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Chair

Mr. Norman Doyle

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•(1310)

[English]

The Chair (Mr. Norman Doyle (St. John's East, CPC)): I call the meeting to order.

We have to move along here. We have to be out of here at 4 o'clock if we're going to catch our train. If we don't start on time, that means we eat into the witnesses' time, and I don't want to do that.

Today we have, from the International Association of Immigration Practitioners, Ramesh K. Dheer, national president. Welcome again, sir. Welcome as well to Luin Goldring, associate professor in the department of sociology at York University, appearing here as an individual; and from the C.D. Howe Institute, Colin Busby, policy analyst.

Thank you for being here. I don't know if you have a lineup of who will speak first, but we can give you seven minutes for opening statements. Anyone at all can start. Mr. Dheer has already been here, so maybe we'll put him on last.

It's up to you as to how you want to proceed. Just take your time and we'll see how it goes.

Mr. Goldring, Mr. Busby...?

Mr. Colin Busby (Policy Analyst, C.D. Howe Institute): I guess I'll go first.

Immigration has been a significant contributor to Canada's labour force. Recent census data show that from 2001 to 2006, Canada's labour force grew by 1.3 million, of which roughly 40% is directly attributable to immigration. Seasonal and temporary immigration programs have been part of Canada's overall immigration plan since the late 1960s, but have grown significantly in recent years. Under the temporary foreign worker program, workers help fill skill and labour shortages in Canada and contribute to overall economic growth.

Large levels of immigration and shifting policies have led to a variety of concerns. Most often mentioned is the dubious claim that increased immigration has taken away jobs from native-born Canadians. Further, immigration policies have sometimes been emphasized for the wrong reasons. It is not true, for example, that a numerous and more youthful distribution of immigrants could easily cure the challenges of an aging population.

Yet, tight labour markets have begun to pose a strain on the growth of certain sectors and regions. Canada's aging workforce, a rapidly expanding economy, and technological change have resulted in a shortage of qualified employees, predominantly in western

Canada. Job vacancy rates have risen, forcing both private and public sectors to look for immediate relief, driving employers to tap into the pool of temporary foreign workers. Meanwhile, the federal government may have a useful role in helping employers and potential employees match up. The temporary foreign worker program helps fit the ambition of foreign workers with Canada's domestic needs.

That said, we should not look to the temporary foreign worker program to deliver more than it can. Canada has a number of policy tools that can do more to increase the performance of our labour market than can a dramatically expanded temporary foreign worker program. Similarly, improvements in other areas of Canada's immigration program may produce larger and more lasting benefits.

For the purposes of this brief, the temporary foreign worker program is seen to potentially target three distinct shortages in our labour force. The first is to meet the need for work that few domestic residents will do, such as seasonal farm workers and live-in caregivers. The second is to meet the need for skilled employees who are not present in our labour force, such as specialized nuclear technicians or professionals with precise and extremely rare skills. The third looks to fill jobs that workers in our labour force may undertake but who face barriers in moving to meet employment demand.

Ultimately, the temporary foreign worker program serves as a good tool for the first two conditions, but we should resist extending the program to address shortages when they are symptomatic of other problems in our labour market.

Markets generate wage and price signals, and often policy distorts them. As an example, high global energy prices highlight the demand for western Canada's resources, causing investment to rise, which in turn places further demands for a large flow of capital and labour. This drives wages up and sends other price signals through the market.

Notwithstanding a low national unemployment rate, unemployment is high in certain geographic pockets. As of March 2008, unemployment ranged from a low of 2.9% in central Alberta to 19.1% in southern Newfoundland and Labrador. These statistics suggest rigidity in our labour market.

The Chair: Would you repeat that? I missed that last statistic.

Mr. Colin Busby: As of March 2008, unemployment ranged from a low of 2.9% in central Alberta to 19.1% in southern Newfoundland and Labrador, suggesting rigidity in our labour market. Jobs are available in some areas, but only a trickle of unemployed workers move in response. Notably, labour market rigidity is confined mostly to central and eastern regions.

