

Migrant Workers: Overview

Introduction

Migrant workers, also referred to as “temporary foreign workers”, are a vital part of Canada’s economy. Since the late nineteenth century, these workers have travelled to Canada, often from countries in the Caribbean, Mexico, and Central America, providing labour in domestic caregiving, agriculture, manufacturing, and other industries. Canada launched various programs during the twentieth century to provide opportunities for migrant labourers to work in the country, such as the Temporary Foreign Worker Program (TFWP), and the number of migrant workers coming to Canada has grown significantly during the twenty-first century. Between 2006 and 2016, for example, the number of migrant workers more than doubled. By 2021 eighty-five thousand migrant workers travelled to Canada every year under TFWP to fill essential jobs, and approximately sixty thousand migrant farmworkers—about one-fifth of Canada’s agricultural workforce—came to work on Canadian farms during the growing season.

While migrant workers have faced many challenges in Canada, such as crowded housing, low wages, and unsafe work conditions, they have continued to come to the country for opportunities better than those that exist in their home countries. Organizations such as the Union for Food and Commercial Workers, the Agricultural Workers Alliance, and the Migrant Workers Alliance for Change have tried to organize migrant workers and advocate for better treatment. Meanwhile, the COVID-19 pandemic highlighted the exploitation of migrant workers as the virus hit seasonal farmworkers especially hard. To address these and other issues, some advocates urged the Canadian government to reform migrant worker programs to protect workers, while others contended that the federal government should grant migrant workers permanent residency in Canada.

Understanding the Discussion

Domestic caregivers: Individuals employed to provide services in the home, such as babysitting, housekeeping, or caring for older family members.

Exploitation: Taking advantage of individuals and their rights as employees to profit from their work.

Migrant workers: Individuals who travel from their home country for part of the year to another country to perform temporary work and then return home.

Permanent resident: A status given to non-Canadian individuals living in Canada, allowing them to live and work in the country without a time limit on their stay.

Recruitment fees: Payments made by migrant workers to individuals or groups to be considered for temporary jobs in Canada.



“Foreign agricultural workers are absolutely essential to the successful operations of our farms, our food plants, and, as a result, our food security.”

Quote from Minister of Agriculture and Agri-Food, Marie-Claude Bibeau in a March 16, 2021, Government of Canada News Release. Credit: Photo: MikeyMoose, CC BY-SA 3.0, via Wikimedia Commons.

History

The first migrant workers in Canada came from England and Scotland in the late nineteenth century to fill domestic caregiver roles in employers’ homes. These caregivers were mostly girls and women who arrived in Canada with permanent resident status. At that time, Canada was a Dominion of Great Britain, and British subjects were automatically granted permanent residency in Canada. Domestic workers continued to arrive until World War II, when better employment opportunities opened up in their home countries, and caregivers for Canadian homes started to be recruited in Central and Eastern Europe.

The demand kept growing, however, and the federal government responded with the West Indian Domestic Scheme, which began in 1955 and ended in 1967. That program brought approximately

three thousand women to Canada from the Caribbean. The workers were paid less than White domestic workers, and they faced racial discrimination and difficult working conditions. However, at the end of a year of work, they were granted landed immigrant status. This meant that they could get an education, work where they liked, and sponsor family members. After five years, they could also apply for Canadian citizenship.

In 1966 the Canadian government started the Seasonal Agricultural Worker Program (SAWP) to provide temporary labourers for farms. The government recruited workers from the Caribbean, just like the West Indian Domestic Scheme. However, unlike the domestic caregivers, those temporary agricultural workers would not get any kind of immigration status after their work on Canadian farms. Furthermore, they would not be able to apply for permanent resident status, despite returning to work in Canada year after year.

The Non-Immigrant Employment Authorization Program was created in 1973 by the federal government to expand access to migrant workers for non-agricultural employers. The program gave workers temporary residency linked to specific employers without access to immigration to Canada. It was later renamed the Temporary Foreign Workers Program (TFWP). To hire migrant workers, employers had to apply to Employment and Social Development Canada to show that their labour needs were temporary and could not be filled by Canadians. In 2002 the Liberal government added a “low-wage stream” to allow migrant workers to fill low-skill jobs in construction, retail, health care, in-home caregiving, food processing, and manufacturing. The work permits are linked to specific employers. Although labourers who come to Canada under the TFWP are technically permitted to change employers, their new employer must get permission from the government to hire them and get a new work permit for them. This makes changing jobs difficult and creates an imbalance of power, as migrant workers are dependent on satisfying their employers in order to stay on the job and remain in Canada.

