



House of Commons
CANADA

Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities

HUMA • NUMBER 029 • 1st SESSION • 39th PARLIAMENT

EVIDENCE

Friday, October 27, 2006

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Chair

Mr. Dean Allison

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•(0835)

[English]

The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)): I'd like to call this meeting to order. Pursuant to Standing Order 108.(2), we are studying employability in Canada.

I'd like to take this time, just before we get started, to welcome all our witnesses and to thank you for taking the time to come out and share with us some of your ideas and some of your suggestions on how we as a government can do a better job with this employability issue that's facing our country.

In case you are unaware, we've been travelling this week. We were in St. John's, Newfoundland, in Halifax, in Montreal, and we've spent the last few days in Toronto. We'll be heading west—coming up in the next couple of weeks—to Vancouver, Calgary, and Saskatoon. So we will have an opportunity to hear from right across the country.

We will have seven minutes per group for your statements and then we'll follow with a seven-minute question and answer period, one round, and the second round will be five minutes. That will be your chance, if you don't have time to address all the things you want to address. I realize you could probably spend a day in each particular organization and on each issue, so we'll do our best to get these things moving as quickly as possible.

Perhaps you'd like to go ahead, Ms. Go. You have seven minutes. Thank you very much for being here.

Ms. Avvy Yao-Yao Go (Director, Metro Toronto Chinese and Southeast Asian Legal Clinic): Thank you.

My name is Avvy Go and I am the client director of the Metro Toronto Chinese and Southeast Asian Legal Clinic.

I have submitted a written brief. I just want to make sure that—

The Chair: Thank you. I always leave something out. I have to do that to come back.

For the briefs that were just submitted, which we didn't have time to translate, they will be translated. Once they're translated they will be made available to all the members.

Ms. Avvy Yao-Yao Go: I'm going to give an overview of the brief that we have submitted.

Just as a background, our clinic serves clients who, because of their social, political, and economic situations, face multiple

problems in their lives. We have served thousands of immigrant workers and workers from racialized communities who find themselves ghettoized in low-waged, non-unionized jobs and who face exploitation by employers who have very little regard for their rights. We have also served hundreds of immigrant workers who are non-status, but who contribute to the economic development of our country nonetheless, without receiving any benefits in return.

However, all of these individuals are now facing even greater challenges as a result of new cuts to certain federal government programs designed to assist them. These cuts, as announced by this government on September 25, 2006, will have a disproportionate impact on those who are the most marginalized, among them, immigrants, persons from racialized communities, and persons with disabilities.

Our written brief, and therefore my oral brief, will focus on three issues: first, the issues and concerns of immigrant workers and workers from racialized communities; second, the issue of non-status immigrant workers; and third, the elimination of the court challenges program and its impact on our communities.

While the gap between rich and poor in Canada is generally widening, the impact of this growing gulf is being felt much more profoundly by certain racialized groups. In the Toronto area, for example, racialized group members are three times more likely to live in poverty than are non-racialized group members. In the words of Professor Grace-Edward Galabuzi, at Ryerson University, we have created an economic apartheid in Canada.

Among those most vulnerable are the immigrant workers who find themselves exploited by employers who disregard their rights with impunity. It is not uncommon in our practice to see employers simply file for bankruptcy protection rather than pay their employees' owed wages and termination pay. Many workers who have lost their jobs find the door to EI benefits closed due to the restrictive eligibility criteria and the outright disentanglement for workers who quit their jobs or are fired for misconduct, even though they may have left their employment due to discrimination and harassment.

To address these two issues, we have recommended the following: first, develop a national framework of action and an implementation plan to address the issue of racialization of poverty and inequitable access to employment opportunities faced by immigrant workers and workers from racialized communities; second, proclaim Bill C-55, which gives workers priority over all other creditors in their claims for unpaid wages and bankruptcy proceedings filed by their employers; third, as proposed under Bill C-55, establish a wage-earner protection fund to cover wages owed to workers by their bankrupt employers; and fourth, amend eligibility requirements under the Employment Insurance Act by loosening the disqualification provisions and by reducing the required insurable hours to make it easier for casual and part-time workers to have access to a decent amount of employment insurance benefits.

Turning now to the issue of non-status immigrants, there are an estimated 200,000 to 500,000 individuals living without status in Canada. Their existence is the result of inequities created by an immigration and refugee determination system that is fundamentally flawed. Our economy relies on the labour readily provided by non-status immigrants, yet we fail to provide them with the benefits that other Canadian workers take for granted.

To address this issue, we recommend that the standing committee call on the Minister of Citizenship and Immigration to immediately put in place a process to regularize the status of non-status immigrants. In the meantime, we should seek to amend the Employment Insurance Act to allow all workers who have contributed to EI premiums, regardless of the legality of their status, to receive EI benefits when they become unemployed.

Finally, there is the issue of the court challenges program. On September 25, 2006, the Government of Canada announced \$1 billion in cuts to various federal programs. Of course, there are many issues that can be addressed, but I'm just going to focus on one of them, which is the elimination of the court challenges program.

● (0840)

Established in 1978, the court challenges program has been a key source of support for individuals and groups seeking to enforce their equality and language rights under the Canadian Charter of Rights and Freedoms. Cases that have been brought forward with the support of the program include *Canada v. Lesiuk*, which looks at the constitutionality of the EI eligibility requirements from the perspective of women with child care responsibilities.

The program has also supported advocacy groups in challenging policies and programs that negatively affect persons with disabilities.

The UN bodies have recognized the court challenges program as an important instrument that advances the rights of minority groups, including persons with disabilities.

The elimination of the program will make it more difficult for disadvantaged groups to enforce the rights that they're supposed to enjoy under our constitution.

We recommend, finally, that the standing committee call on the Government of Canada to immediately reinstate the program and to restore full funding to the court challenges program.

Thank you.

The Chair: Thank you, Ms. Go.

We're going to move on to Ms. Spindel. You have seven minutes.

Mrs. Andrea Spindel (President and Chief Executive Officer, Ontario March of Dimes): Thank you, Mr. Chairman, and thank you for allowing us to come before you and other honourable members.

My name is Andrea Spindel. I'm the president and CEO of Ontario March of Dimes and March of Dimes Canada. With me today is Ms. Judy Quillin, who is our director of employment services.

Established in the 1950s to fund research—just to put you all in the frame of who we are—March of Dimes moved on to become a rehabilitative medical assistance organization for those who had once contracted polio, and since 1957 we have been serving people with physical disabilities, no matter what the cause of that disability, across Ontario. Since 2003 we have been moving our programs out across Canada. Our mission expanded in that year to serving children as well as offering services outside of Ontario.

Since the late 1950s, vocational training has been one of our major programs, originally provided to assist people to regain skills that might have been impaired because of the acquisition of polio or other disabling conditions.

Although our delivery model has changed dramatically since then, the psychological and economic importance, for people with disabilities, of entering the workforce is unchanged. Today our employment programs are clearly focused on successful employment outcomes for persons with a disability who want to enter or re-enter the labour market.

Ontario March of Dimes provides employment services to clients of the Workplace Safety and Insurance Board of Ontario, the Canada Pension Plan disability branch, and the Ontario disability support program, as well as services to other referring agencies.