Although the temporary foreign worker program acts as a stopgap measure for labour needs, some of the forces behind the growing use of foreign workers are prime examples of an interprovincial mobility problem. The need to meet short-term labour demand is a concern, for the temporary foreign worker program cannot be comprehensive if larger underlying problems go unaddressed.

Although meeting the immediate concerns of business is important, foreign workers are not the only policy route. Some of the objectives of the temporary foreign worker program could be achieved by policies that encourage a greater level of labour mobility. In this vein, one would be to modernize the employment insurance program.

The role of temporary foreign workers in meeting acute and persistent labour market shortages should not distract attention from long-term policy goals. For example, does increasing the level of temporary foreign workers harm the existing immigration program by filling jobs that could be more beneficially filled by new permanent immigrants? If so, how large is the trade-off? Finally, to what extent do the goals of the two programs overlap?

Where job shortages appear to be more permanent, the temporary foreign worker program should identify areas for a streamlined application process. This is true for the seasonal agricultural worker program and the live-in caregiver program, which address jobs for which there is no willing domestic labour force, nor will there be in the medium term.

The same should apply to labour shortages in areas in which Canada lacks specific and ongoing domestic expertise, areas where shifting economic fundamentals would not likely impact the flow into these positions. Specifying areas where more permanent labour shortages exist would expedite judgments about whether foreign workers are needed in regions or sectors. Streamlining applications for permanent areas of concern would be beneficial to businesses and free resources for use in more ambiguous cases.

The expansion of the temporary foreign worker program should not divert resources or attention from measures that would speed up and facilitate the permanent immigration of foreign students in Canada. Many of our visiting students have much to offer and are eager to take up residence. A relatively untapped source for skilled workers is in our universities.

Further, our system of colleges could look to expand access to foreign students. At present, it's rare that students come to Canada to study trades. However, our post-secondary education system could serve a much greater role to facilitate our immigration needs.

Thank you.

• (1315)

The Chair: Thank you, Mr. Busby.

Ms. Goldring, please go ahead.

Ms. Luin Goldring (Associate Professor, Department of Sociology, York University, As an Individual): Thank you.

Thank you for the opportunity to address the committee.

Some of my colleagues today are going to be making submissions arguing for a moratorium on deportation or for regularization programs for people without immigration status. I support these positions, but my comments today cover other aspects of the issue. I want to talk about terminology, about how people end up with various forms of precarious status, about the role of policy in creating precarious status, and about some of the implications for Canadians.

Let me start with terminology. The term "undocumented" has gained currency because of the large number of people entering and living without state authorization in the United States, Europe, and other regions. It's also a response to such terms as "illegal alien", which have the effect of dehumanizing and criminalizing people.

The main way that people become undocumented in the U.S. is through unauthorized border crossing. The term "undocumented" makes sense in this context, because there is no record of entry. The U.S. undocumented population is currently estimated to be approximately 12 million people.

In Canada the situation is quite different, as I think we all know, and this calls for different terminology. Undocumented entry is not the main pathway to living or working without authorization. On the contrary, many people enter with some form of documentation and then fall out of status. Thus, people whom we might be tempted to call undocumented are often documented in that they are known to authorities, having entered with some form of legal immigration status.

I argue that precarious immigration status is a better way of describing the situation of people often referred to as undocumented. The reason for this becomes clearer if we consider pathways to precarious immigration status. There are many, but let me just highlight four.

One is through sponsorship breakdown. When people enter as sponsored relatives and so forth, and there's a breakdown in the relationship, there's also a breakdown in the sponsorship. This is particularly problematic for affected spouses and children. A second pathway is through rejected refugee and asylum claims. A third pathway is through the overstaying of temporary visas, whether they're foreign worker visas or student visas. A fourth way is through unauthorized entry.

