

## **Labour, Skills and Immigration (LSI) Policy Service Home-based Businesses**

### **Purpose**

The purpose of this policy is to further the objectives of the Nova Scotia Nominee Program (NSNP) and the Atlantic Immigration Program (AIP) to support employers with chronic labour needs and skill gaps throughout the province while maintaining strong program integrity and supporting the settlement and retention of newcomers to the province. This policy applies to businesses that have a chronic labour need and are not operating from a commercial office space.

### **Definition**

#### **Service Home-based Business:**

A place of business that is a secondary use of a residential dwelling where most or all employees work off-site (not at the home-based business location). Specifically, a portion of the residential dwelling (or an accessory building to the residential dwelling on the same property as the residential dwelling) is used for business operations and gainful employment. This applies to businesses that are providing a service off-site and not at the home-based business location such as but not limited to home care, landscaping, construction, or a trade (e.g., electricians, carpenters).

### **Application**

- The policy applies to NSNP and AIP applications where the candidate will work for a service home-based business as defined in this document. This policy does not apply to the Entrepreneur or International Graduate Entrepreneur Program.
- Candidates whose job requires them to work on-site at a home-based business will be assessed based on LSI's criteria for an on-site home-based business.
- Candidates who will telework, as defined in LSI's teleworking policy, will be assessed based on LSI's criteria for teleworking.
- This policy does not apply to employers or those employed in the trucking sector.

### **Criteria**

#### **Mandatory Criteria**

- All home-based businesses must satisfy LSI program integrity requirements.
- Business has at least two full-time employees, not including the owner or director of the business, who have worked for the business for at least two years. LSI will require proof such as but not limited to job descriptions, payroll records and service schedules.
- The employer and the existing employees are full-time residents of Nova Scotia.
- The candidate's job is based in Nova Scotia. This means that the employer's physical premises is in Nova Scotia, the candidate's primary job duties are in Nova Scotia and the candidate's workday begins or ends in Nova Scotia if job duties take the candidate outside of Nova Scotia.
- The employer demonstrates that the labour need is off-site. This includes but is not limited to providing information on where the employee will work and how the job will be carried out.

**Additional Criteria**

- LSI may ask an employer who is working from a home-based business for a zoning verification letter from the municipality to demonstrate that the business can legally operate from its location.
- The employer may be required to work with a settlement service provider organization to prepare a settlement plan to support the settlement and integration of the candidate and family members.

Final determination of eligibility for an NSNP and AIP application where employment is for a home-based business is at the sole discretion of Labour, Skills and Immigration.

**Implementation**

This policy takes effect on the Effective Date identified below and applies to any applications that have not been finalized as of the Effective Date.

**Related Information**

All Nova Scotia Nominee Program [guides](#)

[Atlantic Immigration Program](#) Designation and Endorsement guides

Atlantic Immigration Pilot Program [Designation](#) and [Endorsement](#) guides

<https://novascotiainmigration.com>

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Effective Date: January 5, 2021

Approved by: Shelley Bent James, Executive Director