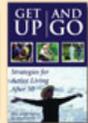


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## No Thanksgiving for migrant workers

Temporary foreign worker programs are a recipe for exploitation.

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**By:** David Goutor and Chris Ramsaroop Published on Fri Oct 08 2010

While Thanksgiving means a feast with family and friends for most Canadians, scores of migrant workers will be gathering in Leamington for a much different type of event.

They will be embarking on a gruelling march of more than 50 kilometres from Leamington to Windsor – the “Pilgrimage to Freedom” – to draw attention to the conditions many migrants face in Canada today.

The choice of Thanksgiving – a celebration of the harvest – as the day of the march is quite deliberate, as these are the migrant workers who grow, harvest and process much of the food Canadians enjoy. The march's route is also carefully chosen to challenge Canada to live up to its image as a haven for the oppressed: It will end at Windsor's Monument for Freedom, dedicated to the underground railroad that brought slaves to freedom in Canada.

If Stephen Harper and the federal Conservatives are serious about their recent efforts to improve the immigration system, and particularly to reduce abuses by recruiters, they should lend their support to this march. But that would be the last thing the marchers expect.

Indeed, over the last decade both federal and provincial governments have quietly implemented a fundamental – and entirely regressive – transformation in immigration policy. In particular, they vastly expanded temporary worker programs

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that are ripe for manipulation and exploitation, and that leave the migrants with no reliable means of redress.

Just how sweeping is this policy shift? Statistics from 2009 show that temporary foreign workers, at over 280,000, actually outnumbered immigrants seeking permanent residence. Hence the Temporary Foreign Worker Program (TFWP) has become a monster with well-developed tentacles. These include the Live-in Caregiver Program, which sends nannies and domestic servants to upper- and middle-class households, and the Seasonal Agricultural Workers Program, which brings workers to agribusinesses in places such as Leamington.

Agriculture and domestic service traditionally receive large numbers of migrant workers, but the expansion of the TFWP has brought thousands more to a growing array of industries in different parts of the country. Alberta has become particularly addicted to temporary workers, who are now working everywhere from the tarsands to meat-packing plants to fast food outlets.

A massive power imbalance between boss and worker is built into all of these programs. Most migrants' presence in Canada is dependent on them staying in their job. In addition, their employment contracts essentially bond them to one employer and deny them the right to seek out a different job. Technically, they have minimum protections from provincial labour laws but have no idea what these employment standards are and almost no sense that they are able to exert their rights. Indeed, the threat of deportation looms constantly, as they could be sent home — immediately and without right to appeal — if they resist the wishes of their bosses, get sick or are injured, are deemed to be underperforming or are simply no longer needed.

The government ruthlessly exploits these workers through payroll taxes. Migrants pay federal and provincial taxes but their access to social programs is severely restricted. They are denied access to public health care for their first three months in Canada, which constitutes much of their stay if they are in seasonal industries. Missing work to try to find medical care or other social supports is considered a firing offence. Foreign workers must also pay into the employment insurance fund and Canada Pension Plan even though they are not eligible for benefits.

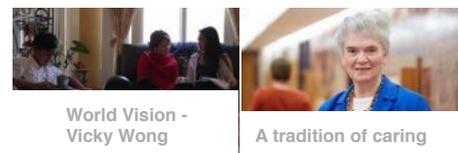
Recent proposals to “reform” these programs are examples of calculated cynicism. A prime illustration is the proposed ban on employers who are found to have abused migrant workers. The ban will only affect direct hiring through the TFWP — nothing will stop an employer from simply acquiring more migrants from a recruiter or contractor. In other words, at the same time that the federal Conservatives grab headlines with new campaigns against immigration recruiters, they propose new policies that will only increase recruiters' role and power in the system.

Another example is the government's response to complaints that temporary worker programs are entrenching a new class of inexpensive and easily exploitable labour. The Tories could have granted migrants access to permanent status in Canada. Instead, they propose to punish the workers, particularly in the unskilled stream, through a cap on the number of years they can work in Canada: After four years, they will be banned from entering the country for four more years.

The Pilgrimage to Freedom is one example of growing resistance to the TFWP. While the Tories have tried to manipulate outrage against immigration scams to their political advantage, the migrants themselves are organizing meaningful action against recruiters. They are working to create “recruiter-free zones” in their communities in Canada and spread information about particularly dangerous labour contractors.

Moreover, several community groups and trade unions came together earlier this year to form the Coalition for Change. In response to the hollow measures to “reform” the TFWP, the coalition has developed five broad-based principles that will be essential to any worthwhile improvement to the system:

- Status upon arrival for all temporary foreign workers.
- The elimination of placement and recruitment fees for all migrant workers.
- An appeals mechanism against deportation orders.



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- Reform labour laws to provide better coverage for TFWP workers.
- Provide migrants equal access to all social entitlements, including EI, CPP, welfare and health care.

For migrant workers, the Pilgrimage to Freedom is part of a tradition of resistance by “foreign” workers that dates back to the 19th century. For the Canadian public, this is a chance to wake up to a migrant labour system that challenges our self-image as a just and fair country.

**David Goutor** is an assistant professor in the School of Labour Studies at McMaster University. **Chris Ramsaroop** is an organizer with *Justicia for Migrant Workers* ([www.justicia4migrantworkers.org](http://www.justicia4migrantworkers.org)), a grassroots collective of community, labour and migrant activists. For more on this issue, see [thestar.com](http://thestar.com) for immigration lawyer's **Rafael Fabregas's** commentary on the Live-in Caregivers program.

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