The TFWP led to maltreatment of migrant workers, including harassment, poor quality housing, low wages, unsafe work environments, and limited access to health care. International agreements such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the United Nations General Assembly in 1990, spoke out against such abuse. It mandated respect for migrant workers’ human rights, freedom from discrimination, right to medical care, and collective bargaining. Canada, however, did not ratify this agreement.

As the number of migrant workers coming to Canada has risen, so too has the emergence of labour recruiters who help workers navigate the process of finding work and moving to a new country. Although it is technically illegal in Canada to charge recruitment fees for any position, the lax enforcement of the laws has led to widespread abuse by local recruiters in their countries of origin. Low-wage workers, such as agricultural workers coming under the SAWP, are particularly vulnerable

to recruiters who charge large fees to connect workers to jobs. Some recruiters charge up to C\$10,000 to get migrant workers a minimum-wage job in Canada.

Several provinces have also passed laws that have affected migrant workers negatively. Ontario, for instance, passed the Agricultural Employees Protection Act in 2002, which deprived agricultural workers of the right to collective bargaining. Both Bill 26 in Alberta and Bill 8 in Quebec excluded migrant agricultural workers from the provincial labour codes. Manitoba is the only province that regulates recruitment fees for migrant workers.

The Union for Food and Commercial Workers (UFCW) has worked to organize and provide assistance to agricultural workers in Canada, suing the province of Ontario several times to ensure collective bargaining rights for migrant workers. Other organizations such as the Migrant Workers Alliance for Change, Caregivers Action Centre, and the Migrants Resource Centre have also provided information, support, and advocacy for migrant workers.

Migrant Workers Today

The coronavirus disease 2019 (COVID-19) pandemic highlighted the precarious status of migrant workers in Canada. It also spurred debate over whether a path to permanent residency or reforms to existing programs would best serve to improve their condition.

In particular, Canadian farmers had come to rely heavily on temporary agricultural workers recruited through the SAWP to ensure they make a profit on the crops that they harvest. However, pandemic restrictions limited the number of agricultural workers allowed into Canada. Those migrant workers who did come were disproportionately affected by the virus’s rapid spread. In Ontario, by mid-July 2020 more than one thousand migrant farmworkers had tested positive for COVID-19, and three had died of the virus. Employers tried to stop the spread by imposing harsh rules on their workers. Because workers were brought to Canada to work for specific employers, labourers had to obey the rules or be sent home. However, by April 2021, more than 750 agricultural workers had already tested positive for COVID-19 in Ontario alone.

In response to these issues, on July 31, 2020, Employment and Social Development Canada instituted changes to reduce the impact of COVID-19 on Canadian agricultural workers in order to safeguard the nation’s food security. Actions to help control the spread of COVID-19 included investing \$7.4 million to increase support for foreign migrant workers and \$6 million for migrant worker support organizations; increasing inspections of suspected non-compliant employers; and providing \$35 million to employers to increase health and safety measures and housing on farms. Temporary housing was set up by the Canadian Red Cross and the province of Ontario for migrant workers in Windsor-Essex County to support mandatory self-

isolation. Quarantine regulations were updated, with \$50 million designated for a Mandatory Isolation Support for Temporary Foreign Workers Program.

On April 14, 2021, the federal government allowed some migrant workers to apply for permanent resident status in Canada. The measures would allow twenty thousand migrant health-care workers and thirty thousand workers deemed essential to apply to become permanent residents. The essential worker category included nearly one hundred occupations outside health care, including harvesting labourers. If successful in their applications, migrant agricultural workers could then apply to have their relatives admitted as family-class immigrants. Although the numbers were small, the change in policy marked the first time that Canada's federal government allowed migrant agricultural workers to become permanent residents, instead of perpetual temporary foreign workers.

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