In the first three of these cases, people arrive with some form of documentation, and then, through various processes, end with precarious status of one form or another. There may be movement between different forms of precarious status. Thus, “precarious status” covers a range of situations.

With this in mind, I'd like to turn to the question of how immigration policy and other related policies are related to precarious status. One way policy contributes to the creation of precarious status is through the reduction in admissions for permanent residence. As opportunities for permanent entry and settlement decrease, people may search for other avenues to enter Canada.

A second way is through humanitarian or refugee policy and the refugee determination system. Difficulties in filling IRB positions, together with the enormous refugee backlog, mean that many people are caught in a lengthy limbo-like situation. They may have authorization to work, they may have authorization to reside—maybe not both—and they may have access to some services, but their situation is less than secure or stable.

A third mechanism is through the expansion of the temporary worker program; we heard about this from the previous speaker. The number of temporary workers in Canada, or the stock of temporary foreign workers, grew by four times between 1980 and 2006, starting at around 39,000 in 1980 and growing to about 172,000 in 2006.

The expansion of the temporary worker and guest worker programs in other countries suggests that temporariness can become permanent, and it appears that the same thing is happening in Canada. Temporary workers come year after year after year. They spend eight to ten months of the year here. This becomes permanent for them and for the employers who fill jobs through these kinds of programs.

Another way in which policy contributes to precarious status is through periodic deportations. Deportations assure the public that something is being done about the problem. But there aren't enough resources, and this is not an effective means to solve the problem completely. It does more to criminalize.

• (1320)

A fifth way is through limited recourse. There are limited options for regaining or gaining secure immigration status in the event of falling out of status.

Now, let's think about some of the implications here. We know from case studies and anecdotal evidence that people with precarious immigration status are disadvantaged in many ways: lower pay for comparable work, fear of reporting problems associated with dangerous work, lack of payment, poor housing conditions, and so forth. As a result, people may not report criminal activity, violation of labour standards, illnesses, and so forth.

If we want people with precarious status to come out of the shadows, we need to fully implement “Don't ask, don't tell” policies so that people are not afraid to report abuse at work, not afraid to report criminal activity, so that they can enrol their children in school and seek medical care, and so that they can live with less fear. We also need to begin a debate around regularization and conduct research on a variety of aspects of precarious status.

I could go on about research needs, but I think there's a deeper question that needs to be addressed, and that has to do with what kind of a Canada we want.

We stand at a moment when we have to make decisions such as whether we want to build a nation in which people with precarious status continue to live in the shadows and in fear. In this model, citizens and permanent residents occupy the top tier of society, while those with precarious immigration status occupy the bottom tier. Even if there are pathways to permanent residence and citizenship, the presence of a segment of people with precarious status raises questions about the value and scope of citizenship and democracy in Canada. Are these to be enjoyed by one segment of society? In this model, immigration status becomes a legitimate basis for discrimination, and communities become divided through fear.

Alternatively, do we want to live in a society that addresses these issues by bringing precarious immigration status out of the shadows and into public discussions through debate, research, and advocacy? In this model, the presence of a segment of society with most of the rights that the rest of us take for granted is considered a problem. The question becomes how to reduce the insecurities of precarious status while also reducing the number of people in situations of precarious status through positive policies, rather than criminalization.

In order to begin to develop meaningful responses, and build healthier communities that are not divided by fear, we need to conduct informed debates.

Thank you.

The Chair: Thank you, Ms. Goldring.

Mr. Dheer.

Mr. Ramesh Dheer (National President, International Association of Immigration Practitioners): Thank you.

I'm going to start with the temporary foreign workers issue, and then I will address the issue of so-called undocumented workers.

I've prepared a few notes, and I'm going to go step by step. I'm not going to go into a lot of details, because everybody knows what is required and what has to be done. I'll make suggestions on behalf of our association.

