

Migrant workers more precarious now than before 2014 “reforms”: Report

New Metcalf Foundation report maps what is at stake in Ottawa’s current review of the Temporary Foreign Worker Program

**The George Cedric Metcalf
Charitable Foundation**
38 Madison Avenue
Toronto, Ontario M5R 2S1
TEL 416 926 0366
FAX 416 926 0370
www.metcalffoundation.com

TORONTO, ON – June 8, 2016 –Changes to the Temporary Foreign Worker Program (TFWP) in 2014 that promised to reform the controversial program, instead have left low-wage migrant workers more precarious and have narrowed their access to permanent residence. These are among the findings of a new report released today by the Metcalf Foundation.

Canada’s Choice: Decent Work or Entrenched Exploitation for Canada’s Migrant Workers? shows that changes since 2014 retained the key elements that are known to create insecurity for low-wage migrant workers and added new conditions that exacerbate these workers’ risk of abuse. The changes also entrench key parts of Canada’s economy – caregiving, agriculture and seasonal industries – as zones where enduring and expanding reliance on precarious migrant labour is treated as the norm.

“Canada has lost its innocence on temporary labour migration”, says the report’s author, Metcalf Innovation Fellow Fay Faraday. “The existing laws – government’s policy choices to date – create entirely foreseeable insecurity for migrant workers. And exploitation predictably follows.”

The report analyzes existing conditions that make low-wage migrant workers vulnerable by leaving predatory recruitment practices largely unchecked; by tying workers’ status to a single employer; by leaving them vulnerable to termination and/or losing their status if they raise complaints about mistreatment; and by requiring them to leave the country after four years’ work with temporary status.

The report identifies how those existing vulnerabilities are intensified by more recent reforms that shorten the length of work permits; cap the number of migrant workers in a workplace; make it more difficult for workers to leave abusive employers; and make workers more vulnerable to being charged unlawful fees.

Most glaringly, the promise that lay at the foundation of the Live-in Caregiver Program – labour exchanged for permanent residence – has been eroded. Caregivers’ previously

METCALF FOUNDATION

guaranteed route to permanent residence has been replaced by an uncertain chance to apply for a limited number of permanent resident spots.

Canada's Choice, a follow up to the Metcalf Foundation's 2012 landmark report *Made In Canada: How the Law Constructs Migrant Workers' Insecurity* is part of a submission to the Parliamentary Committee¹ that is currently studying the TFWP.

"If the exploitation we have seen is not the outcome we want, we must choose again and choose differently," says Faraday, a respected constitutional, labour and human rights lawyer. "As the federal review unfolds, it is important to ask: What kind of community are we choosing to build? Who will be part of that community? And who will benefit from it?"

Canada's Choice sets out the legal principles by which to evaluate future initiatives for reform.

The report also sets out fourteen specific recommendations for reform. The report's fundamental recommendation is that Canadian immigration policy be reframed to ensure robust protection for immigration with permanent status for workers of all skills levels. While building towards that end, additional recommendations outline how to ensure security for workers with temporary status.

About the Metcalf Foundation

The mission of The George Cedric Metcalf Charitable Foundation is to enhance the effectiveness of people and organizations working together to help Canadians imagine and build a just, healthy, and creative society.

Media contact:

Christopher Holcroft
Empower Consulting
416-996-0767 / christopherholcroft@hotmail.ca

**The George Cedric Metcalf
Charitable Foundation**
38 Madison Avenue
Toronto, Ontario M5R 2S1
TEL 416 926 0366
FAX 416 926 0370
www.metcalffoundation.com

¹ The Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA Committee)