Through Service Canada employment programs—the youth employment strategy and the opportunities fund—we offer federally funded services across the province, from our program for youth with barriers to employment in Sioux Lookout, in northeastern Ontario, to our comprehensive full employment resources centre in Kingston.

In 2005-06, 180 employment services staff served 8,118 individuals with 217,237 service hours, on a budget of \$22 million.

Employment services is our second-largest service, with annual expenditures that account for over 25% of our annual operating budget. Statistics concerning persons with a disability in employment are very well documented.

Recently you heard from the Office for Disability Issues that 12.4% of the Canadian population have a disability. Of those individuals who are of working age, only 49% are employed. This compares with 78% among the working-age population who are without disabilities.

Of persons with a disability who are not working, 32% have indicated that their condition did not completely prevent them from working or from looking for work. This represents a significant untapped labour resource.

As a province-wide provider of employment services for a diverse number of programs funded at the federal, provincial, and municipal levels, March of Dimes would like to comment on three key issues that we believe are fundamental to a comprehensive employment system.

One would be system navigation; two, support to employers; and three, support to persons with a disability who are not competitively employable.

On the system navigation issue, there is a huge diversity of employment programs for people with disabilities in communities across Ontario. These programs have distinct eligibility criteria and service offerings. In our own offices we see people with disabilities who are not aware of the range of services available to them and/or are not accessing programs in which they have a right to participate.

In 2004-05, as an example, 290 individuals with a disability entered a job placement program that we delivered in a collaborative venture with other non-profit agencies in Toronto. Of these individuals, 52% were self-referrals who did not access the pre-placement services for which they were eligible that are provided by the federal or provincial governments. When asked why they did not access these services, common responses included a lack of knowledge about these programs or a feeling that they couldn't figure out the program that was right for them.

While we are sure that each level of government and individual employment program is providing information to the end-users, it appears it is not hitting the target, or perhaps it is not available in a simple, accessible format.

As a result, service providers such as the March of Dimes must assist people to locate, apply, and enter into a program or programs. This navigation support is a function for which we have limited resources. We encourage a partnership among provinces, territories, and the Government of Canada that will clarify and simplify service offerings. We support a more unified approach to this issue.

● (0845)

In providing support to employers throughout the years, we've seen that employers have made great strides in their attitudes and in their willingness and ability to accommodate individuals with physical limitations and to respond to employment equity requirements.

Many employers have moved from hiring because of a corporate social responsibility, to actually viewing persons with physical disabilities as strengthening their corporate resources and capabilities, and in some situations as creating a competitive advantage. Still, there are some employers, particularly medium or small employers, for whom this is not the case. In addition, where the disability is hidden, such as a mental health disorder or epilepsy, that progress has not been as evident.

Over the past number of years there have been numerous opportunities, facilitated by government, that allowed employers to

provide input into how they might improve their hiring of individuals with disabilities. From our experience, these have included the following: implementing measures for increased employer awareness and understanding of persons with disabilities, especially those with hidden, or even multiple, disabilities; implementing measures that would build internal HR capabilities through resource materials and through enhancing the skills of managers; better connecting employers with persons with disabilities; reducing costs by providing free expert advice; and building partnerships between agencies and educational institutions aimed at increasing the representation of persons with disabilities.

Many government funded programs today are outcome-based. The measure of success for these programs is competitive employment. There are individuals who want to participate in meaningful activity, but due to their disabilities they will not be competitive and fully employable. Although the goal of employment programs is to enhance economic participation through paid employment, not all can participate in this manner. We urge support for family caregivers and for individuals who want to be part of the workforce in some meaningful way but not through full employment because they may have a complex disability or multiple disabilities.

With an increased focus on outcome-based programs, there is a decline in other programs and a lack of focus on enhancing the quality of life in other ways. It's not that there isn't some funding, but the funding is becoming more rare.

We are concerned about those who need independent-living support, access services, or support from peer groups and community mutual aid groups who want to participate in meaningful activity but for whom there is no funding support.

Although your focus as a committee is on employment, we want to draw to your attention that improving life skills, keeping people in the community, and allowing people to contribute in meaningful ways—such as doing volunteer or part-time work or providing support to one another—are ways by which they will become more contributing members of society and less of a cost burden to the Government of Canada.

Thank you for allowing us this opportunity.

● (0850)

The Chair: Thank you, Ms. Spindel. We appreciate that.

We're going to move to our next presenter, Mr. Ramsaroop. You have seven minutes, sir.

Mr. Chris Ramsaroop (National Organizer, Justicia for Migrant Workers - Ontario): Thank you very much, and good morning.

My name is Mr. Chris Ramsaroop, and I'm a national organizer with a group called Justice for Migrant Workers. We're an organization that advocates and works with seasonal agricultural workers who come up from the Caribbean and Mexico. Many of us have family members who have come up through this program as well as many close friends.

To contextualize the program, the seasonal agricultural worker program began in 1966. It is a guest worker program that was initiated between the Government of Canada and several countries in the Caribbean as well as Mexico. There are over 20,000 workers who come under this program in every province, with the exception of Newfoundland. Workers come up for anywhere from eight weeks to eight months.

To contextualize further, we support the recommendations that have been submitted by several organizations, such as the FCJ Refugee Centre, KAIROS, the National Alliance of Philippine Women in Canada, and the United Food and Commercial Workers, on non-status and temporary workers. And we wish to submit some additional comments and recommendations as they relate specifically to migrant agricultural workers. Before going over those recommendations we'd like to tell you about some of the conditions these workers face while working here in Canada.

Many of these workers work 12 to 15 hours a day without overtime pay or any type of holiday pay. They use dangerous chemicals and pesticides with no safety equipment or protection and training. They live in substandard housing, which I have pictures of, with leaking sewage and inadequate washrooms. They have an inability to access most employment insurance benefits despite their contributions. They face various barriers to accessing adequate housing services. And they're prohibited from forming collective bargaining and joining unions. For actually taking a stand for anything they believe in, they could be sent home. As such, many workers are reluctant to stand up for their rights, since employers find it easier to send workers home at their own expense instead of dealing with their serious concerns. The lack of an appeal mechanism in the seasonal agricultural worker program forces many workers to remain silent out of fear of being expelled from the program.

Canada has historically relied on migrant labour to build this nation. Today migrant workers are indispensable in domestic work, construction, and agriculture. The low wages of migrant workers have supported a multi-million-dollar agricultural industry. Despite the economic importance of migrant workers' contributions, they have been consistently denied basic rights and citizenship. Today agricultural migrant workers are among the most marginalized in the labour force in Canada.

Within its mandate to examine the employability of seasonal migrant workers we ask the standing committee to explore policy changes that would address the structural discrimination faced by migrant workers.

First is the right to employment insurance. Despite paying millions of dollars into the EI fund, migrant workers are currently only able to claim parental benefits. Migrant workers must be able to claim regular and sickness EI benefits. As a result of the work of several of our organizers, a couple of years ago workers were able to find a loophole and they were able to start accessing parental benefits. As such, it's helped provide some basic income security for many of the workers who face unemployment and underemployment in their home country.

Is there a precedent for extending benefits to the home countries for their workers? Yes, there is. As you may be aware, we do have an

established agreement for residents in the United States who can apply for regular benefits under Canada's employment insurance scheme. The agreement is between Canada and the United States respecting unemployment insurance. Many of these migrant workers meet the criteria established for regular benefits if you consider the principles of the social insurance scheme. When workers become unemployed through no fault of their own, because of their permanent non-resident status and the fact of our immigration laws, they have to go home.

