

## **Nova Scotia Office of Immigration Policy**

### **On-site 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 Pilot (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 who have a chronic labour need and are not operating from a commercial office space.

#### **Definition**

##### **On-site Home-based Business:**

A place of business that is a secondary use of a residential dwelling. 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 and the NSNP or AIP candidate will work on-site at the home-based business location for any amount of time. This applies to businesses operating from a residential dwelling and employees working from the business location such as but not limited to hairdressers, estheticians, consulting businesses, businesses in the IT sector.

#### **Application**

- The policy applies to NSNP and AIP applications where the candidate will work on-site at a home-based business as defined in this policy. This policy does not apply to the Entrepreneur and International Graduate Entrepreneur Program.
- If a candidate is working for any amount of time on-site at a home-based business, the candidate must meet the mandatory criteria set out in this policy.
- Candidates whose job requires them to work off-site or telework will be assessed based on NSOI's criteria for a service oriented home-based business or NSOI's criteria for candidates who are teleworking.
- This policy does not apply to employers or those employed in the trucking sector.

#### **Criteria**

##### **Mandatory Criteria**

- All home-based businesses must satisfy NSOI 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. NSOI 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 the employer's physical premises is in Nova Scotia and the candidate's primary job duties are in Nova Scotia.
- The employer demonstrates that the labour need is for work on-site at the home-based business.
- At least one of the business' full-time employees, not including the owner or director, works on-site at the home-based business location and has worked for the company on-site for at least two years.
- The office space is separate from the residential space. This means that employees do not enter the residential space to access their place of work.

**Additional Criteria**

- NSOI 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.
- A secondary entrance to the business is preferred. If there is one entrance for the home-based business, the employees must be able to enter the office space without entering the residential space. If the business does not have a secondary entrance, a site visit may be required during the assessment of an AIP or NSNP application.

Final determination of eligibility for an NSNP and AIP application where employment is for a home-based business is at the sole discretion of the Nova Scotia Office of 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 Pilot Designation and Endorsement guides  
[novascotiainmigration.com](http://novascotiainmigration.com)

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Effective Date: January 5, 2021

Approved by: Shelley Bent James, Executive Director