

## **Renewing a Work Permit with Current Employer under 4 years in the LCP**

*This fact sheet explains the law in general. It is not intended as legal advice for your particular problem. Because each person's situation is different, you may need to seek legal advice. A lawyer at MWC reviewed this information in May 2018.*

### **Who is this fact sheet for?**

This fact sheet is intended for caregivers who:

1. hold a valid, non-expired work permit,
2. are seeking to renew their permit for their **current** employer, AND
3. have been in Canada for less than 4 years.

The work permit you receive when you enter Canada may be valid and allow you to work in Canada for a maximum of four years plus three months.

**It is illegal to work in Canada without a valid work permit.** You **MUST** renew your work permit if it expires. If you do not extend your work permit or apply for a new work permit, you will be without status and you might have to leave Canada.

### **How do I know when my work permit expires?**

The date when your work permit expires is on the work permit on the top right side under the heading 'Valid Until'.

### **When should I apply to extend my work permit?**

You should apply to extend your work permit **at least 30 days before the expiry date**. If you submit your application before your work permit expires, and a decision has not been made on your application by the end of the prior authorized period, then your authorized period is deemed extended until either the day on which your application is refused or until the end of your new authorized period. This is called **implied status**. Under this status, your initial work permit restrictions will apply.

### **How do I apply to extend my work permit?**

Obtain Form IMM 5710 online at: <http://www.IRCC.gc.ca/english/pdf/kits/forms/imm5710E.pdf>

Complete the form with the detailed instructions provided below.

### **How to fill out the *Application to Change Conditions, Extend my stay or remain in Canada as a Worker (IMM 5710)***

You must answer **all questions** on the form **on the computer**. You have the option of saving the form and completing it later.

You may use the following explanations as guidance to help you complete the form.

Question	Action
1	'UCI' is your Client ID Number (8 digit number of your work permit)
3	Select 'A work permit with the same employer'
<b>PERSONAL DETAILS</b>	
2	<p><b>Nick names</b>            Check the box to indicate if you ever used any other name. This could include your birth name, maiden name, married name, nick name, etc.            If you checked "<b>Yes</b>", type any other <b>family name</b> that you have ever used.</p>
7	<p>From the list, select '<b>Worker</b>'            Provide the dates (From-To) to indicate how long you have had this status.</p> <ul style="list-style-type: none"> <li>- 'From'- This is the date when you entered Canada</li> <li>- 'To'- The date on which your current work permit expires [top right hand side]</li> </ul>
8	<p>Check the box to indicate whether you have lived in any country other than your country of citizenship or your current country of residence for <b>more than six (6) months in the past five (5) years.</b></p> <p>The dates (From – To) you were living in that country. <b>Do not leave any gaps.</b></p>
10	<p>Check the box to indicate whether you have previously been married or in a common-law relationship. If you checked "<b>Yes</b>", provide the:</p> <ul style="list-style-type: none"> <li>• Family name(s),</li> <li>• Given name(s),</li> <li>• Type of relationship:               <ul style="list-style-type: none"> <li>○ Common-law, <b>or</b></li> <li>○ Married, <b>or</b></li> <li>○ Conjugal</li> </ul> </li> </ul> <p>Dates (From – To) for which you were in the relationship with your previous spouse/common-law partner.</p>
<b>COMING INTO CANADA</b>	
1	<p>Date you <b>originally entered</b> Canada</p> <p>Place: Enter the <b>original port of entry</b> into Canada. For example, if you entered at a Toronto port of entry then the answer is 'Toronto' even if you are currently employed in Vancouver.</p>
2	<p>Select 'Work' for Purpose of Visit.</p> <p>If you chose 'Other' in 2(a), provide reasons.</p>

<b>DETAILS OF INTENDED WORK IN CANADA</b>	
1	A. Select 'Live-in Caregiver Program'
7	This is <b>only</b> applicable if you work in Quebec
<b>EDUCATION</b>	
Provide details for Post-Secondary education ONLY. Include University, college or apprenticeship training. This does NOT include your high school credentials.	
<b>EMPLOYMENT</b>	
Provide details of your employment for the last 10 years. <b>Do not leave any gaps in your employment history.</b> Include dates for times when you were unemployed.	
<b>TO COMPLETE THE APPLICATION</b>	
Once the application is completed, click on the 'Validate' button located at the top or bottom of the form and print your application form. This will generate a <b>barcode page</b> (page 5 of 5). <b>Include this page when submitting your application.</b>	
Sign and date the box at the bottom of the page.	

### What additional documents do I need along with my application IMM 5710?

Along with your application IMM 5710, you must **also send the following documents** in your application package to Citizenship and Immigration Canada:

- a. Document checklist [IMM 5556]: <http://www.cic.gc.ca/english/pdf/kits/forms/IMM5556E.PDF>
- b. Photocopy of your passport, which must be valid for at least 12 more months.
- c. Photocopy of your current work permit
- d. A letter from the employer which includes your employment contract including specific details about your job (full-time live-in caregiver), wages and working conditions.
- e. **Proof of Payment - Stamped Receipt:**
  - a. To pay the \$155 fee and get a receipt to include in your application, you can:
    - i. **Pay online** at <https://eservicesak.cic.gc.ca/epay/welcome.do?lang=en>
      1. Click on 'Continue'
      2. Read the 'Terms and Conditions'. Check the box next to 'I have read the above terms and conditions'. Click on 'Continue'
      3. Click on 'Immigration'
      4. Click on 'Temporary Residence'.
      5. Write '1' in the box next to 'Work Permit- Including Extensions'. Click on Submit
      6. Ensure the amount is \$155. Click on Pay

Once you have paid the fee, you must print a fee receipt. Make sure you complete by hand the 'Payer Information' Section. Attach the bottom portion (copy 2) of this receipt to your completed application.

IRCC

**What happens next?**

Once you send your application to Immigration, it should take approximately 2-3 months for your new work permit to be issued as long as IRCC does not see any issues with your application. Processing times may vary and are regularly updated on IRCC’s website. You can view the current processing times for work permit renewals on IRCC website at: <http://www.cic.gc.ca/english/information/times/temp.asp>

**What if I have additional questions that are not answered in this fact sheet?**

If you have any questions or concerns not addressed in this Fact Sheet, please visit the Migrant Workers Centre and ask to speak with the Legal Support Coordinator. You can reach us by calling at 604-669-4482 or toll free at 1-888-669-4482

Attach:

1. Application form IMM 5710
2. Include a document check list
3. Attach employment contract template live-in Caregiver employer/ employee contract. <http://www.cic.gc.ca/english/pdf/pub/LCP-contract-template-eng.pdf>

**FINAL PAGE-** Employer’s letter

Date

To Whom It May Concern:

Re: \_\_\_\_\_

I am writing in support of Ms. \_\_\_\_\_ application for a work permit in the live-in caregiver program.

Ms. \_\_\_\_\_ has been employed as my full time live-in caregiver since \_\_\_\_\_. Her primary responsibility is to care for \_\_\_\_\_. I am offering Ms. \_\_\_\_\_ an hourly wage of \$ \_\_\_\_\_ per hour for approximately \_\_\_\_\_ hours of work per week.

I have been extremely happy with Ms. \_\_\_\_\_’s performance, and wish to renew her contract until \_\_\_\_\_, according to the terms of the attached contract.

Please do not hesitate to contact me if you need to confirm the above. I can be reached at 604-\_\_\_\_\_.

Sincerely,

Signature \_\_\_\_\_ (Name)  
 \_\_\_\_\_ (Address)