In our view, the CIC should compile a list of the professions and trades that are meeting the demands of the labour market. There's no need to bring here, under the point system....

In the last three or four weeks, I had two people come to my office. One of them was a lady who has a master's degree in psychology, and the other one has a PhD, I think, in agriculture or some profession. The lady is working in a factory, and the guy with the PhD retrained himself as a car mechanic. I'm not saying that a car mechanic is not a good profession, but the fact remains that this person who has done a doctorate, Dr. So-and-so, is now a car mechanic. What is the use of bringing in these people who cannot find jobs in Canada in their own professions?

I would recommend that CIC should, from time to time—maybe every six months—compile a list of the professions that are in high demand and that the selection of immigrants should be geared towards that list. That will also help the employers. If we want 1,200 carpenters or 700 nurses or 450 doctors, those are the people we want to bring here.

Also, when they are being brought here on temporary work permits, of course we need cooperation from the human resources department. HRSDC should consider exempting certain caregivers, for example. I've rarely heard that a caregiver request for LMO is denied. Most of them are approved. It's a recognized fact that we are short of caregivers in Canada.

Similarly, maybe the human resources department should give consideration to making a list of the professions that are in high, high demand. Then the potential immigrant doesn't have to go to the long waiting line to get the LMO, labour market opinions. This is how it should be done, in our view.

In our view, the temporary workers who come to Canada should be allowed to become permanent residents. If we bring somebody here and they work for two or three years and they contribute to the economy of this country—they are employable, able, their qualifications are recognized—there is no need to send them home. If we need them, then they should be allowed to stay. With the situation of permanent residence, there will be certain criteria, that they already have a job and the employer likes them and all that. Obviously they are not going to take a Canadian's job, because they were initially brought in to fill that vacancy because there was no Canadian available.

• (1325)

Concerning the fear that Canadians will lose jobs to these foreign workers, I don't think it is justified to say it like that, because this is why we have a human resources department here. They issue labour market opinions, and of course they have the idea of who to give one to or not.

I'm going quickly so that we can get through all these points I have.

We also suggest that CIC should publish a negative list of professions and trades. If we do not need PhDs in agriculture, then that should be listed in the negative list of professions. This will only help people overseas, because then they will know that if they go there, they're not going to get a job.

Also, regarding credentials, CIC should have some kind of guidance mechanism in overseas posts, and the potential immigrants should be advised, if they're engineers, that they have to come and do the papers again here, so that they don't complain that they had to drive a cab for three years before they got the papers.

I do respect professionals from overseas, and also, of course, the tradespeople, but again, CIC should advise them overseas.

I personally came to Canada 36 years ago. I worked for a Canadian company in Kenya, east Africa. I worked for Falconbridge, and they helped me come to Canada. My boss was the chairman of the board of directors. I went to see him, this old man—of course, at that time I was a young boy coming to Canada—and I asked him,

“Sir, I'm going to Canada and I need your advice and guidance.” I remember his words. He said, “Ramesh, if you are not ashamed to work with your two hands, you will be successful in Canada.” I remember his words, after 36 years. And when I came to Canada, I was just lucky and I got a job in my profession. I was very lucky, but I know it doesn't happen to everybody. It's luck from God.

But what I'm saying here is that in this country there is a lot of dignity of labour. The people who claim, “I was a big shot back home, and now I'm doing this here,” I tell them, “With all due respect, if you were a big shot back home, then what are you doing here?” That's number one. But at the same time, I do understand their dilemma, so I think CIC should have some kind of mechanism back home, in the overseas post, to give people the right kind of advice regarding their credentials and their recognition.

I don't know if it's true—I read a lot of things in the newspaper—but the Minister of Immigration may be given some kind of discretionary powers to be able to cancel or whatever some of the people who may have been approved by your visa officers overseas. But I also have some information—I cannot disclose any names and all that—that this may not be true. I hope it is not true. Our humble request is that the minister not be given this kind of power, because it is contrary to our democratic rules in this country. I hope our request will be listened to.