Second, they have a strong attachment for labour in the economy of our country. Over 80% of these workers come back year after year.

Third, many of the conditions that are conceptualized by our employment insurance scheme are what they're facing in their home countries. Many of them do not work, and many of them survive on the small pittances they make here in Canada. As such, we ask the government to put regulations in place and sign a reciprocal agreement with the home countries of Jamaica, Trinidad, Barbados, and Mexico to have an agreement similar to what we have in CPP.

Fourth is an end to repatriation. As this contract is an employer-sponsored contract, workers are basically repatriated for standing up for their rights. We've counted over the last ten years over 5,471 workers who have been sent home: 2,200 signatory workers have been deported for "breach of contract"; 889 have been deported for medical reasons; 2,319 have been deported for domestic reasons. However, because there's no further information, nor are there any means where workers can challenge the deportation, no more information is known. But we can provide anecdotal evidence of why workers are being sent home. They're being sent home for standing up for their rights. They're being sent home for complaining about some of these housing conditions we're talking about. They're being sent home because they're sick. They're being sent home because they want change.

• (0855)

The way we came to our work is because several workers stood up for their rights in a place called Leamington, Ontario. Because they stood up, they were told they had breached their contract and they had to go home. That's something each one of us here can do. We can stand up for what we believe in.

We're asking you to look into the contract. HRDC and Service Canada play an important role in negotiating the contract, so that a dispute mechanism, an appeals mechanism, is put in place to ensure that workers have a chance to appeal these decisions.

As organizations such as STATUS, KAIROS, and No One is Illegal have also brought forward, we believe in the right to regularization. Many of these workers have been coming to this country for 30 to 40 years, yet the point system does not enable them any opportunity to gain status for Canada. We believe that the regularization process must be implemented to ensure that workers do have a chance, that their contributions are met here in Canada, and that they are provided with some dignity and respect.

As such, we have four recommendations: one, that permanent residency status be provided for workers currently employed under the auspices of the seasonal agricultural worker program; two, that permanent residence status be provided retroactively for workers previously employed under the seasonal agricultural worker program; three, that provisions for family reunification be included to allow families of migrant workers to apply for residency status; and four, that a process of citizenship be expedited for migrant workers who marry Canadian citizens.

In the spirit of recognizing past injustices, the crimes that we as a nation committed against the Chinese, the Japanese, and countless other communities, let us learn from the lessons of history and address the contemporary system's indentureship so that thousands of Mexican and Caribbean workers will be given the respect and dignity they deserve.

Thank you.

The Chair: Thank you, Mr. Ramsaroop.

We're going to start with the first round of questions. Mr. D'Amours, seven minutes, please.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): If you need the translation, please use the apparatus. I will ask my questions in French.

[Translation]

Mr. Ramsaroop, I have a brief question for you.

● (0900)

[English]

I asked to see the pictures that you brought. Can you tell me if this is the general case across the country, or is this an exception?

Mr. Chris Ramsaroop: Thank you very much for that.

Several places have been extremely deplorable. The problem is that any time a worker wants to challenge these types of systems, they have a fear of reprisal. When these pictures were taken, for instance, the workers faced several threats from their employer. One worker was actually sent home for this.

We've seen a lot of conditions like this throughout Ontario. In British Columbia, we've also faced similar experiences as well. So, yes, we find a lot of conditions like this.

There is no enforcement of provincial guidelines, and part of that's in relation to avoiding negotiating this contract.

Mr. Jean-Claude D'Amours: So you've asked the Government of Canada to make sure that the labour laws are respected?

Mr. Chris Ramsaroop: There are two components. Both of the last governments looked at guest worker programs, which I would call indentureship programs. Part of the guest worker program is based on a model where the employers are in total control. Part of this control is through a repatriation scheme.

So what has to happen is that, one, workers should have the right to transfer from an employment situation that they deem precarious; and two, there has to be an appeal process, so when a worker sees these types of conditions, when a worker is facing health and safety issues, they have a right to challenge that.

One of the workers I was dealing with a couple of weeks ago had injured himself on the job. He didn't work for weeks. The day before he was to go for the CAT scan, he was sent home. There's no way to challenge these things, because there are no mechanisms in place for this.

[Translation]

Mr. Jean-Claude D'Amours: Ms. Yao-Yao Go, I would now like to talk about employment insurance. You spoke earlier about immigrant workers. You mentioned that reducing the number of hours required to become eligible for employment insurance benefits could be an option, particularly for part-time workers.

I have a question for you about another aspect of the matter. Last year, in connection with the 2005 budget, I worked, as an MP from New Brunswick, to have the best 14 weeks from the past year adopted as the criterion. In other words, the best 14 weeks out of the last 52 weeks of work would be used. This was implemented in high unemployment rural regions, where seasonal work is common.

Would this measure, if it were adopted Canada-wide, help your workers? The ultimate objective is to use the best 14 weeks as a basis rather than the most recent weeks, which are not necessarily good weeks. Would the introduction of such a measure for all workers across the country be a satisfactory solution?

[English]

Ms. Avvy Yao-Yao Go: Yes, and I think that's a very, very good idea.

I can give an example of a situation where it would be very useful, because a lot of times the workers may not be laid off completely, right away. Their hours may be reduced, because for the employer, I guess it's easier to keep people on call rather than lay them off and then try to rehire them. So they may have 35 hours to start, but the last three, four, or even five or six weeks, they have only eight hours—very, very few hours.

If you take the best 14 weeks, or best whatever number of weeks, certainly it will increase the actual amount of benefits they will receive. So I would certainly endorse it, and it will apply to many of the situations in Toronto where layoffs and terminations don't happen instantly but are done gradually, over time.

[Translation]

Mr. Jean-Claude D'Amours: That's a good answer. We in fact worked to implement this because of seasonally unemployed workers. It has been in force since October 2005 in high unemployment regions. It is something that happens in various industries like tourism, hotels and restaurants, even here in Toronto, when there is less demand at certain times of the year. The approach would therefore definitely be appropriate.

We held many discussions, and after hearing other groups, we can conclude that there is virtual consensus on it.

I would perhaps like to raise a final point, because I know that time is getting short. You spoke about the Court Challenges Program. There is currently a general outcry against the government over this program because it takes away any opportunity for minorities to assert their rights and it does not give them the tools they need to defend themselves.

Indeed, immigrant or francophone minorities where I come from do not have the financial resources to defend themselves or to pay legal fees over a number of years. On the other hand, the program has clearly demonstrated that it would enable minorities to assert their rights and to obtain what they need to become more effective.

There is one other factor I would like to mention to you. A few weeks ago, the minister responsible for official languages said that francophones, in wanting to defend the Court Challenges Program, were looking to the past. My message is that what the minister was really trying to say was that all those who needed the program were only looking to the past and failing to look to the future. I would argue the contrary: the program does in fact enable minorities to look to the future, because they want to develop.

Could you tell me in a few seconds whether you agree.

● (0905)

[English]

Ms. Avvy Yao-Yao Go: I totally agree, not only because the program funds cases, policies, and laws that are current, but also it's consistent with what this government promised before the election, to make the government accountable. That's what this program is all about, making the government accountable.

