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Temporary foreign workers hired in areas with EI claimants

'Disconnect' noted between temporary foreign worker and EI programs

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ANALYSIS

The minister responsible for the temporary foreign worker program was told last year that employers were hiring temporary foreign workers in the same jobs and same locations as Canadians who were collecting employment insurance, CBC News has learned.

On May 29, 2012, the deputy minister for Human Resources and Skills Development Canada wrote a briefing note to the minister, Diane Finley, which cited four examples in which there was deemed to be a "disconnect" between the temporary foreign worker and employment insurance programs.

The briefing note was obtained by CBC's Power & Politics under the Access to Information Law.

- [Foreign worker program gets new rules, higher fees](#)
- [Insiders say Canada 'scammed' by foreign worker industry](#)
- [RBC replaces Canadian staff with foreign workers](#)

One example cited in the briefing note revealed that "in January 2012, Albertan employers received positive confirmation for 1,261 TFW (Temporary Foreign Worker) positions for food counter attendants. At the same time, nearly 350 people made a claim for EI who had cited significant experience in the same occupation and province."



JOBS Where Canada's job vacancies are - and aren't

"Evidence suggests that, in some instances, employers are hiring temporary foreign workers in the same occupation and location as Canadians who are collecting EI (Employment Insurance) regular benefits," the note states.

The memo was written to Finley as she was preparing to meet with Allen Roach, PEI's minister of innovation and advanced learning. In anticipation of the meeting, Finley was given background information about the controversial temporary foreign workers program.

Last month, CBC reported that dozens of employees at RBC were losing their jobs to temporary foreign workers.

Earlier this year, two labour unions took Huiyong Holdings Group to court, after the mining company hired more than 200 temporary foreign workers from China for its coal mine in northeastern B.C.

Finley forced to announce changes

In both instances, Finley was forced to announce changes to a program that it had made easier for some businesses to use.



Kellie Leitch, the parliamentary secretary to the minister of human resources and skills development, says that the problems identified in the documents have been addressed, and the government has moved forward. (Fred Chartrand/Canadian Press)

Kellie Leitch, the parliamentary secretary to the minister of human resources and skills development, told *Power & Politics* host Evan Solomon that the problems identified in the documents have been “addressed,” and the government has “moved forward.”

But Jinny Sims, the NDP’s immigration, citizenship and multiculturalism critic, disagreed. She argued that the documents and examples like the food counter attendants in Alberta demonstrate that the government “sat on this information” and has “failed” to take action.

Labour market opinions

Through an Access to Information request, CBC News received a 1,000-page .pdf file that contained tables of labour market opinions that employers requested between January 1, 2009 and April 30, 2012.

Because Human Resources and Skills Development Canada refused to provide tables in database format, CBC News [converted the document to a spreadsheet](#) to make it possible to search by company name and location.

Alberta, as it turns out, is the top user of the temporary foreign worker program, according to a CBC News analysis of data from Human Resources Canada obtained through access to information.

Between January 1, 2009 and April 30, 2012, the department issued nearly 60,000 labour market opinions. Employers submit these opinions to the minister when they can’t find Canadian workers for specific jobs.

The opinions are submitted to Citizenship and Immigration Canada, which may give employers the green light to hire foreign workers. It is unclear how many of the employers on this list received permission to hire workers.

In that time period, Alberta submitted 16, 271 opinions, followed by Ontario, which submitted 16,236 opinions and B.C., which asked for 12,016.

Alberta	16271
Ontario	16236
British Columbia	12016
Quebec	6223
No Province Specified	2999
Saskatchewan	1907
Manitoba	1437
Nova Scotia	1029
New Brunswick	711
Newfoundland and Labrador	305
Prince Edward Island	190
Northwest Territories	102
Yukon Territory	91

The top users of the program were: the Banff Lodging Company Division Banff Caribou Properties Ltd, (13 opinions); Tim Hortons, (12 opinions) and SNC-Lavalin Inc (seven).

Banff Lodging Company Division Banff Caribou Properties Ltd 13

Tim Hortons 12

SNC-Lavalin Inc 7

Boston Pizza	7
Genivar Inc	6
Coras Breakfast Lunch	6
Aramark Canada Ltd	6

Critics have pointed out that in many instances, employers aren't searching hard enough to find Canadian workers, especially in higher unemployment areas, a concern that seems to be suggested in the briefing note.

Government trying to conduct balancing act

The note was also written at a time when the government was trying to conduct a balancing act: ensure that employers were looking harder for Canadian workers before going abroad, while also making it easier for some companies to use the program.

Foreign Workers at CBC

The CBC has on occasion applied to HRSDC to hire individuals with specialized skills, on a short-term, freelance basis, for specific programs or projects.

In the past 12 months, the CBC has used six such freelancers. Three U.S. commentators were used as analysts for sports coverage. As well, three U.S. residents were hired for the Canadian Country Music Awards to operate specialized equipment. They were brought in by a third party production company for one weekend.

The CBC doesn't currently have any temporary foreign workers on our payroll.

In the 2012 budget, the government said it had "reduced the paper burden on employers and shortened processing times" in order to "meet employer demand and improve the responsiveness" of the program.

Despite the fact that the minister's office insists that there is nothing new in the briefing note, and that changes are in place to fix past problems, it's unclear if the government took any action to address the specific abuses discussed in the briefing note from May 2012.

When pressed for an answer to that question, Leitch was non-committal, continuing to stress that the government was fixing the problem.

"The young people in my riding are delighted that they're actually hearing about jobs so they can apply for them now," she said.

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