

When the bottom falls
out of the economy –
raise the floor.

Labour migration: Canadian Labour
Congress perspective

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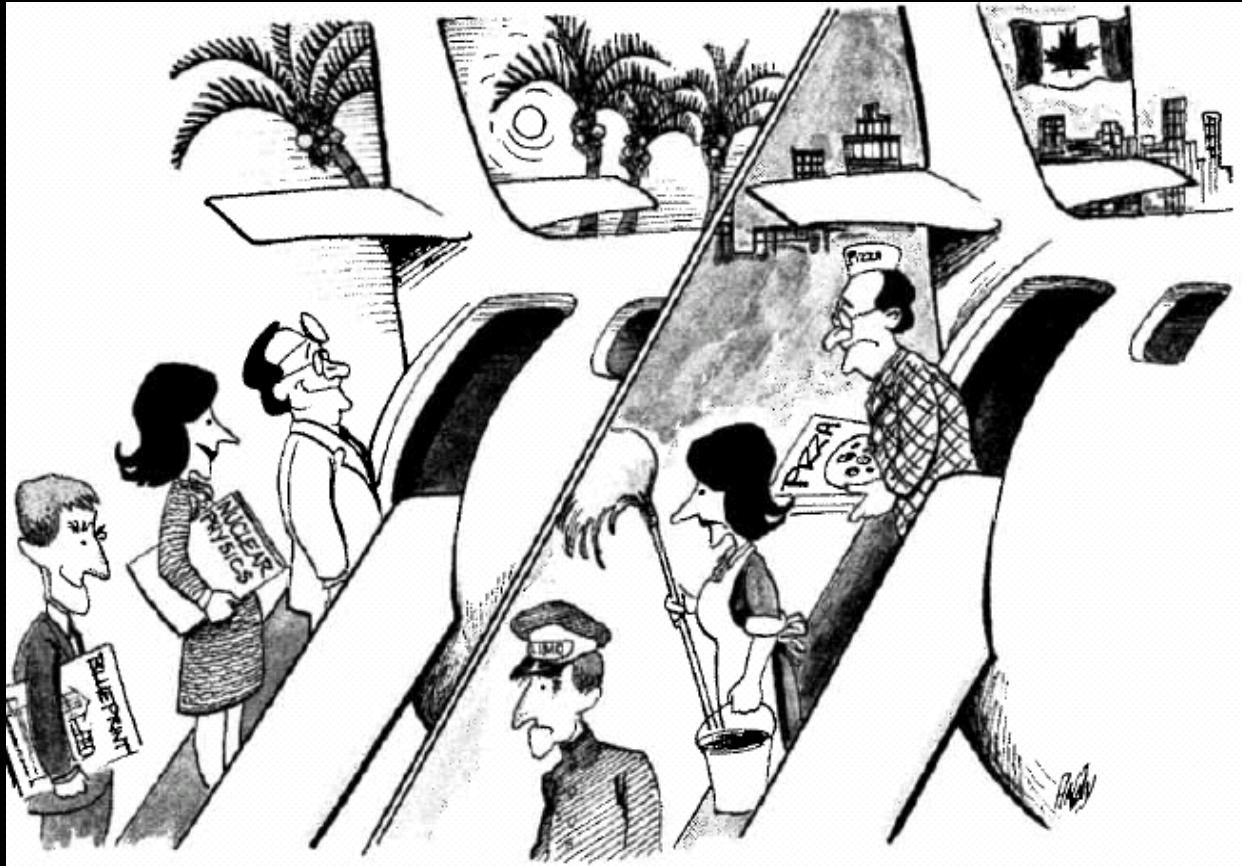
Global context

- UN estimates nearly 200 million migrants
- Nearly 90 million are economically active
- About half are women
- World Bank estimates \$232 billion/yr in remittances from migrant labour

Migrant Nation

- If the world's estimated number of migrants (200 million) were gathered as one 'nation' it would be the fifth – most populous after China, India, the USA, Indonesia and ahead of Brazil, Russia and Pakistan.

Should I go or should I stay?



Conservative government agenda

"'Help Wanted' signs are everywhere, When it starts to affect our ability to go to Tim Hortons and get a double-double, it ceases to be a laughing matter."

—MONTE SOLBERG, MINISTER OF HUMAN RESOURCES AND SOCIAL DEVELOPMENT



Changes to Canada's TFWP since 06

- Employer-friendly “how to get your own TWF guide book”
- Dedicated more staff and money --\$84 million
- Every job category in the country now eligible for TFW import
- No meaningful compliance, monitoring or enforcement tools to protect migrant workers.

Sectors using migrant workers

- Live-in-care giver Program
- Seasonal Agricultural Program
- Low skilled Pilot project (retail, services, warehousing)
- Energy to trucking sector
- E.L.M.O. (Construction, Hospitality, Service industry sectors)
- Soon coming to every job...

Stock of TFW's in Canada

1996	2005	2007
70,000	99,000	+200,000

Are labour shortages for real?