We do that using the court challenges, to enforce the Charter of Rights and Freedoms that all of us enjoy. These rights will only exist on paper if we have no means of enforcing them.

Unfortunately, as you said, it's very true: if you are a minority group, where do you get the funding? Where do you get the resources to launch a charter challenge? This is not a program that benefits lawyers, this is a program that benefits Canadians. It's certainly inconsistent with what the government truly believes in to eliminate programs that make the government more accountable.

Mr. Jean-Claude D'Amours: Thank you very much.

The Chair: Thank you.

We're going to move to Madame Bonsant.

[Translation]

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Ramsaroop, I have a question for you.

Our association received approximately 5,400 complaints. Rather than forward these complaints to you, which would not serve any purpose, is there not an officer, inspector or some form of immigration police who make the rounds? Would it not be more profitable to complain directly to the government? There are people, who are paid for by your taxes, who are supposed to do this work. What has happened to those who are supposed to be inspecting the employers? Where are they?

[English]

Mr. Chris Ramsaroop: That's a good question.

I'll start off with a clarification. It's not 5,000 complaints; it's 5,000 repatriations or deportations. These are 5,000 people who for whatever reason—we don't know—were basically forced to leave the program. Basically, their jobs were cut for them.

The responsibilities of the agencies in Canada would be to both HRSDC as well as Citizenship and Immigration Canada. The other part of this whole thing is that there's a private consortium, a non-profit group called FARMS, that regulates the program.

In 1987 the program was basically privatized—it used to be run by the federal government—and therefore the transparency and accountability that was needed was basically gotten rid of, so one of the things also to consider is to abolish FARMS—abolish FERME—and develop a regulated government-run program to make sure there's accountability in this process.

The second component is that somewhere in Canada, somewhere in Toronto this week, the Canadian government and the governments of the Caribbean and Mexico are getting together with these organizations, FARMS and FERME, but no worker advocates or workers will be present at these discussions. There's no input for the workers themselves to have any way to address the issues they're facing here in Canada, so I think that's part of it. The fact is that these workers won't have any representation; the right to organize is extremely and integrally important.

● (0910)

[Translation]

Ms. France Bonsant: You should invite someone from Service Canada. Once you know what the subject of the meeting will be, invite the government so that there is a third party that can listen and see what is going on. Then it would perhaps reach the government. It's a suggestion.

Ms. Spindel, please enlighten me. I always thought that the March of Dimes was an organization that did medical research for persons with disabilities in order to find cures for diseases. As I listened to you speak, you seemed to change your position. You are in fact looking for jobs for these disabled people.

I have a question to ask you. In Quebec, more and more public schools are accepting persons with disabilities, depending on what the disability is. In Ontario, are there more schools accepting students with certain types of disabilities? There are of course serious disabilities that cannot be handled in this way. However, in Ontario, can persons with minor disabilities have the opportunity to be educated on a par with other students without feeling that they are being treated differently from others?

[English]

Mrs. Andrea Spindel: Thank you for your question.

It's a great opportunity to just point out to people that most Canadians remember the March of Dimes as an organization that raised money for research to prevent polio. We have not been doing that since 1957, when the mandate changed, because polio vaccine was discovered in 1955. Since that time, we have been delivering what we called community-based rehabilitation services. In the 1960s, we were the largest provider of what were then sheltered workshops, which began as services for disabled veterans and grew to be services for people with disabilities, no matter what the cause.

From the 1960s to now, we have grown into an \$80-million organization in Ontario alone, with seventy offices and in that framework \$22 million in employment services directly related to skill training, placement, job coaching, and helping employers to adapt their work environment. We do a lot of accessibility audits and we help employers to look at products, services, workplace attitudes, and a variety of things that will help accommodate people with disabilities.

In terms of the preparedness of people, you're quite right about the educational system having changed. I wanted to note in my presentation that we do see enormous change in our country. We're very happy about that, starting with, of course, employment equity legislation and the charter itself, so people have more rights.

What we have seen is that the success is there for people with moderate disabilities. They're increasing in numbers. Because of education legislation, they're in schools and they're in universities. In fact, if you have an education and you're able, you might even get a great job. But what's happening is that there is a greater schism between those who are able to succeed in the system and those with severe disabilities who are getting left, who are actually now not part of the great group of unemployed, but are in fact more marginalized because they will not get through the system the same way. They are not accommodated because of the severity of disability.

In fact, people who have severe disabilities are living longer. They're not in institutions. They're in the community. The family burden is unbelievable for people who have a severely disabled young person who is becoming an adult. We have a lot of people in their seventies and eighties calling us to ask what they do now for their 40-year-olds and 50-year-olds for whom they have been caring but can't lift anymore.

The workplace is not going to be the only solution. Although we very much respect that the standing committee is focused on employment, what we're concerned about is the lack of attention to those who are not going to be fully employed or competitively employed or meaningfully employed, but for whom being active, involved, and integrated is essential.

[*Translation*]

Ms. France Bonsant: Have the billion dollars in cuts by the Conservative government affected you in your work as president of the March of Dimes?

[*English*]

Mrs. Andrea Spindel: There are two areas I would speak to. Although we didn't come prepared to speak about the court challenges program, I would certainly reiterate what my colleague is speaking of.

I would suggest to you that it was a very visionary program. This country has been incredibly visionary, first with having the charter. The court challenges program set precedent, in that it explored new areas we hadn't considered. We have allowed people to come forward and express their concern or take issue with policies and legislation for areas that we many have not have even contemplated.

The most important thing about it was not just that it provided funding to the marginalized, but that it opened new territory and

moved us forward as a society. The government should therefore see it as creating opportunity.

Secondly, in terms of how the other cuts affect us, it's a focus on only funding employment outcomes. Programs are becoming so focused that organizations like our own are competing for clients with all the other agencies, because the only thing that is a measure of your success is that at the end of so many weeks, people have a job. All of your preparation, all of your systems support, all of your information services are not funded. You get funded if people are getting a job, but many people need a lot more than that.

• (0915)

[*Translation*]

Ms. France Bonsant: Thank you.

[*English*]

The Chair: Thanks very much.

We'll move on to Ms. Nash, for seven minutes, please.

Ms. Peggy Nash (Parkdale—High Park, NDP): Thank you, Mr. Chair.

My thanks to you this morning, presenters. If I have time, I'd like to ask each of you a question, and I'd like to begin with Ms. Go.

First of all, on the court challenges, I share your concern about the cancellation of the court challenges program. In my view, laws are only real if they are enforced. Without access to the court challenges program, perhaps most people who might be affected by the Charter of Rights and Freedoms would be unable to get their rights enforced because they have no way of challenging. They don't have access to legal counsel. Do you agree that the cancellation of the court challenges program in fact undermines our ability to get our human rights enforced in Canada?

Ms. Avvy Yao-Yao Go: I totally agree. Maybe the area of employment law can bring it home to this committee, which actually focuses on employment issues. The only way that we enforce and make sure that employers protect and respect the rights of the workers is by having a provincial body to do that. The government spent money to set up the Ministry of Labour's employment standards branch. People go there to file complaints, and the government provides lawyers to help these people enforce their rights.

