

March 30, 2018

**Migrant Workers Centre: Small Group Discussion Report to SPARC BC
for the BC Poverty Reduction Strategy**

Introduction

Date	March 24, 2018
Community	Migrant Workers and Former Migrant Workers who are now Permanent Residents or Citizens of Canada
# of Participants	21
# of Organizations	2

About the Participants:

All 21 participants were individuals with lived experience. Of these, 17 participants were currently working in BC as migrant workers under the Live-in Caregiver Program or the Temporary Foreign Worker Program, and 4 participants were former migrant workers who have since become permanent residents or citizens of Canada. A total of 19 participants came to Canada to work as live-in caregivers, while 2 participants came to Canada to work in low-wage jobs in the restaurant sector. All of the participants were adults, ranging in age from approximately mid-twenties to over fifty years of age.

Participants came to BC from the Philippines, Brazil, India, Nepal and Ukraine to fill labour market shortages. They perform valuable work caring for families, and supporting businesses in the restaurant sector. In the last decade, the Temporary Foreign Worker Program expanded rapidly with the result that BC relies heavily on the temporary labour provided by migrant workers. The most recent data indicates that 14,839 migrant workers in BC held TFWP work permits based on sign year in 2015, placing BC as second only to Ontario in terms of the number of migrant workers entering.¹

¹ http://open.canada.ca/data/en/dataset/052642bb-3fd9-4828-b608-c81dff7e539c?_ga=2.141260594.1057785413.1511914801-

About the Findings:

It is noted that many of the challenges faced by migrant workers living in poverty are similar to those faced by permanent residents and citizens of Canada, such as the high cost of living and stagnant incomes, among others. However, these challenges are exacerbated for migrant workers due to their status as temporary residents of Canada. As workers under the Live-in Caregiver Program or Temporary Foreign Worker Program, their ability to earn an income in BC is limited by structural aspects of these federal programs. For example, they receive work permits that authorize them to work for a single employer at a single location and in a single job. While in theory they can change employers, in practice it is very costly to do so, as they are not allowed to work or receive social assistance while waiting 6-10 months for new work permits to process. During this time, they may be homeless if they lived with their employer or if their employer provided them housing.

All of the participants earned low wages as migrant workers, from minimum wage to \$12 per hour. As migrant workers, they do not have the ability to take up additional part-time work for a different employer to supplement their low income. Migrant workers in BC are at the mercy of their employers for their ability to earn an income and many experience wage theft and other forms of abuse while working as migrant workers in BC. Without proactive enforcement of employment standards in BC, the province relies on employers to voluntarily comply or on workers to file complaints. Migrant workers avoid filing complaints against their employers even in cases of serious abuse for fear of losing their job. Their temporary resident status in Canada is dependent on continuous employment, and so they depend on their employers not only for their ability to earn an income, but for their ability to remain in Canada. This creates a significant power imbalance between employers and employees and creates the conditions that facilitate the labour exploitation or human trafficking of migrant workers.

While live-in caregivers have a pathway to become permanent residents in Canada, they must first complete 24 months of low-wage, precarious work as temporary residents. Some other migrant workers may have a pathway through the BC Provincial Nominee Program after completing 9 months of work as temporary residents in a limited number of occupations. Access to permanent residence is a 2-step process whereby migrant workers must first live and work in BC with precarious temporary status before applying to become a permanent resident. Despite the fact that 95% caregivers, for example, go on to become permanent residents, their spouses are not allowed to apply for open work permits which would enable them to accompany migrant workers to Canada and work to contribute to the family income. By the time the migrant worker's family arrives in BC, they have endured an average of 7 years of separation, which impedes settlement and unnecessarily delays prospects for gainful employment for spouses and children. In addition, migrant workers send home a significant portion of their earnings to support their families, which lowers their spending ability in BC.

Similarly, migrant workers have limited access to post-secondary education which would increase their employability, as they must pay international fees. Unlike newcomers who arrive with permanent resident status, they do not have access to federally-funded settlement services, including language classes and

skills training programs. This contributes to a cycle of poverty whereby migrant workers can't afford the cost of education and training needed to get ahead. This is despite the fact that many migrant workers are skilled immigrants and hold degrees in fields such as nursing, education, information technology, and business, but cannot work in their professional fields in Canada due to the high cost of upgrading their educational credentials. The significant illegal recruitment fees that migrant workers are required to pay to employment agencies for jobs in BC also contributes to the cycle of poverty.

Issues:

- The basic cost of living in BC is rising (food, rent, hydro, Translink, etc.) but our incomes are not rising proportionately. Our incomes are not high enough to survive in Vancouver.
- We have to send money to our families back home while still paying for our rent and food here in BC.
- We are separated from our families back home for many years. Unlike high skilled workers, our spouses are not eligible to apply for an open work permit which would enable them to accompany us to BC and contribute to the family income.
- We suffer mental health consequences from being separated from our families for so long. By the time we can be reunited in BC, our marriages may have broken down and our kids don't really know us anymore.
- Our employers do not pay us proper wages, especially not overtime. We work long hours, are expected to be on-call 24/7 and do not get paid for all the hours we work.
- Our employers sometimes lower our hours and we have no recourse or ability to work elsewhere to make up the hours. Instead of working 40 hours a week, we work only 30 hours.
- If we lose our job, we also lose our housing and become homeless if we are a live-in caregiver
- Processing fees for work permits, visas and applications for permanent residence are so expensive. Not only that, but the requirements for the requirements for the new caregiver pathways are expensive (foreign credential assessment, language test, and medical exams).
- Employment agencies and immigration consultants charge us high fees for help with completing immigration applications.
- We have to pay high recruitment fees to get a job in BC. We have to take out a loan and so we are in debt while trying to send money back home and trying to survive on our own in BC. The recruitment fees that we are charged range from \$5,000 - \$10,000 CDN. Loan sharks charge 20% interest.
- Language barriers prevent us from getting better jobs when we become permanent residents. As temporary foreign workers, we are not eligible for language classes or skills training.
- As in-home caregivers we feel isolated from other people and so if we have an issue, such as our employer not paying us properly, it is hard for us to talk to others about this. We also fear standing up for ourselves because we cannot afford to lose our job.
- If we lose our job, we are not allowed to work for between 6-10 months due to long processing times for Labour Market Impact Assessments and work permits.

- Migrant workers and their dependent children have to pay international student fees for post-secondary education, which is out of reach.
- Our employers do not provide extended health benefits, and the cost of extended health services is unaffordable
- The government does not provide us with any information about our rights, or where we can go to access services if needed

Possible Solutions:

- Increase minimum wage to a living wage
- Lower fees for basic necessities, such as BC Hydro, bank fees, mobile phone fees, etc.
- Increase access to subsidized housing for low income households; introduce a rent freeze; introduce an affordable rent-to-own housing program; and raise income bracket for rental assistance program
- Allow migrant workers to access the same social services as permanent residents and citizens of Canada (social assistance, social housing, etc.)
- Expand the Migrant Workers Centre so that all migrant workers have access to legal advocacy services, and offer free workshops to migrant workers to learn about their rights in communities across the province
- Allow migrant workers to access settlement services, including financial literacy workshops to learn about wages, wage deductions, filing income tax, credit cards, credit scores, RRSPs, etc.
- Allow migrant workers to access free language classes and skills training programs
- Provide migrant workers in BC with written materials on arrival with information about living in BC and services
- Financial assistance for children's activities (sports, music, etc.)
- Recognize foreign credentials, or at least subsidize education if a migrant worker wants to be certified to practice their profession in BC
- Include extended health care benefits in MSP (drugs, dental, mental health, etc.)
- Raise income bracket for Pharmacare
- Provide access to mental health assistance in the form of support groups and individual counseling
- Better regulation and enforcement for employment agencies that charge illegal recruitment fees
- Allow migrant workers and their dependent children to pay the same tuition fees as permanent residents and citizens, rather than international student fees
- Provide more tax credits for low income people, such as for Translink, rent, extended health care, etc.
- Remove room and board as a taxable benefit for income tax purposes
- Advocate with the federal government on behalf of migrant workers to lessen the cost of processing fees for immigration applications, process applications faster, issue migrant workers sector-wide work permits instead of employer-specific work permits, allow spouses of migrant workers to apply for an open work permit, shorten work requirement for caregivers to apply for

permanent residence from 24 months to 12 months, and allow migrant workers to study and work at the same time

Solutions and Actions That Can Make a Difference

a) Looking at the list of issues and solutions generated, what types of solutions did the individuals who participated in your meeting identify as most important to them?

- Increase minimum wage to a living wage
- Increase access to subsidized housing for low income households; introduce a rent freeze; introduce an affordable rent-to-own housing program; and raise income bracket for rental assistance program
- Include extended health care benefits in MSP (drugs, dental, mental health, etc.) and raise income bracket for Pharmacare
- Allow migrant workers and their dependent children to pay the same tuition fees as permanent residents and citizens, rather than international student fees
- Advocate with the federal government on behalf of migrant workers to issue migrant workers sector-wide work permits instead of employer-specific work permits, and allow spouses of migrant workers to apply for an open work permit
- Provide more tax credits for low income people, such as for Translink, rent, extended health care, etc.
- Allow migrant workers to access settlement services, including financial literacy workshops to learn about wages, wage deductions, filing income tax, credit cards, credit scores, RRSPs, etc.
- Allow migrant workers to access free language classes and skills training programs
- Provide migrant workers in BC with written materials on arrival with information about living in BC and services
- Expand the Migrant Workers Centre so that all migrant workers have access to legal advocacy services, and offer free workshops to migrant workers to learn about their rights in communities across the province
- Recognize foreign credentials, or at least subsidize education if a migrant worker wants to be certified to practice their profession in BC
- Advocate with the federal government on behalf of migrant workers to lessen the cost of processing fees for immigration applications

b) What emerged as the top 3 solutions or ideas based on the conversations and the individual priority setting?

1. Increase minimum wage to a living wage



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2. Increase access to subsidized housing for low income households; introduce a rent freeze; introduce an affordable rent-to-own housing program; and raise income bracket for rental assistance program
3. Include extended health care benefits in MSP (drugs, dental, mental health, etc.) and raise income bracket for Pharmacare

About Migrant Workers Centre:

Migrant Workers Centre (MWC), formerly West Coast Domestic Workers Association, is a non-profit organization dedicated to legal advocacy for caregivers and other migrant workers in BC. Established in 1986, MWC facilitates access to justice for migrant workers through the provision of legal information, advice and representation. MWC also works to advance the labour and human rights of migrant workers through public legal education and training, law and policy reform work and test case litigation.