitive in the Canadian job market, they needed to take educational upgrading courses since their university degrees from the Philippines are not recognized. The fact that live-in caregivers are forbidden from taking courses lasting for more than six months while completing their live-in requirement under the LCP adds further delays to their ability to transition out of care work, further presenting hurdles to their settlement. Adding to these delays were the long waiting lists for certain courses, which either dissuaded respondents from taking these courses or made them consider taking courses from private colleges, which were more expensive but could be started immediately.

Some of the women in our focus groups who needed to take courses in order to be able to work in the professions they held in the Philippines expressed frustration with the entire process. Not only did they have to pay professional associations in Canada a fee to assess their credentials and work experiences, they also had to set funds aside in the event that they were asked to return to school. Going back to school was difficult because it was costly, time-consuming, and offered no guarantees of a job afterwards.

THE PRESSURES OF BEING THEIR FAMILIES' SOLE BREADWINNERS

Because the women we interviewed acted as their families' sole breadwinners, the economic pressures they felt were intensified. Not only did this mean that they were aware that the money they spent on taking courses could have gone towards more pressing matters, thus providing further disincentive for them to resume their studies, but it also meant that they were willing to delay the pursuit of their professional aspirations in order to find jobs that allowed them to immediately fulfill their financial obligations.

Hence, getting their open work permits came with the increased expectation to now start earning and saving funds in order to pay for permanent residency applications, the costs of airplane fares and new dwellings for their families, and other expenses required for their families' settlement.

Obtaining permanent residency and finally being reunited with their families also magnified their financial burdens. Our respondents who were reunited with their families were relieved that they were no longer separated from their loved ones but the added costs of having to pay for their families' expenses in Canada heightened their economic vulnerability. They observed that paying for their families' expenses in the Philippines was easier because favourable exchange rates ensured that their salaries went further.

RECENT POLICY CHANGES AND RECOMMENDATIONS

In October 2014, the federal government announced significant changes to the Live-In Caregiver Program (LCP), creating new categories and conditions for the granting of permanent residency and removing the requirement to "live-in'. The new program introduced two streams of caregivers: those working in childcare and those caring for individuals with "high medical needs", which primarily includes elder care and care of individuals with disabilities. Each of the two streams will now have caps of 2,750 applicants per year. Some have welcomed at least some of the changes, but many caregiver advocates see the revised program as highly problematic.

The removal of the live-in requirement is a positive step and is seen by many migrant advocates as evidence that their campaigns drawing attention to the abuses emerging from this requirement were successful. However, two elements remain that enshrine caregivers' vulnerability: first, caregivers are still tied to a single employer and second, they still have to go through a period of "indentured servitude" before they can apply for permanent residency. A better solution would have been to tie the caregiver to the occupation rather than the employer. To reduce if not eliminate precariousness, caregivers should be granted permanent residence upon arrival.

There are also several provisions that applied in the old Live-in Caregiver program but do not appear in the new program: the option of accumulating the necessary service in the program through 3900 hours of work rather than 24 months; the quick issuance of open work permits; the "Juana Tejada Law", which removed the second medical examination before permanent residency; the ability to move across streams (e.g. from child care to "high medical needs"). The caps on pathways to permanence, and the additional conditions in terms of educational credentials and language skills, mean that the right to apply for PR status is no longer a central part of the caregiver program. Even if caregivers successfully meet new language and licensing requirements, their ability to get permanent residency is no longer guaranteed. The caps established are lower than the number of arrivals in the LCP in recent years. It is not clear what will happen if the numbers applying for PR exceed the quotas.

The integration of various "high medical needs" caring occupations is shifting the caregiver immigration category outside of home-based care into other kinds of facilities. This appears to raise the possibility that nurses and other healthcare workers will now be incorporated into this two-step immigration, which is likely to lead to deprofessionalization. More broadly, the new caregiver program is part of a wider movement towards an "Express Entry" system in which all workers are made more subject to employer demands.

The requirements for the high medical needs pathway are particularly onerous, requiring educational and professional certifications that are practically available only to people who are already residing in Canada. Several questions remain. What are the criteria for licensing? Does this mean that candidates under this stream will have to get accredited *before* or *after* coming to Canada?

By recognizing the economic contributions that caregivers offer to Canada, and engaging in open and transparent consultations with affected stakeholders, the caregiver program can be improved so that current and former live-in caregivers have the security of status in Canada.

REFERENCES

AYDEMIR, A. AND MIKAL S. 2005. Explaining the Deteriorating Entry Earnings of Canada's Immigration Cohorts: 1966-2000. Canadian Journal of Economics 38.2: 641-671.

BAKAN, A. AND D. STASIULIS. 2005. Negotiating Citizenship: Migrant Women in Canada and the Global System. Toronto, ON: University of Toronto Press.

CHANG, G. 2000. Disposable Domestics: Immigrant Women Workers in the Global Economy. South End, MA: South End Press.

DE LEON, C. 2009. Activism and Post-reunification Reconciliation Among Pinay Domestic Workers and Adult Daughters in Canada. Canadian Woman Studies, 27.3: 68-72.

ELVIR, M. 1997. "The Work at Home is Not Recognized": Organizing Domestic Workers in Montreal. Not One of the Family: Foreign Domestic Workers in Canada, eds. Abigail Bakan and Daiva Stasiulis. Toronto, ON: University of Toronto Press, 147-156.

GIRARD, E. AND H. BAUDER. 2007. Assimilation and Exclusion of Foreign-Trained Engineers in Canada: Inside a Professional Regulatory Institution. Antipode 39.1: 35-53.

KELLY, P., M. ASTORGA-GARCIA, E. ESGUERRA, AND CASJ. 2009. Explaining the Deprofessionalized Filipino: Why Filipinos Get Low-Paying Jobs in Toronto, CERIS Working Paper 75. Toronto, ON: CERIS.

KELLY, P., S. PARK, C. DE LEON, AND J. PRIEST. 2011. Profile of Live-In Caregiver Immigrants to Canada, 1993-2009. Toronto, ON: Toronto Immigrant Employment Data Initiative (TIEDI) Analytical Report #18.

PRATT, G. 1999. From Registered Nurse to Registered Nanny: Discursive Geographies of Filipina Domestic Workers in Vancouver, B.C. Economic Geography 75.3: 215–236.

PRATT, G. 2004. Working Feminism. Edinburgh: Edinburgh University Press and Philadelphia: Temple University Press.

PRATT, G. 2010. Circulating Sadness: Witnessing Filipino Mothers' Stories of Family Separation. Gender, Place, and Culture 16.1: 3-22.

SPITZER, D. 2008. Live-In Caregivers in Rural and Small City Alberta. Edmonton, AB. Prairie Metropolis Centre, 30 pages.

SPITZER, D. AND S. TORRES. 2008. Gender-Based Barriers to Settlement and Integration for Live-In Caregivers: A Review of the Literature. Toronto, ON: The Ontario Metropolis Centre.

TUNGOHAN, E. 2012. Reconceptualizing Motherhood, Reconceptualizing Resistance: Migrant Domestic Workers, Transnational Hyper-Maternalism, and Activism. International Feminist Journal of Politics 15.1: 39-57.

VELASCO, P. 1992. An Open Letter to the Minister of Employment and Immigration. Personal Communication. Canadian Women's Movement Achives. University of Ottawa.