In a way, the court challenges program is the lawyer in the area of charter rights. It's very important to understand that without that kind of support, these rights will become meaningless. The program is particularly important in constitutional areas, because they're unlike employment standards, where it's a \$7.85 minimum wage and 40 hours before overtime. In a way, it's simple to understand what these rights are.

Employment standards are clear, but constitutional rights are very complex. An individual is not able to articulate why their rights are violated unless they can convince the court that somehow those rights fit into all the jurisprudence and complicated case law. There's no way that someone without some kind of support, whether it's from the court challenges program or just a pro bono lawyer or whatever, would be able to do that. Without that, even if we have rights on paper, we are effectively not able to exercise them.

This government, just like any previous government, has said it is committed to human rights. We say that domestically and we say that internationally. When we go to the United Nations Human Rights Committee to make our presentations, the court challenges program is always touted as the program that exemplifies Canada's commitment to human rights. Because of that, Canada is acknowledged as a country that respects and enforces human rights, yet we now turn around and eliminate one of the most distinctive programs in Canada.

This program is unique. You cannot find a similar program anywhere in the world. It's part of the reason why we have such a great reputation overseas: because of the program and because of our commitment to human rights.

It does not make sense at all to eliminate a program that really spends very little money in the overall scheme of things. I would say that \$2.5 million out of the \$13-billion budget is less than a drop in the bucket.

Ms. Peggy Nash: Thank you. Your passion comes through very clearly.

Yes, our reputation internationally on human rights is something Canada has been very proud of. Certainly the amount of money for the court challenges program is a very small amount of money, then, given the much larger budget that we're operating with federally.

I have a very short time to ask questions, Ms. Spindel, so let me just ask you one.

Continuing on with the idea of the train of human rights, in my riding here in Toronto, some of the people who are most desperate are people with disabilities, people who perhaps could do some work, but they do have limitations. They need accommodation, and as you indicated, they don't necessarily know how to navigate the system or get access to programs that already exist.

It seems to me that what Canada is lacking is a really clear national strategy for people with disabilities, so that we can ensure that they get access to their full rights. I'm wondering what your thoughts are on that. How does Canada stack up compared to other developed countries in terms of our approach to people with disabilities? It's a big question and we have a short timeframe, but perhaps you could give me your thoughts.

• (0920)

Mrs. Andrea Spindel: First of all, I'll just say I agree with you that it is true that people with disabilities lack the structures, a comprehensive national system, a national strategy. We recommend that the provinces, territories, and the federal government work together to come up with one.

Having been in the business of serving people with disabilities for 35 years now, I have read umpteen reports. I would take you back to a report that Joan Brown wrote in 1981. It talks about disparity in all the systems and all the silos, and she recommended that we create one integrated employment system. I can say that with great pride because Joan Brown and I have stayed in touch all these years. She has been an adviser to the European Economic Community for many years, and she may even be past retirement now. I heard from her this week, and it remains a real interest of hers that Canada had the opportunity to do it but didn't.

The second thing we would support is a Canadians with disabilities act. You ask how do we stack up against others. In Ontario, we hold out with great pride the fact that we now have legislation in the form of the AODA, the Accessibility for Ontarians with Disabilities Act. The March of Dimes is carrying out a national campaign to encourage the federal government to work together with the provinces to adopt such legislation nationally.

The Chair: Ms. Nash, that's all the time we have for this round. You'll have to get those in the next round.

The last questioner on this round is Mr. Brown, for seven minutes.

Mr. Patrick Brown (Barrie, CPC): Thank you, Mr. Chair.

My first question will be for Mr. Ramsaroop. The question I had is in terms of new Canadians who require additional Canadian education. What advice would you have for the government in terms of training? Is training something you see as important? There are not enough services offered, and if finances are a barrier to that education, what types of programs do you see that the Government of Canada could have to better train new Canadians?

Mr. Chris Ramsaroop: In my capacity as speaking and advocating for migrant agricultural workers, the first thing to let you know is that they are denied access to training programs. They cannot come here to get any type of education. On their work permit it says that if you come as a guest worker, you cannot attend any educational institution, you cannot have any training. You are basically stuck in that one position as an agricultural worker.

So there is no social or economic mobility whatsoever for these workers. That's tied to the immigration laws and it's tied to the way HRDC runs its program.

Mr. Patrick Brown: So how would you advise us if they could be changed?

Mr. Chris Ramsaroop: I'd advise, one, making sure that there's a process of regularization; two, eliminating barriers that deny these workers access to any form of education and training; and three, removing this committee's past policy recommendations of excluding migrant agricultural workers from accessing EI in their home countries.

Part of the training and education is not only going to happen here in Canada, but also in Trinidad, in Jamaica, in Barbados, and in Mexico. As such, we have to look at a progressive framework to ensure that employment insurance is extended to their home countries as well.

Mr. Patrick Brown: Have you ever done any research on whether there are other professional skills within the migrant workers you represent? Are there engineers or doctors or other trades that would have a natural liaison within Canada?

Mr. Chris Ramsaroop: Part of the agricultural framework is defined as non-skills, and I think that's another thing we have to look at: who is defined as non-skilled and who is defined as skilled.

You have a group of racialized workers who work 18, 19 hours a day and who have become very good at what they do, but it's still considered non-skilled. The fact that they can't do any other type of work, the fact that many of them want to be construction workers or get some education to try to improve their situation, but they can't.... Even if you said that you want them to try to be an engineer or a doctor, the immigration restriction that currently exists denies them any opportunity to do so, and this is happening for every time any guest worker program is introduced in Canada. They are basically limited to their place of employment.

● (0925)

Mr. Patrick Brown: Thank you.

Ms. Avvy Yao-Yao Go: May I answer that? The other type of migrant worker would be, for instance, the live-in caregivers. Of the people who are coming here and working as domestics, 99% of them are from the Philippines, and many of them are actually nurses in their home country. Their skills are not recognized and they cannot come in as independent immigrants because they don't have enough points to come in as independent immigrants, so they come in as domestic workers. They are working at cleaning homes. Then they try to get their accreditation in Canada to go back to their nursing profession. So it's a roundabout way. It takes more time...and there is a serious nursing shortage in Canada.

The issue goes beyond just how agricultural workers are treated, but how the point system is set up, how we define who is an eligible immigrant and who is not, how we decide who gets in. It all impacts on why so many people are coming here with their high skills and working in very low-end jobs. The people actually have the skills to fill the jobs, to fill the positions that we need.

Mr. Patrick Brown: I have a question for Ms. Spindel.

I was interested in one of the comments you made. You said one of the problems is there's a lack of awareness of the services that are currently available for those persons with disabilities. You made me think of a good example. This committee gave out the Centennial Flame Award. I thought there was an example of where it probably wasn't publicized as it could have been.

What advice do you have for us? What could the Government of Canada do to better promote the services we currently provide?

Mrs. Andrea Spindel: I'm going to actually ask my colleague who is the director of employment services to speak to that, because she's close to all the organizations and agencies that fund this.

Ms. Judy Quillin (Director, Ontario March of Dimes): As we mentioned in the brief, we provide services through a variety of funders, that is, many with the Ontario government, some with the municipalities through the Ontario Works program, and certainly some through Service Canada. So really all levels of government are

involved in the promotion of service delivery to individuals with a disability.

