

Speaking Notes
for the Honourable Jean-Pierre Blackburn
Minister of Labour

and

**Minister of the Economic Development Agency
of Canada for the Regions of Quebec**

**Inter-American Conference of Ministers of Labour
Workshop on the Protection of Labour Rights
of Migrant Workers and Labour Market Programs**

**Chateau Laurier
Ottawa**

November 28, 2006

Thank you Mr. Pilotti,

And I would like to thank Ms. Maria Claudia Camacho of the Organization of American States and Mr. Pierre Bouchard and his staff for organizing this workshop.

It is my pleasure to welcome fellow Labour Ministers and officials, representatives from the Organization of American States and other international organisations, our Canadian provincial and territorial colleagues, and representatives of business, labour and research organisations.

It is an honour to be in such distinguished company today.

I am very pleased that Canada is hosting this event and I want to thank all of you for making time to join us over the next two days for this important workshop.

I hope that while you are here you can take the opportunity to see some of Ottawa and the National Capital Region. The city is particularly festive at this time as the holidays draw near.

Your presence today underscores your commitment to the important principles and goals of the Inter-American Conference of Ministers of Labour and the Summit of the Americas process.

A desire to promote respect for fundamental labour and human rights in the context of the challenges and opportunities that free trade and globalization bring to our societies, are what bring us together today.

This workshop on the Protection of Labour Rights of Migrant Workers and Labour Market Programs is an example of hemispheric partnership in action. It is a follow up to commitments made last year by Heads of State at the Fourth Summit of the Americas and Labour Ministers at the Fourteenth Inter-American Conference of Ministers of Labour.

At the meeting of Labour Ministers in Mexico last year, Ministers reaffirmed that all migrants, regardless of their immigration status, should be accorded the full protection of human rights and the full observance of labour laws applicable to them. This of course includes the principles and labour rights embodied in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work such as freedom of association and non-discrimination in employment.

Ministers also agreed upon an action plan to address the labour rights of migrant workers as one of the priority themes within the framework of the promotion of decent work. I am pleased to say that this workshop is one of the activities that supports this plan.

Partnership is so important and this event is an opportunity for us to come together to share information, experiences and best practices about an important topic that affects the lives of many workers and their families throughout the hemisphere.

I look forward to hearing the views and experiences of our partners as we discuss ways to improve protection for these vulnerable workers. I am also interested in hearing from Ministers and representatives from other member states about their experiences and best practices.

Now if I may, I would like to take this opportunity to briefly share the Canadian experience with you.

Canada is committed to promoting respect for basic labour rights and we do this in a number of ways.

One way, of course, is through our participation in the Summit of the Americas process and membership in the Inter-American Conference of Ministers of Labour and the International Labour Organization.

Another way is through International Labour Cooperation Agreements that are negotiated alongside free trade agreements. Labour Cooperation Agreements commit signatory countries to ensure that their domestic labour

laws embody and provide protections for fundamental labour rights and principles and also commits them to enforce these laws.

Regarding migrant workers, part of that commitment includes providing these workers with virtually the same labour and human rights as our own workers.

Canada's Foreign Worker Program, allows employers to hire foreign workers to meet their human resource needs when Canadian workers are not readily available.

The Department of Human Resources and Social Development Canada is required by law to provide a labour market opinion to an employer who applies to hire a temporary foreign worker.

A labour market opinion is an assessment of the likely impact a temporary offer of employment will have on the Canadian labour market.

The department of Citizenship and Immigration Canada is then responsible for issuing work permits to foreign workers.

Foreign workers must be offered wages that are within or exceed the prevailing Canadian wage for a particular occupation in the province where they are employed.

The Foreign Worker Program also requires that working conditions are the same as those for Canadian workers doing the same job.

The Program has a number of provisions to ensure the well-being of foreign workers during their stay in Canada. For example, workers sign contracts, and are registered with the Workers' Compensation Board.

In addition, these workers receive private or public health coverage and, in some components of the Program, employers pay for partial or full airfare.

One of the programs within our Foreign Worker Program is the Seasonal Agricultural Worker Program, which is a successful partnership spanning over 30 years of cooperation between Canada and Mexico and 40 years of cooperation between Canada and the Caribbean countries.

Regarding unionization, foreign workers become members of the union in unionized workplaces, which means that in addition to enjoying the same wages and working conditions as Canadians or Permanent Residents, foreign workers have the added protection of the union's collective agreement.

Also, where the foreign worker position is part of a bargaining unit, the union may be contacted to discuss the wage rate and working conditions being offered to the foreign worker. The wage offered must be consistent with the wage structure stipulated in the collective agreement.

Finally regarding foreign workers who are live-in care givers or who work in other occupations that require less formal levels of education, Canada's new government requires a signed contract between employer and employee that ensures fair working conditions.

Canada recognizes and values the contribution that migrant workers make to the Canadian economy. They contribute to Canada's growth by filling vacancies when sufficient numbers of Canadians are not available.

I understand that there is a session tomorrow on Canada's labour market programs that deal with the recruitment and rights of migrant workers that I hope you will find useful and informative.

Again, I want to thank you for participating in this workshop and I wish you every success in your discussions over the next two days.