The other thing is—

• (1330)

The Chair: Mr. Dheer, I know you can keep going and going, but we did have seven minutes available for you and you're now at almost nine minutes. Maybe you could make some points in the question and answer period.

Mr. Ramesh Dheer: I haven't talked about undocumented workers at all yet. But if you people will ask me about that, I'm okay then, no problem.

The Chair: I'm sure people will ask you some questions on undocumented workers—

Mr. Ramesh Dheer: Please.

The Chair: —and you can address the issue at that point.

Mr. Ramesh Dheer: Thank you, sir.

The Chair: If anyone in the audience would like to use a translation device, just put up your hand and we'll have somebody bring it down to you. Channel one is English, channel two is French.

Mr. Telegdi.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): And channel five is in Hungarian?

The Chair: Hungarian is on channel five.

Hon. Andrew Telegdi: Thank you very much, Professor Goldring.

I like your take on this. I've kicked around on undocumented workers for a long time, but I didn't quite put it in that scope, so I thank you for bringing that forward.

You mentioned some numbers. I think you said 39,000 in 1980 and 179,000 in 2006?

Ms. Luin Goldring: That was with reference to the stock of temporary foreign workers.

• (1335)

Hon. Andrew Telegdi: Oh, it was temporary foreign workers. I was thinking about undocumented workers.

In 2002 we changed the point system at the urging of the bureaucrats. I have learned, having been on this committee for 10 years and having seen seven ministers come and go, that when you talk about the minister having this power or that power, the bureaucracy has this power or that power. The ministers don't do a whole lot. It's done by the bureaucracy.

I go back to the issue of people in precarious status, undocumented workers. I've used those words interchangeably for a while. The numbers really got driven up because in 2002 the point system was changed when the bureaucracy persuaded the minister to sign off on it, notwithstanding the fact that the citizenship and immigration committee warned the minister that this would not work.

The bureaucracy at that point in time lied to the committee. It's a matter of public record that they lied to the committee. It also went on to a court case in which it was part of a decision. They misinformed the committee, and I really think we should have had them in for contempt. What that has done is driven up the number of people who are undocumented, because the people who were allowed in legally as landed immigrants were no longer capable of fulfilling the jobs that the economy wanted, mostly trades jobs.

We actually have more skilled people, and I could say to you—I've been using this as an example—Frank Stronach of Magna International would not get in. Frank Hasenfratz, chairman of Linamar, would not get in. Mike Lazaridis, the inventor of the BlackBerry, wouldn't get in. I dare say that 95% of the people who came in as immigrants wouldn't get in, and what I find curious is, when the bureaucrats grab for power, given the track record they have, what we need is transparency and accountability within the department.

I'm going to throw it over to you, Mr. Dheer, because you wanted to talk about undocumented workers, or should I say precarious immigration status. Would you agree with me that this is a problem?

The other problem we have is that by bringing in more temporary foreign workers, we're creating the kind of society that.... Germany had problems with it, and other countries have had problems with it. I want people coming in here whose kids are going to get up and make inventions such as the BlackBerry, which is made by a world-class company.

Mr. Ramesh Dheer: Thank you, sir.

Yes, I have to agree about the guest workers or whatever you want to define them as, illegal workers... You see, the fact is that once they're here for a couple of years or three years, they get used to the lifestyle here, which is of course probably better than in their old country.

Until now, there has been no mechanism to give them landed status from within Canada. So now the only option they have is to return to their native country, and the majority of them, probably

95% of them, do not go back. The U.S. is having the same problem. In the U.S., this category is called H-1b visas, which are for three years plus three years' extension. After six years, there is no extension, but rarely does anyone go back. We have the same thing in Canada. Once the work permit runs out, they're supposed to go back, but they don't, so that adds to the number of so-called undocumented workers. Yes, it is true.

Ms. Luin Goldring: Initially, were you asking a question about numbers as well?

