



# Migrant Voices: Regional Forum on Migrant Worker Issues

Hosted by Canadian Council for Refugees and Migrante Alberta  
June 4, 2017, Edmonton  
Forum Report

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## 1. Summary of Highlights

On Sunday June 4, 2017, the Canadian Council for Refugees, in partnership with Migrante Alberta, held its third full-day meeting on migrant workers issues in Edmonton on Treaty 6 territory. *Migrant Voices: a regional forum on migrant worker issues* was held following the CCR Spring 2017 Consultation. Approximately 100 people, mostly from the Western provinces, attended the meeting, and about half of the participants were themselves migrant workers. Participants also included migrant justice advocates, members of the labour movement, settlement workers, students and researchers.

The meeting provided an opportunity to share information, experiences and best practices among migrant workers and people in diverse sectors across Canada that work with or advocate for the rights of migrant workers. It also supported networking across regions.

The main objectives of the meeting were to:

- Present some current issues and practices related to migrant workers in the Western provinces, with an opportunity for discussion.
- Create space for participants to exchange information and strategies and to connect with others in their sector and outside of it.

- Foster coordination among people who work in the field.
- Facilitate the production of an open letter to the relevant federal ministers by the migrant workers present that could then be supported by organizations.

The day was broken into the following main activities: a) a panel presentation from a variety of migrant worker and advocate perspectives, b) small group discussions part one, c) Guacamole for Justice activity, d) small groups discussions part two, with report back to plenary.

#### Highlights:

- The opportunity for migrant workers and advocates from across the region to meet face-to-face was unique and valuable, helping to break isolation and facilitating networking and partnership-building.
- The participation of a diverse range of sectors, including migrant workers, migrant justice advocates, labour activists, settlement workers and researchers, was valuable. The voices of migrant workers from Alberta, Saskatchewan, and BC were central to the discussions.
- Meeting attendees discussed barriers and challenges faced by migrant workers around exploitative recruitment practices, access to permanent residence, labour rights and access to services. They shared strategies to mitigate these barriers at the individual level.
- Exchange of information between provinces was valuable. Advocates from outside BC became aware of a promising federal-provincial measure in that province that could be extended to other provinces. Although some discussions centred on experiences unique to a certain province's circumstances, this allowed those from elsewhere to think beyond the reality in their region.
- Drafting the priorities for the letter to the federal government on behalf of the migrant workers present made the workers feel heard (according to evaluations). See the letter here: [ccrweb.ca/en/open-letter-migrant-workers-july-2017](http://ccrweb.ca/en/open-letter-migrant-workers-july-2017).

#### Priorities going forward:

Participants raised a number of priorities during meeting discussions. Many of these are not new, and were reaffirmed as priorities moving forward.

- Migrant workers are isolated and earn low incomes. They need access to more support: settlement services, language instruction, support with immigration processes, legal aid.
- Family separation is real hardship. The government discourse on families is that they are important – we must demand coherence on this point with regards to migrant workers.
- International responsibilities: Canadian business interests are involved in creating the conditions for emigration from sending countries. We need to demand coherence between immigration policy and international trade and commerce.
- Issues such as protection of migrant workers labour rights, recruitment issues and access to permanent residence remain primordial.

## FULL REPORT

### 2. Introduction to the Forum

The meeting was the first collaboration between CCR and Migrant Alberta, and the partnership was a success. CCR looks to continue developing allyship with Migrante in the future. Two planning committees were struck with representatives of additional organizations who are CCR members or allies, in order to organize the logistics and the content of the event. Participating organizations aside from Migrante Alberta and CCR were: KAIROS Canada, Alberta Association of Immigrant Serving Agencies (AAISA), MOSAIC (Vancouver), Immigrant Workers Centre (Montreal), Red Legal (Vancouver) and Migrant Workers Dignity Association (MWDA - Vancouver). We consider that the diversity of involvement in both the organizing and the meeting was a significant strength.

The event was held on a Sunday in order to make it more likely that migrant workers would be able to attend, and breakfast and lunch were offered as well as childcare throughout the day in order to make the event accessible.

The day was broken into four main activities, beginning with a panel presentation, followed by discussion breakout groups and a social justice food activity, and after lunch, another long discussion breakout with a report back at the end. There were breaks for breakfast and lunch, which were useful for networking.