I think what we are really encouraging is a unified approach, through the Government of Canada, the province, and the territories, and even through the municipalities, in the promotion of programs. There is different eligibility to get into each program, different criteria, and somehow there has to be a unified approach so that individuals with a disability can go into one portal, if you will, to understand the system and which program is appropriate for them.

The Chair: Ms. Brown.

Ms. Bonnie Brown (Oakville, Lib.): First of all, I want to thank you for the work you do every day in assisting people who are at the bottom end of the income scale. You probably have to keep them from getting and staying depressed with the futility of their situation. We don't work with those people every day, and I want you to know that we appreciate your work and laud you for it.

Ms. Go, you're probably aware of the last report of the National Council of Welfare, which just came out about a week ago. It says that the top 20% of earning families are now taking home 43% of the income in the country. The bottom 20% are only taking home 5% of the national income. Does this not suggest to you that we need to raise the minimum wage?

Ms. Avvy Yao-Yao Go: Absolutely. Many groups have been suggesting that it be raised to at least \$10. I'm not an expert in this area, and I don't know how high it has to go, but \$10 sounds good to me. My clients who come in every day work just as many hours as I do, but they're making less than one-third of what I'm making. The group we work with, immigrant workers, tends to be in jobs that pay only minimum wage, as opposed to the more unionized workers, who are paid more than minimum wage. So the minimum wage must be increased in order to ensure that people at the bottom are protected.

● (0930)

Ms. Bonnie Brown: If a person worked 50 weeks of the year, 40 hours a week, a minimum wage of \$11.40 would only give that person the equivalent of what we send out to our seniors in combined old age security and GIS. Seniors who have retired deserve every cent they get—I don't want to lower it; but we have people working in full-time jobs who do not earn as much as the government sends out for free to seniors.

Ms. Spindel, I want to thank you for pointing out that volunteer work is work too. It adds to our quality of life and sense of community. You said you don't have enough resources to assist clients in navigating the system. I assume you're talking about the need for caseworkers to help people move through the system. How many caseworkers would you need to hire to have enough to do this work?

Mrs. Andrea Spindel: We are talking about caseworkers, case managers?

Ms. Bonnie Brown: Yes. How many would you need to hire—in an ideal world—to cope with your clientele? Do you have a number you could give us?

Ms. Judy Quillin: That's a difficult question to answer.

Ms. Bonnie Brown: It can't be. The executive director just said "We can't do it, because we don't have the resources". If you want to get the resources, you have to figure out what you need, how much it would cost, and nag about it.

Mrs. Andrea Spindel: You'd need to look at the full caseload. Within seven regions, it could be as many as thirty people—

Ms. Bonnie Brown: Thirty people, okay.

Mrs. Andrea Spindel: —in our own system.

Ms. Bonnie Brown: I think you should put that into your next application for funding.

Mr. Ramsaroop, there are all kinds of things wrong with this system, and most of us saw it on *The Passionate Eye*, or one of those TV programs. Does it not all go back to the meetings happening this week? It's a dirty little secret. It's to the advantage of countries that send the workers that they not get too settled here. They want them to come home and bring the money, which adds to the economies of Jamaica and Mexico. Therefore, they agree to a certain set of conditions that make it impossible for these people to move ahead economically. These people have no one to complain to, do they? When they complain, they send the consul general or somebody like that from the home country to listen to them. That official doesn't want to rock the boat and stop the flow of money from, say, the tomato farmer into the hands of those workers, because that money is being sent home. So that's one of the problems.

Which ministry of the federal government signs those agreements? Is it immigration? Is it HRSDC?

Mr. Chris Ramsaroop: HRSDC has been primarily responsible for this, but one thing I always caution about the farm worker program is that there's always a ping-pong game between HRSDC and Immigration. Some things fall here, some things fall there—and sometimes they say it's a provincial matter, not a federal matter.

Ms. Bonnie Brown: They're all trying to unload it.

Mr. Chris Ramsaroop: Everybody is trying to.

Ms. Bonnie Brown: But it all goes back to the original agreements, does it not?

Mr. Chris Ramsaroop: Yes, the agreements are where part of it is. You have separate agreements governing these workers—agricultural workers, domestic workers, construction workers—and they sometimes differentiate from the laws that other Canadians have. So there's no uniformity, no equity between workers—

Ms. Bonnie Brown: I know that, but it's all goes back to these agreements and the actual intent.

The Canadian government wants to help that tomato farmer get cheap labour so that the tomatoes don't rot in the field. No Canadians will do it for the price the farmer is paying. They bring in people who think, say, \$7.50 an hour is great, and who live in those awful conditions. A lot of that money goes home, so the sponsoring country, the country that sends the workers, is really happy to have that injection of Canadian dollars into their economy.

Do you not think this committee should maybe investigate, or ask to see these agreements? I think that's where you'd find the root of the problem.

● (0935)

Mr. Chris Ramsaroop: The agreements are available online. Anybody could look at the agreements. The problem is the decision-making process within these agreements, the fact that the workers, the advocates, the people who are actually experiencing the plight in these fields don't have access to negotiating, or don't provide any input toward the decision-making process. Remember, there's no transparency or accountability when you have private organizations running it.

Perhaps I could do a plug here. If you want to see a good documentary, watch *El Contrato* by Min Sook Lee. It's about the plight of agricultural workers here in Ontario.

Ms. Bonnie Brown: Thank you.

The Chair: Thank you very much.

Madame Bonsant, five minutes, please.

[*Translation*]

Ms. France Bonsant: You spoke about poverty among women. Most of the time, women are the first to be affected because they earn only 70 per cent of what men earn.

What do you think about the agreement on child care centres or day care centres that we have in Quebec and the fact that the rest of Canada wants the same system? Don't you think that the current government listened?

I would not want you to think that I am engaging in politics. It is your opinion as the representative of an organization, as a woman, and probably as a mother, that I would like to hear what you have to say on this matter.

[*English*]

Ms. Avvy Yao-Yao Go: That's one of the practical reasons why I'm not a mother—because you have to take care of the child care situation.

Voices: Oh, oh!

Ms. Avvy Yao-Yao Go: Certainly I can talk about my clients. For a lot of the immigrant women who are here, child care is a serious problem. There's simply no accessible subsidized child care available.

Do you know what happens in the end? Many of my clients end up sending their kids back to China. They tear the families apart because they can't make a living in Canada with their kids here. They send the kids home to be looked after by the grandparents so that they can work in order to support the kids.

It's all very ironic. They come here in order to have a better future, mostly for their kids. But now that they're here, they're stuck in low-wage jobs, making minimum wage, not making enough to support and pay for child care. There's simply no accessible subsidized child care, so they end up having to get rid of the kids in order to make a living here so that the kids will have a future in Canada. The whole thing is convoluted. It just does not make sense.

So I think making child care a priority is tremendously important for all communities, not just for women but for all families.

[Translation]

Ms. France Bonsant: Yes, because that is a hot issue at the moment.

Here in Quebec, child care centres charge \$7 per day. This helps people on social assistance and young women working for the minimum wage. These children, in a new setting, learn English or French, how to integrate, and even how to have fun and develop.

You're going to have to continue to make noise, because I have the impression that governments still do not understand the situation. I simply wanted to encourage you not to give up, because we are going to continue to help you in this area.

We love our system. As I know that you want a similar system, I encourage you to continue.