Hon. Andrew Telegdi: Yes.

Ms. Luin Goldring: I would point out that there is no systematic research on numbers of people without documents, at least as far as I know. If anybody here can correct me, I would love to know about that.

Hon. Andrew Telegdi: The two figures right here are 200,000 to 500,000.

Ms. Luin Goldring: Estimates range from 20,000 to 600,000. With that kind of estimate, I think it's difficult to come up with anything serious.

Mr. Ramesh Dheer: The more realistic figure is 300,000 people, more or less. It's a very close estimate.

Ms. Luin Goldring: As far as I know we don't really have systematic research on this issue, nor do we know.... We have guesses about the labour markets—the occupations that people with less than full status or with precarious status have—but again it's not systematically documented.

• (1340)

Mr. Ramesh Dheer: I'll tell you how I calculated it.

Last time I remember immigration had this backlog program, that came about 15 or 16 years ago. At that time they gave permanent residence to everybody who was out of status at that time. For the last 14 to 15 years, no program has come to regularize the status of these so-called undocumented workers.

Now, how do we calculate that? It is based on the number of refugee claims every year. Of the refugee claims, 50%—no, it's more than that—are accepted, but then there are a number of claims.... If there are, let's say, 35,000 refugee claims every year, 10,000 don't get through and hardly 10% will go back. We calculate the number of refugee claims made in the last 15 years, the number that have been turned down, and the number that have gone back. Immigration's removals unit does not have enough manpower to ship people out. It's very difficult because of the manpower availability within CIC.

If you add these numbers, it will come to a minimum of 300,000 people.

The Chair: Okay.

The reason we have to be strict on time today is that we have to be out of here by four o'clock. It's a must that we be out.

Go ahead, Mr. St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Thank you, everyone.

Mr. Busby, as our chairman asked you, you cited some statistics showing the variation in unemployment rates between central Alberta and a place whose name I forget somewhere in the Atlantic Provinces. You mentioned 2% compared to 19%, I believe.

When I sat on the Finance Committee, representatives of the C. D. Howe Institute addressed this problem and that of labour mobility. I think you're looking at things backwards. Perhaps we should talk more about job mobility. People are not livestock that we can move from one end of the country to the other based on economic needs. If people live in the Atlantic provinces, were raised there and have lived there, it's because they prefer the smell of the sea to that of the oil sands. If people from Quebec don't go to Alberta, it's because they belong to a different culture, their language is different, and they don't want to go and live in Alberta. However, other people live there and like it there, and so much the better.

Whether it be through our immigration policies or any other social policy, we should try to establish our economic policy so that it meets our social needs rather than try to move people and adapt our social policies to economic reality. That's what we see these days, and we wonder whether we should continue encouraging the oil sands development, in particular.

I'm not going to go too far in that direction because I'm straying from the subject and our chairman is very touchy about that today. Getting back to immigration, do you think we're not really solving the problem by relying mainly on temporary foreign workers to offset major labour shortages in certain places? Shouldn't we opt instead for an economic policy designed to create jobs in certain regions, thus striking a better balance?

Mr. Colin Busby: What is your question exactly?

Mr. Thierry St-Cyr: Don't you think that this policy on temporary foreign workers, which is designed to meet local labour needs, doesn't correct, but rather exacerbates the economic imbalance currently prevailing among regions in Canada, as you so eloquently demonstrated?

• (1345)

Mr. Colin Busby: You're entirely right: people have reasons for not wanting to move, whether it's a matter of culture or family, in particular. There are a host of reasons. However, many people live in the Atlantic region because there was fishing 50 or 100 years ago and that was very popular. People moved there for that reason.

Now Alberta is highly sought after, and that's because of its economic activity. You are right, but there are also economic responses. This also concerns labour and capital. It's hard to answer your question. Whatever the case may be, there should be more reactions to the labour issue.