The discussion groups that took place in two sessions in the morning and afternoon were divided into five themes: migrant worker self-organizing, advocacy for policy change, access to services, access to status and solidarity with the labour movement. These discussion groups consisted of 10-20 participants, and allowed for the sharing of experiences and the development of strategies.

CCR gratefully received contributions for this meeting from SEIU West, UFCW, a McGill SSHRC Connections grant, and the University of Saskatchewan Faculty Association to go towards meeting expenses and participation, including bringing participants from Calgary, Vancouver and Regina. CCR member Edmonton Mennonite Centre for Newcomers provided the space for the meeting. Migrante Alberta secured in-kind support from the local UNIFOR, which generously provided folders, pens, and photocopies for the meeting kits.

### 3. Plenary

The panel discussion had three speakers. Alejandro Lazzari spoke on behalf of MWDA, a grassroots group that serves migrant agricultural workers in BC. He described their service delivery methodology, which offers support services as a way to help the workers to mobilize and organize. They prioritize meeting migrant workers “where they are at” by offering 24-hour phone availability, as well as going to their homes and meeting places, especially evenings and weekends, to connect with them.

The second speaker was Ligaya Santos-Solomon from Migrante Alberta. Ligaya shared her experience as a migrant worker who came to Canada as a live-in caregiver in 2014 hoping to become a permanent resident and bring the rest of her family to Canada, who became mobilized to fight for migrant worker rights. Ligaya talked about the international economic dynamics of temporary labour migration, pointing out that the Philippines government has an explicit labour export policy that has been in place since the 1970s. Migrants leave the Philippines for a variety of reasons: poverty, low wages, lack of jobs, and political instability. She made the links between this system of labour export and neoliberal globalization, noting that foreign exchange remitted by migrants helps the country pay its foreign debt, and that this debt repayment comes at the expense of social services.

Ligaya spoke about Migrante’s efforts to build bridges with labour unions in Canada, and their success in establishing a migrant worker help line with the support of UNIFOR. She emphasized that it is important for Migrante to work closely with settlement agencies that have the capacity and resources to assist with the practical needs of the workers. Migrante Alberta sees a role for themselves in helping to creating a more community-based settlement service model. Ligaya ended by calling for solidarity among workers, labour unions and settlement service organizations as well as advocates, to not only address the abuses of migrant workers but also to address the factors that continue to force workers to migrate.

Natalie Drolet of the West Coast Domestic Workers Association (WCDWA) in Vancouver spoke about advocacy for policy change and promising initiatives in British Columbia. She described a new promising practice in BC: open work permits of up to 180 days are being provided to Temporary Foreign Workers (TFWs) at risk (extensions can be granted). This initiative, which is the product of a federal-provincial government collaboration, provides protections for those who are at risk as a result of employer abuse by providing them with the authorization to seek other employment. To access this measure, a complaint must be filed with a law enforcement agency (police, human rights commission, Labour Standards board) and a provincial settlement worker must prepare a written recommendation. The initiative was a pilot but is now permanent, and she has heard that Ontario may also be implementing a measure like this. There are some challenges related to the measure: the restriction on the type of service providers who can prepare the application (only settlement workers), the short duration of the open work permit, and the fact that it is not available to dependents. However, the measure empowers migrant workers to come forward and file complaints in order to receive a remedy. WCDWA is collecting cases and sharing them with the federal government in hopes of expanding this program.

Natalie also spoke about the work of the BC campaign Rising Up against unjust recruitment fees, which seeks to stop abuse of TFWs in their recruitment to and within BC ([risingup.ca](http://risingup.ca)). Third party recruiters are often used by workers to connect to employers in Canada before they can apply to take part in the TFW Program. Although it is illegal to charge people fees for jobs in Canada, it is the norm that workers are paying \$4000-\$40,000 to get low wage jobs. Recruiting TFWs for jobs that are different than promised or do not exist

(known as “release upon arrival”) happens at a very high rate. BC is behind provinces like Manitoba and Saskatchewan with regards to the protection of workers. The Rising Up campaign demands include: enacting new legislation to protect TFWs, implementing a proactive enforcement regime, and providing access to information and advocacy. For example, they want BC businesses to have to report who they are using as recruiters in source countries. They advocate for labour inspections in workplaces to be implemented, and for the limitation period to file a complaint to be increased to three years instead of 6 months. They also demand more access to information and advocacy services and a 24 hour hotline specifically for TFWs. The campaign was initially formed after focus groups with migrant workers were held, where they shared their concerns around recruitment, and migrant workers have continued to be involved in organizing and attending meetings.