[English]

Ms. Avvy Yao-Yao Go: Okay, thank you.

[Translation]

Ms. France Bonsant: I simply wanted to inform you of what I have to say about day care centres. No more than that.

[English]

The Chair: I know no one wants to be political around the committee, so that's good.

We're going to move over to Ms. Nash. Five minutes, please.

Ms. Peggy Nash: Thank you.

Mr. Ramsaroop, if I understand your main concern with respect to agricultural workers, the so-called guest workers, it's that there is no mechanism for them to address their concerns and no appeal process for decisions that are taken about them, including the decision to send them back home. They have no formal way of even challenging that decision, and basic rights other working people have enshrined in legislation are denied them, because they have no way of enforcing those rights. How can Canada have a situation where we have one set of rights for everyone else and another set of rights for this group of workers? When you take this to other bodies, how is this justified?

● (0940)

Mr. Chris Ramsaroop: A lot of the time people use economics. The myth and this notion of the small family farm has been this permeating argument. If anybody goes down to Leamington, if anybody goes to Simcoe and various other places, you see a huge agricultural industry. That's one of the ways people have got around this.

Second, the Canadian public has turned its attention away from this issue. It's a hidden dirty secret that nobody wants to address. A lot of the time we engage in NIMBYism, when we don't want to talk about what's going on in our own backyard. When you talk to workers, they come up to you and the first thing they say is that this is a form of slavery, a form of indentureship. Those are extremely harsh words people don't want to hear, and they don't take kindly to their own country doing it. That's part of it too, people are trying to ignore the situation that won't go away.

Ms. Peggy Nash: Other countries, European countries, have so-called guest worker programs. Do you know if workers there have

access, for example, to insurance programs like EI that they pay into? One would expect if you're paying into an insurance program you would have access to the benefits and the coverage of that program. Do they have a mechanism for insuring their basic health and safety on the job?

Mr. Chris Ramsaroop: Within the European Union there has been some move toward providing some uniformity around rights and standards for workers. However, there also seems to be a merging of a two-tier system in Europe as well between people from the south as well as people who live in Europe. So there seems to be differentiation of standards there.

What we're seeing also, with employment insurance and providing workers employment insurance, is they go home. Canada should sign a reciprocal agreement. In the late 1940s we did the same to work in the United States. If you've already set the precedent for it here, and if the Americans and Canada could do this, why can't we do this with other countries? We have reciprocal agreements and CPP and many other forms of social insurance, so surely if we could do that with these schemes we could do this with employment insurance.

Secondly, because of Consuelo Rubio, who works here in Toronto for the Centre for Spanish Speaking People, many workers started getting parental benefits. Up until three or four years ago, nobody knew about it. The fact that these workers are getting these benefits in their home countries is making a world of difference. It's providing the basic security they did not have before.

So I'm asking the committee to look at this. First, there has to be a way for workers to stand up to ensure an appeal mechanism. Second, look at a process of regularization and extending employment insurance to the home countries. And over that framework, make sure there is transparency.

Ms. Peggy Nash: Okay, thank you.

Speaking of employment insurance, we know that in the city of Toronto about 80% of working people don't get any benefits, in spite of the fact they pay into EI.

Ms. Go, I'd like to ask you something you didn't raise, or maybe I missed it, which was about temporary workers. I know that's been a big concern, that these workers seem to fall under the basic level of rights we all assume everyone has access to. Is this an issue with your clientele?

Ms. Avvy Yao-Yao Go: Yes, and I did raise it in my written submission; I simply didn't raise it in my seven minutes.

● (0945)

Ms. Peggy Nash: Here's an opportunity.

Ms. Avvy Yao-Yao Go: In fact, I think it's the norm rather than the exception now. People find work through temporary agencies. It's not that by working through temporary agencies they are not entitled to all these things, but it makes it harder for them. Temporary agencies are the employers. They are supposed to make deductions and they are supposed to respect the rights under the employment standards, but because they are temporary agencies, a lot of times they violate those rights or they make it difficult for workers to apply for EI. They may delay giving them their record of employment or they may say they will find another job for you, but it could be a very, very lousy job. People are then stuck between the idea of continuing with the lousy job or not do it and risk not getting EI.

There are all these kinds of situations created as a result of temporary agencies not respecting workers' rights. I think that issue needs to be looked into.

I will link here to another cut the government made, which is the cut to the Law Commission of Canada. Right before its cut, one of the papers that the commission was looking at was the changing work situation. They did a discussion paper on that issue, including looking at the temporary nature of employment, the changing employment contracts between an employer and an employee. All these are issues that need a lot of discussion and a hard look at; unfortunately, we now have fewer resources to look at those issues.

Agencies that are devoted full time to look at these difficult and complex policy issues are being cut. I think it is an area the committee should look at also.

The Chair: Thank you.

I want to ask a question of Ms. Go or Mr. Ramsaroop. We talk about, once again, the undocumented workers, the temporary workers, all the workers who have a hard time getting access to becoming Canadian citizens or even going through the process. Even through the nanny program, I believe that after three years they can apply for status. Is that correct?

Ms. Avvy Yao-Yao Go: They have to fulfill 24 months out of the 36. If they work two years, then they—

The Chair: But there is at least a process in place, whereas the temporary workers don't have anything.

My question goes back to what Ms. Brown raised. We are talking about employability issues. Immigration is certainly one of them. I believe the committee believes it's going to be one of the things that helps address those things. Right now there is no mechanism in place for the temporary foreign workers, certainly undocumented workers anywhere. Whether it's in the U.S. or Canada, there's no status.

Would there be some concerns...? I take Ms. Brown's points very seriously. There are probably between governments—which involves the people who are doing the negotiation, not us here on the ground so much—some very serious reasons why those agreements are struck the way they are. My question is, do you feel there would be some reluctance if all of a sudden we started saying we're going to waive those things and, by the way, you're going to have access? Do you think there would be a concern from some of those countries to say “Wait a second, I don't think we want to lose some of our people”?

I realize it will be your opinion, but is that a possible concern?

Mr. Chris Ramsaroop: I think that's a twofold question. First, there might be concerns from some of the people too, but you have to not only look at the home country but look at our own legacy, our own immigration system. Who's been put in and, as Avvy asked, who's been put out?

There is a book by Vic Satzewich, chair of the McMaster sociology department. It's called *Racism and the Incorporation of Foreign Labour*. I also want to contextualize why farm workers were put in this permanent temporary position.

While the government at the time, in the sixties, said they were very concerned about agricultural workers, particularly black men coming to Canada, what are the reasons they gave? Number one, they didn't want black men sleeping with white women. Number two, they didn't think that black men could acclimate themselves to the climate. Number three, they were worried about the civil rights struggle happening here in Canada. These were the reasons the government gave at that time to make sure that migrant workers would not be set up here with permanent status.

Before talking about and looking at other countries, we first have to look at our history to make sure we are not repeating the same mistakes as in the past. We have thousands of workers here in this country who need status, both under temporary programs and non-status people. If we want to ensure that their productivity is met, we have to deal with our own immigration issues first.

The Chair: I don't disagree with that.

Ms. Go, I'll get to your comments in a second.

