

Windsor

'Important to set precedence': Migrant workers applying for open visas



'These workers are attached to one employer'

CBC News · Posted: Aug 08, 2019 5:00 AM ET | Last Updated: August 8



Four temporary workers in southwestern Ontario are hoping for open work permits so they can leave what they've said are stressful and damaging work conditions. (Jason Kryk/The Canadian Press)

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An open work visa is a part of a federal program which launched in June and will allow migrant workers to look for new work, with almost any employer, to escape their current situation.

Santiago Escobar with the United Food and Commercial Workers of Canada (UFCWC) has taken on the case of four men to help them with the application.

"Their working conditions are complicated," said Escobar. "They work under a lot of pressure and stress."

Escobar said if productivity goals aren't achieved, workers are suspended. After three suspensions, they are made to leave Canada.

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Migrant workers don't have labour mobility — which means they are only sponsored by one company.

"If these workers are terminated they can't go find work somewhere else," said Escobar. "These workers are attached to one employer."

Employer will face compliance inspection

When a worker applies for an open visa, the employer will face a compliance inspection.

According to Immigration, Citizenship and Refugees Canada (IRCC), the inspection can lead to a monetary penalty, a ban on hiring foreign workers and, if warranted, further criminal inspection.

Escobar said UFCWC has called for more regular inspections and reviews of companies in the past.

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The UFCWC thinks yearly inspections should be mandatory, and said this program is the least the government can do.

IRCC said the open work permit will protect vulnerable workers.

"Migrant workers are encouraged to come forward rather than endure mistreatment or abuse," said IRCC.

When an employer is found to be non-compliant with their responsibilities, the company name is listed online.

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Online application for open visa makes it difficult

Escobar said it's difficult for the migrant workers to complete the application process themselves — it's all online, for starters.

"Without the assistance of our organization they wouldn't be able to put in their claims," said Escobar, adding that the required paperwork must be submitted in English — but many of the employees' contracts are in Spanish. They have to be translated before they can be submitted.

UCFW is optimistic these four will receive open visas.

"They will get an open work permit," said Escobar. One Quebec worker has already received an open work visa, which is for a ten month period of time.

A decision for the four who have applied is expected within the next few weeks.

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