#### 4. Report-back from Discussion Groups

Most of the discussion groups were co-facilitated by a member of Migrate Alberta with a CCR member, with the exception of the group on service provision, which was facilitated by CCR, and the group on solidarity with labour, which was facilitated by Migrate Alberta.

##### a) Migrant Workers Self-organizing

The migrant workers that took part in the group on self-organizing developed a list of priorities to be drafted into a letter to the federal ministers of immigration and employment, on their behalf. They touched on a variety of issues under the following themes:

- Transitioning to permanent residence
- Access to legal consultation
- Access to community services
- Employment insurance and other federal income benefits
- Health coverage
- Protection of rights
- Family reunification
- Enforcement
- Recruitment agencies
- Workers compensation and health & safety standards
- Trafficking

The open letter to the federal ministers of immigration and labour, which summarizes the points raised that are relevant to federal jurisdiction, can be found here: [ccrweb.ca/en/open-letter-migrant-workers-july-2017](http://ccrweb.ca/en/open-letter-migrant-workers-july-2017)

Additional concerns that fall under provincial jurisdiction were discussed as well. Participants from Alberta felt that the processing times for the Alberta Immigrant Nominee Program (for which migrant workers sponsored by their employers are eligible) were too long and should be sped up, especially since workers are at the mercy of their employer until they get their permanent residence. Workers from other provinces raised the issue that they do not have access to provincial nominee programs (PNPs), as in provinces like Ontario and Quebec these programs are limited to those in the high-skill categories. For many of the participants, pathways to permanent residence are a short-term demand; ultimately, they want workers in all occupations to have access to

permanent residence on arrival, to avoid all the vulnerabilities that come with temporary labour migration programs.

Migrant workers in this group were concerned about the expense of legal counsel. The lack of access to settlement services means that migrant workers who want assistance with immigration processes and other paperwork go to immigration consultants and lawyers who sometimes charge exorbitant fees. Migrant workers making minimum wage are frustrated that they are expected to pay hundreds of dollars per hour to consult with professionals. There were also concerns expressed about the lack of accountability for consultants, who in some cases lose papers, fail to submit applications as promised, and misinform workers. It was felt that migrant workers should be eligible for legal aid.

With regards to health care, migrant workers were concerned about difficulties maintaining health coverage between work permits, and the fact that in BC there is no exemption to the Medical Services Plan fee for low-income individuals. Another concern was that in some provinces there is no healthcare for Canadian children born to undocumented parents. It was recommended that migrant workers be eligible for community-based health services.

The migrant workers also felt that there wasn't adequate information on what support is available to them in Canada (probably because so little support is available), and that therefore more support and more information should be made available.

It was pointed out by the workers that despite it being illegal, recruitment agencies are charging workers fees, using dishonest measures to get around charging for recruitment by billing for "immigration services". They provide no receipt for payment and tell the workers not to admit that they are paying fees. One worker was asked to pay one month's salary. Employers also sometimes ask the workers to pay the processing fee for the Labour Market Impact Assessment, which should be paid by the employer. Those present felt that all provinces should take measures like those taken in Manitoba and Saskatchewan to prevent illegal and predatory recruitment practices.

Regarding occupational health and safety, the point was made that caregivers must be covered the same as any other employee, in all provinces.

## b) Advocacy for Policy Change

The group that discussed advocacy for policy change identified some key priorities to base their strategy discussion on, and outlined some key strategies that could be developed for effective advocacy. The key priorities identified were:

- Permanent residency upon arrival as long-term goal (i.e. low-skilled workers coming through immigration program), pathways for residency as short-term goal
- Open work permits (not employer specific);
- Monitoring and enforcement;
- Delays (processing times for LMIA, PNP, work permit renewal);
- Family reunification: the disconnect in the federal government discourse which talks about the importance of families, but separates migrant workers from their families and creates long delays where reunification is possible;

- Seasonal Agricultural Workers' rights;
- International obligations: how Canadian business interests are implicated in creating the conditions for emigration from sending countries, for example Canadian mining corporations in the Philippines.