- “Canadian labour market is currently quite healthy and is expected to remain buoyant over next decade.”
- “no widespread labour shortages are expected to emerge over the next ten years”

Source: HRSDC . October, 2006.

Looking Ahead: A 10 Year Outlook for the Canadian Labour Market

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HRSDC report. October, 2006.

“the strong rise in demand within high-skilled occupations has been adequately met by a rising supply of qualified workers. Real wages by broad skill level relative to the economy-wide average have been fairly constant since 1997 (suggesting) the absence of significant imbalances between the skills demanded by employers and the availability of qualified labour.”

Looking Ahead: A 10 Year Outlook for the Canadian Labour Market

HRSDC report. October, 2006.

“An increasing proportion of individuals with post secondary education can be found in low-skilled occupations ... the proportion of university-educated individuals in low skilled occupations (rose) from 12% in 1990 to about 17% in 2005, providing some evidence that there may be an over-supply of university graduates.”

TFW basics: how does the program work?

- CIC & HRSDC & Service Canada
- Employer applies for an Labour Market Opinion (LMO)
- HRSDC/Service Canada reviews employers application.
Then issues a + or - labour market opinion (LMO)
- Service Canada determines “prevailing wage”
- Employer must say they tried to hire domestically.

Big program & just a few rules

- Employer has to say they have attempted to hire within Canada.
- No labour dispute will result
- Migrant workers must be filling a ‘proven’ shortage
- Will directly create new jobs for Canadians
- Skills transfer will occur

“Employer driven program”

- Immigration Canada issues visa –involves CBSA and RCMP.
- Hand over worker to employer with eyes wide shut.

TFW programs: A recipe for exploitation and disadvantage?

- 2006-- @ 40 skilled foreign trades people, working on Vancouver's new rapid transit line, filed a complaint with BC Labour relations Board citing they were brought to Canada with offers of employment that were never honoured.

S.E.L.I. & the Vancouver RAV line case

- 2006: The workers also had their visas confiscated by employer upon entering Canada, and were paid much less than prevailing wage.
- Migrant construction workers paid less than \$5 per hour on the tunnel excavation for the new \$1.7 billion Canada Line rapid transit project.

RAV line case ...next stop

- December 2008 2: The BC Human Rights Tribunal confirming the presence systemic wage discrimination.
- Case exposed employer guilty of coercion and intimidation of temporary migrant workers who were seeking justice and fairness.

Advocare: taking care of elders or business?

- 2006, Park Place Seniors Living Ltd. laid-off seventy long-serving unionized care aides earning a just over \$20/hour.
- Mgmt hired a private labour contractor, AdvoCare, to provide care services for the 149 residents of the facility. AdvoCare reduced wages to \$14-\$15/hour.
- AdvoCare also significantly reduced benefits package, eliminating the sick leave, long term disability, paid vacation and pension benefits previously held by unionized workers.

Advocare: taking care of elders or business?

- Union members refused to accept the reduced wage/benefits offer
- AdvoCare cited a ‘labour shortage’ in its application to hire temporary migrant workers under the governments TFWP.
- HRSDC issued a positive LMO and AdvoCare proceeded to hire temporary migrant workers to fill the care aide positions.

Filipino 11 case:

- 2007 Burlington based labour broker imports skilled trades workers from the Philippines (plumbers & welders) to work in Ontario for \$23/hr.
- Broker admits the ‘jobs did not really exist’ but was still able to obtain a positive LMO and visas for the workers.
- Filipino 11 each charged \$10K USD in fees

Filipino 11 case

- 11 workers sub contracted to do menial labour in a bottled water plant in Barrie.
- Told would be paid \$14/hour, but paid nothing for over 2 months.
- Starving and desperate, employer gave them \$800/each for two months work and threatens deportation if they complained further.

Can-Mex Contractors: Temporary migrant workers report:

- Employer demonstrates violent temper including threatening workers at knife point.
- Workers taken to a remote work location, housed in two room bunkhouse, (overcrowded) with no bathroom, no laundry facilities, given only 2 meals a day and told, ‘on days when there is no work-no pay.’

Alberta Federation of Labour (AFL) : Advocate project:

- April to Oct 2007 the AFL contracted a special advocate to assist temporary workers in Alberta.
- In just 6 months, nearly 1500 temporary workers requested help and over 120 case files were opened.
- Here is a snapshot of their workers experiences....

Wages and working conditions.

- Bulk of cases dealt with working conditions: wages lower than promised, jobs radically different than promised; jobs disappear upon arrival, demands to perform inappropriate personal services, racist behavior and threats of deportation and imprisonment

Brokers

- Nearly 100 complaint cases involved brokers. Complaints included charging illegal fees (\$3-10K); misleading claims about the jobs, inaccurate promises of access to citizenship.

Housing:

- A third of workers seeking assistance had housing problems. Employers are to provide housing to low skilled workers. Typical problems: poor quality housing and excessive rents (4k-6K/month per residence)

Trades certification

- Temporary workers in trades experienced inadequate assistance from employers to pass their Red Seal exam needed to continue working.