I think my concern is that if we look at opening up.... As Ms. Brown said, if we don't look at opening up, even trying to provide a door or an opening for migrant workers, who I believe have come here and demonstrated that they are productive, who pay and do all the things.... I think they'd be great citizens.

My concern and my question is, will other governments tend to say, “Wait a second, we allowed them to go to Canada knowing they would return with dollars”, etc.? Maybe it's why nothing has been done; I don't know. Any assumptions date back to the sixties. Likewise, we talk about older workers, mandatory retirement at 65, which we all agree is totally discriminatory and shouldn't happen. But I think the reason it was done at the time, although I may disagree now, were reasons to which none of us would agree now. Times do change. But we haven't changed, and I think we need to.

● (0950)

Ms. Avvy Yao-Yao Go: I guess there are many reasons why I think we need to have regularization. But I'll just respond to your concern, and I'll use the live-in caregivers again as an example.

Certainly the Philippines as a country relies on remittances from Filipinos abroad. I can't remember how it's ranked as a country; it could be number one. I think it is number one. Part of that is the live-in caregiver program. In a way, I think the Philippine government cares about the money that is sent home instead of about the people returning home. So having live-in caregivers allows people to come here and have a chance to regularize....

There are many problems with the live-in caregivers program, mind you. But they have no problem with the fact that these women, as nurses, leave the country and come here to work as nannies in order to send money home, and eventually stay in Canada. I don't think they will have a problem with anybody else as long as they send the money home. These immigrants are here, working as nannies, in part to support the family back home. They will continue to do that, regardless of their status in Canada. So I don't think we need to worry about that.

The Chair: The only reason I would differ is that I would think if we were to open it up, certainly we would open it up to their families, and their families might end up immigrating as well. So they might lose that source of revenue altogether.

I think Ms. Brown raised a great point of discussion: are there other reasons that we may be missing as to why there are these programs, which, quite frankly, may affect governments at higher levels? Don't get me wrong; I totally agree with the premise that we need to do a better job in how we treat these individuals. There's no question about that.

Thank you very much.

We're going to move to Mr. Brown for the last five minutes.

Mr. Patrick Brown: Thank you, Mr. Allison.

My last question was about training and education for migrant workers. I'm going to move more to Ms. Spindel's area. Obviously with the labour shortages, one thing we could look at is trying to integrate more people with disabilities into the labour force. The higher the level of education, obviously, the more successful that integration is.

What are your impressions of the government's success in attempts at integration and in taking down barriers to post-secondary education? And what improvements can be made upon that?

Mrs. Andrea Spindel: People with disabilities, in my view, are probably the greatest untapped resource we have, because they have the highest unemployment levels in Canada. There has been movement, and there has been an awareness, particularly in Ontario with the AODA. The universities and colleges have all been challenged to become accessible. March of Dimes did an assessment about a year and a half ago of every college. We ranked them, and we rated them on their own accessibility plan. They have to become accessible. They're not all now, but they will become accessible by mandate. I think that's a good thing. I think we need to look at that across the country.

But it goes beyond that in terms of accommodation. We participated in a provincial government commission—I forget the full title—that's become known as the Rae commission. It looked at higher education and what is required to help people with disabilities and others in an educational framework. What we saw was a range

of accommodation. People with hearing and visual loss need materials and support in many different formats. Some professors are providing this on their own and really getting it and are putting out materials. Their lectures are inaccessible to a person who can't read them, or they're inaccessible to a person who can't hear them. Some of the individual professors are actually modifying what they do.

I met with two or three individuals. One was the only visually impaired gentleman in Canada who is getting a doctorate in engineering. It's amazing. He just showed us the technology he's using. It exists. There are now several Canadians with total hearing loss doing doctorates.

They used to go to the one university in North America that everybody probably knows about, Gallaudet. We don't have any one university, and we shouldn't. We should have integration. That was part of the debate: whether we should create a particular college or university in which we encourage and facilitate education for people with a disability. That is an open debate in our communities today simply because it would be less expensive, and you might have more people attend.

Our ultimate goal would be integration and the creation of an environment that would be accessible for all. There's a long way to go to making that happen. We do have the people with the intellect to achieve that, and we're not using them.

Mr. Patrick Brown: What is the federal role there? What initiatives should the federal government take to achieve this?

Mrs. Andrea Spindel: The major initiative, I think, would be to look at a national disabilities act, which would require publicly funded organizations, institutions, crown corporations, and so on to make accessibility a higher priority and provide some funding and some incentive, and employer and institutional training, particularly human resource systems, but whole levels of the organization getting education about what they can do about it.

I actually don't think people are unwilling. We've come a long way. People are not of the mindset that disabled people shouldn't be given a chance. I'm not suggesting that for a minute. I think we've opened up our minds to accept that they're part of society. What we haven't done is actually make it a living thing, that it is possible to be fully integrated. We still think it's somebody else's problem. Which level of government, which department, will do it? Nobody seems to own it. It's a collective issue.

There was a study done a couple of years ago at the national level—and I somehow think Andy Scott was associated with it, but I've forgotten. It changed the focus from saying that disability is a social problem to looking at the rights of people with disabilities as just part of citizenship in general. So not unlike my colleague speaking about workers rights for the marginalized, our view would be that if we really think about people with disabilities as being citizens of this country, they need to be able to access everything that you and I would. It's unavailable in formats they can access.

• (0955)

Mr. Patrick Brown: In the minute I have left, I have one quick question for the Metro Toronto Chinese and Southeast Asian Legal Clinic.

With your experience in the Toronto Southeast Asian community, do you have any thoughts on foreign-trained doctors? One of the biggest shortages I have in my riding is at our hospital, which is short 27 doctors. I understand there are 1,000 foreign-trained doctors in the country who haven't been given residency spots. Is there talent or skilled workers within your community on that front?

Ms. Avvy Yao-Yao Go: I think there are skilled workers in many communities, including ours, of course, but there are many barriers to accreditation.

In the situation of the Chinese Canadian community, I think language is still a much greater barrier. It's not as much a case for other immigrant communities as South Asian communities, because English is their language of instruction. However, they still face a lot of barriers.

The provincial government in Ontario is now attempting to address that through Bill 124, which deals with accreditation of foreign-trained professionals, including health professions. But certainly I think it would be nice for the federal government to

help with the training issue, the language-training issue, and all those immigrant settlement types of issues, to help some of these foreign-trained professionals get ready, when the legislation is in place, to make it easier for them to get accreditation. I think it's more a provincial issue than a federal issue at this point, but support from the federal government is going to help in terms of the training and language issues.

The Chair: Thank you very much.

I'll just take the time to thank all the witnesses once again for being here.

Ms. Go, I appreciate your passion for the group you represent. We may not agree on everything philosophically, but I certainly appreciate the passion that you bring to the table for those people you represent.

Ms. Spindel, regarding the great work that the March of Dimes does, I can assure you that where I come from in Niagara, I've seen the facilities and what they do, and I'm very impressed. I appreciate what you two ladies are doing as well. You're probably aware that our government is working on an act, and they're in consultation now within the government. Hopefully at some point we'll all get a chance to see what that looks like and be able to comment on that as well.

Mr. Ramsaroop, thank you again.

As I said, for each one of you, we could spend a whole afternoon just on your individual organizations, but for the sake of time we do appreciate you coming, and being brief and able to answer all our questions.

Thank you very much.

The meeting is adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

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