Several of these issues were addressed in the 2016 HUMA Standing Committee report, prepared for the review of the Temporary Foreign Worker Program<sup>1</sup>. It was felt that using recommendations that appear in the HUMA report is strategic, as this federal government report can be used to bolster demands being made to the federal government.

Strategies identified by the group and presented to meeting participants included:

- Research: to change the narrative to focus on the benefits of immigration, counter the myth that there is no benefit to the Canadian economy, investigate how much money TFWs contribute to the economy via the Canada Pension Plan, Employment Insurance, paying rent and consuming goods, etc.; outline best practices of protection of migrant workers (Manitoba has been successful in implementation), continue to push and communicate with all provinces to learn and adapt from other best practices; look into best practices for pathways to permanent residency (e.g. Saskatchewan has a better PNP than Alberta).
- Communication: put a human face to migrant worker issues to convince voters/public that they are important, and ensure a media presence.
- Alliance building: non-profit advocacy groups should work together and communicate to harmonize some of our movements so we all know what we are doing and can share best strategies that each group is doing.
- Building relationships with government: MP, MLA, bureaucrats with policy influence as well as lobbying (invite the MP and MLA to all the events/parties to lobby indirectly on many issues).

### c) Access to Services

Participants had a variety of expectations for this discussion group, with some migrant workers wanting to learn about the services and status accessible to them, and settlement workers seeking to exchange and share about their experiences and the situation in their region.

It was pointed out that in Alberta the movement to support migrant workers is not well developed in comparison to other provinces. For example, there is a lack of lawyers with expertise to support migrant workers. Some participants felt that there is an overall lack of awareness among the public of who migrant workers are, and of the fact that they are being exploited and coerced. The issue seems to be removed from the everyday person.

Participants agreed that there are structural barriers to service provision for migrant workers at the provincial and federal levels, but that in cases where organizations do provide services, there are structural limitations at

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<sup>1</sup> <http://www.ourcommons.ca/Content/Committee/421/HUMA/Reports/RP8374415/humarp04/humarp04-e.pdf>

the organizational level as well. Each organization has its own mandate and funding restrictions, and while some have very flexible managers who allow frontline workers to collaborate with other organizations and visit workers or help them outside office hours, many do not.

Issues of service provision overlapped with issues of awareness-raising and abuse and exploitation. It was agreed that important information is not reaching migrant workers. Ideally they would receive it before coming to Canada, but otherwise it is important for settlement services to be available and accessible to migrant workers to provide information about issues including human and labour rights, abuse and recourse, and employment and immigration processes.

Participants discussed a variety of systemic barriers and opportunities faced by migrant workers:

- Although caregivers have access to permanent residence, they often don't have support to pass the language requirements.
- Lack of safety net for migrant workers who are undergoing exceptional circumstances (exploitation, natural disaster, etc.).
- Lack of information from government reaching frontline workers (not sure whether communication breakdown is at government or organizational level). Frontline workers aren't made aware of policy changes and don't know what is happening until the policy presents problems for their clients. For example, the increase to \$1,000 fee for an LMIA is often offloaded onto workers.

In provinces such as Alberta, where migrant workers can access provincially funded services at settlement agencies, there are also capacity and accessibility issues. Settlement services can offer support for free but they may have wait lists or inaccessible office hours and locations that are difficult to reach for some workers, for example those in rural areas. As a result many migrant workers seek help from frontline services only after they have spent money on private services from immigration consultants or lawyers.

A variety of recommendations came out of this group:

- Service providing organizations should develop more online resources in different languages, and offer appointments with settlement workers via skype.
- The judicial system needs to open more doors for migrant workers to solve their legal issues.
- A self-nomination system should exist for access to permanent residence: In Fort McMurray the wildfires created exceptional cases, but frontline workers have a hard time advocating for their clients because bureaucratic immigration programs don't process these exceptional circumstances. Similar challenges exist for migrant workers who experience prolonged illnesses.
- Frontline service providers need timely access to information on changes to relevant policies and rules.
- Migrant workers need to be made aware that they should first contact a non-profit for advice and then they can make informed decision on whether they want or need to hire a private immigration consultant or lawyer (this only applies in provinces where migrant workers have access to services, such as BC, Alberta and Saskatchewan)

Group participants talked about advocacy at the organizational level as important, and suggested that front-line workers need to find opportunities to discuss the challenges and opportunities to serve migrant workers within



their own organizations. Settlement workers should talk with their supervisors and directors to ask them to bring the concerns of front-line workers to the discussion table, for example including migrant worker issues when meeting with provincial umbrella organizations such as AMSSA, AAISA or OCASI.

