

Migrant workers: precarious and unsupported

Territorial Report: Yukon and Northwest Territories

Executive Summary

The Yukon and the Northwest Territories have hosted steady numbers of workers under the Temporary Foreign Worker Program (TFWP) over the last decade. For one year in 2013-14, the Yukon had its own Yukon TFWP through which mostly low-skilled TFWs were brought in directly, with numbers similar to those in the federal program. There are no Seasonal Agricultural Workers in the Territories.

The **Yukon** funds its settlement agency to provide services to migrant workers, including language instruction. Workers have access to permanent residence through the Territorial Nominee Program, and a majority of TFWs become permanent residents.

In the **Northwest Territories**, TFWs are also eligible for the Territorial Nominee Program. They are eligible for employment services funded by the territorial government, but they can only access language instruction once their application as a Territorial Nominee is in process.

Principal recommendations for the Territories are:

1. Fund non-governmental organizations to provide settlement services including language instruction to all TFWs in semi- and low-skilled occupations.
2. Improve permanent residence outcomes for TFWs in the low-skilled categories.

A note on terminology

For the purposes of this study, “migrant workers” refers to workers participating in the Temporary Foreign Worker Program (TFWP), which includes the Caregiver Program, or in the Seasonal Agricultural Worker Program (SAWP). TFWs (Temporary Foreign Workers) is used to talk about workers in the TFWP (including caregivers, where they are not referred to specifically). The survey used “TFWs” to encapsulate all workers in the low- and semi-skilled streams, so respondents used this term in their responses. In writing the reports it was felt that “migrant workers” is more accurate and inclusive.

Workers with higher skill/wage levels participating in the International Mobility Program (formerly part of the Temporary Foreign Worker Program) are not included in this study.



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Background

Numbers of Temporary Foreign Workers (TFWs) in the territories are small (consistent with overall population). According to federal government numbers of TFWs, the numbers have remained fairly steady over the last decade. In the Northwest Territories, the total went from 140 in 2004 to 130 in 2014. In the Yukon there has been an increase from 36 in 2004 to 56 in 2014. In Nunavut numbers increased overall from 17 in 2004 to 23 in 2014.

However, the Yukon had its own Yukon Temporary Foreign Worker Program (YTFWP) in 2013-14 that was managed by the territorial government, and geared towards low-skilled workers. In that year, 32 TFWs entered the Territory under the program, and 30 of these came to work in low-skilled occupations, increasing the overall number of low-skilled migrant workers. The program was discontinued after its pilot year.

We received survey responses from one organization in the Yukon and one in the Northwest Territories. We are not aware of any immigrant-specific services available in Nunavut, so this report will not cover Nunavut.

Access to services for Migrant Workers

In the Yukon there is one organization in Whitehorse dedicated to immigrant settlement. TFWs are eligible to access the full range of their services, including language instruction, thanks to funding provided by the territorial government. This organization travels to the communities outside the capital where TFWs live to provide services. Due to the low numbers of TFWs in the Yukon, the organization reports having the capacity to follow up with each individual, maintaining a continuous connection. They have occasionally offered English language classes in outlying communities based on demand, although costs for this must be fundraised independently as it is not included in the funding agreement with the territory.

In the Northwest Territories TFWs have access to bilingual employment services offered by a francophone organization, also with territorial funding. Language training programs are only available to those caregivers and TFWs whose applications for permanent residence are in process.

Funding

In their survey response, the Yukon organization cited the challenges represented by the lack of certainty they experience as a result of having to reapply for funding annually. However, they have since secured a 3-year agreement with the territorial government, so these challenges have been addressed.

NGO Perspectives

The Yukon respondent listed language barriers and inadequate housing as the greatest challenges facing TFWs locally. In the Northwest Territories it was felt that isolation, difficulty changing jobs, lack of access to permanent residence and lack of access to services were the main challenges.

Unmet Needs and Policy Gaps

The survey respondent in the Yukon felt that their organization was able to respond to the needs of TFWs in that territory, including those outside the capital.

For the Northwest Territories it appears TFWs outside of the capital may find it difficult to access services, and that the limits on services offered in the capital are problematic for TFWs. Lack of access to language instruction in the Northwest Territories also makes it more difficult for TFWs to access permanent residence.

Access to permanent residence

Low-skilled workers in the Temporary Foreign Worker Program (TFWP) are eligible for the Critical Impact Worker stream of the Yukon Nominee Program. Numbers of workers in the federal TFWP that become permanent residents are not tracked by the Territorial government, but a government representative stated that the majority become permanent residents. All 30 workers who entered the Yukon through the YTFWP in 2013-14 became permanent residents.

The Northwest Territories also have a Critical Impact Worker stream in their Nominee Program, intended for workers in entry level (low-skill/low-wage) positions. Since TFWs cannot access language training in the Northwest Territories until they have already applied for permanent residence, this may constitute a barrier for some would-be applicants to achieve the language requirements demanded for the Nominee Program.

Recommendations for the Territories

In each province and territory, challenges and gaps created by the national TFWP manifest with regional complexities. The following recommendations are based on the issues identified and recommendations made by survey respondents, and are further developed by the authors who draw on their knowledge regarding dynamics of temporary labour migration programs in Canada at the territorial, provincial and federal levels.

To facilitate the protection of migrant workers' rights, the Territorial governments should:

1. Fund non-governmental organizations to provide settlement services to all TFWs in semi- and low-skilled occupations.
 - a) The Yukon should continue to provide robust, stable, multi-year funding for the provision of settlement services for TFWs.
 - b) The Northwest Territories should fund settlement services including language training for all newcomers including TFWs.
 - c) The territories should look into where TFWs are located, and how to provide services to those located outside the capital.
2. Improve permanent residence outcomes for TFWs in the low-skilled categories.
 - a) As above, Northwest Territories should provide language training to facilitate TFW achievement of the Northwest Territories Nominee Program language requirements.