#### d) Access to Status

Participants in this discussion group included many migrant workers who were either out of status or held a precarious status, and were looking for solutions. They exchanged experiences and discussed the barriers to permanent residence imposed on migrant workers.

Some of the barriers identified by participants include:

- \$1000 LMIA fee for employers, often downloaded to workers.
- Federal/provincial are doing different things (e.g. LMIA cancelled for 29 occupations in Alberta): migrant workers are left stranded and with no options, open work permits would facilitate this.
- Family separation – reunification should be a priority.
- Long processing times, sometimes resulting in children aging out of family reunification options (beyond age of dependent children).
- Backlogs in caregiver permanent residence applications, also new limits on the number of caregivers that can apply annually.
- Restrictions to work permits for international students (only 3 years to get another type of status).
- Complicated/changing immigration processing system (e.g. AINP processing time changes from 6 months to 24 months).
- Access to English language testing – migrant workers are charged for the tests and charged for instruction as well.
- Caregivers have to take a language test before coming to Canada; they shouldn't have to repeat to apply for permanent residence.
- Immigration consultants often prey on migrant workers and those without status, charging excessive fees; they must be regulated. Currently their licenses are regulated, but not fees – and they don't always give services promised.

Advocacy strategies discussed included:

- Open letter to immigration minister.
- Connecting with MPs.
- Facebook/social media to project demands of migrant workers.
- Mention Canada 150 celebration – messaging about Canada as a country of immigrants!

### e) Solidarity with the labour movement

In their discussion, this group explored the role of labour in becoming more inclusive of migrant worker issues, the dynamics stopping labour unions from connecting with migrant workers, and the barriers to migrant workers becoming unionized.

It was pointed out that many labour movements have a nationalist agenda and are not really discussing the priorities of workers with no or precarious status. However, there are some unions such as UFCW and UNIFOR who are supportive of migrant workers, providing staff support to help migrant workers with permanent residence applications, and helping to fund migrant justice initiatives.

It was agreed that unions generally need to have a broader acceptance of issues related to immigration status, and that this needs to be discussed during bargaining. New forms of labour organizing were proposed: not just going to where unions meet and to conventions but also creating spaces for unionized workers to attend and influence unionized locals (not only their leaders). It was felt that unions have a lack of understanding about migration, and more education and awareness-raising should be done about why it is important to talk about migration in context of unions.

## 5. Participant Evaluations

Participant evaluations were overwhelmingly positive, declaring the meeting a success. Participants appreciated the small group discussions which allowed for in-depth exploration of the issues. Respondents reported being pleased by the representation of diverse sectors at the meeting, which offered a great opportunity for networking and sharing experiences. The meeting also provided a great opportunity for those in Alberta to connect with advocates and migrant workers from out of province. One of the migrant worker respondents commented: “I(t i)s wonderful to know that groups around Canada are organizing to support and advocate for migrant workers”.

Participant evaluations were also instructive as there were some suggestions for ways to improve future meetings. Most comments centred on finding a way to reach more local migrant workers and have more migrant workers attend, and it was suggested that there should be more space for story telling by migrant workers. It was suggested that there could have been some “caucuses” where participants could meet and have conversations according to the program they are most involved in, e.g. Caregiver Program, Seasonal Agricultural Workers Program, and Temporary Foreign Worker Program. It was also suggested that the meeting should have been a three-day event, since there is so much to discuss and they felt we were pressed for time. These suggestions will be helpful for planning future meetings.

Several respondents said they hoped we would continue to organize similar forums in the future. One international student who attended hoped we would broaden the scope to include international students, since some migrant workers are now being counselled by immigration consultants to become international students, creating complicated situations and intertwining these two categories.