Mr. Thierry St-Cyr: Alberta's economy is obviously overheated, and I'd like to know whether it's preferable to put our foot on the accelerator to overheat it even more or to apply the brake, to be more prudent and to take into account the fact that those resources won't last forever.

If there isn't enough labour locally, that's not the end of the world. It may not be dramatic if people invest elsewhere in Canada. Isn't it being shortsighted to bring in thousands of temporary foreign workers, disposable workers that we'll send back to their countries

when we no longer need them, and all because of an overheated economy?

Mr. Colin Busby: I don't exactly understand the question.

Mr. Thierry St-Cyr: Perhaps Mr. Goldring could answer it.

Mr. Luin Goldring: I don't know whether I clearly understood the question, but perhaps I could ask you one.

If we want to overheat the economy and we need this labour, why don't we permanently accept the workers who can play that role? Why just accept them temporarily?

Mr. Thierry St-Cyr: That's essentially my point of view. Alberta's economy is currently overheated. You talked about fishing in the Atlantic region and about the fact that situations of that kind would reoccur. It seems to me that, under the present program, workers are considered more as disposable. We give them work and we involve them in the economic boom, but once that's over, we send them back, then we look for other workers who will meet other needs.

I believe Mr. Dheer also wanted to make a comment on the subject.

[English]

Mr. Ramesh Dheer: Thank you, sir.

I can answer that in two steps. One is that you rightly asked whether, if people don't want to move from other parts of Canada for various reasons, we are going to let Alberta, for example, suffer a slowdown in its economy. No. Immigration has become more of a global phenomenon. Wherever we get the labour cheap or immediately available.... If I have to do something and have a company, then I'm going to try to get somebody from within Canada, but if there is nobody available I should be allowed to bring someone from wherever I can get someone, number one, cheaply, and, number two, readily available.

There are statistics that Alberta alone in our country is short of 400,000 workers, which are required there right away. If nobody is moving from Newfoundland or from Ontario, what do these guys have to do? They have to bring people in. This is my one point.

The other thing was why they should not be brought here directly as permanent residents. This is because the practice of immigration for bringing people into Canada directly as landed immigrants or permanent residents is a very comprehensive exercise. A lot of checks have to be done. A lot of things have to be identified, and this and that. Then, we have a backlog in the department—I'm not criticizing either Tories or Liberals on how the backlog got into the situation, but the fact remains that there is a backlog—so that with 900,000 people on the front line, if I make an application today, I am at the tail end. Right now the waiting period from India is six years, from China it is seven years, and from the U.K. it's four years. Which company here is going to wait for a plumber to come here? If somebody has a construction company and wants fifteen carpenters and ten plumbers, will they wait for six years? No.

What we have to do is bring people in on a temporary basis as a quick thing, and it can be done within a number of weeks. Then the employer has workers here. That is the reason they are being brought as temporary workers.

• (1350)

The Chair: Very good. Thank you, sir.

Mr. Khan.

Mr. Wajid Khan (Mississauga—Streetsville, CPC): Thank you, Mr. Chair.

Thank you, ladies and gentlemen.

Mr. Dheer, you made some very valid points, and they are well taken. We also thank you for giving credit to the government of 16 or 17 years ago for the amnesty. That was a Conservative government.

You also made a good point about bringing people in quickly and the economy of any province. It is not only Alberta, Quebec, or any other province. British Columbia's economy is going pretty strong, along with Alberta, Manitoba, Saskatchewan, and even in the Newfoundland economy—offshore oil is there—and I foresee in the long term we will be looking at almost 100% net labour market requirement based on immigration. We do need to expedite those things.

Thank you for your comments.

I also want to show you that the minister does not—and I categorically tell you that—have the arbitrary power to overrule the visa officer's decision, so you can sleep easy and let people know that is the case. Thank you, sir.

On the other thing, I would like to go to Mr. Busby.

I want to talk a little more about labour flexibility. Some comments were made that people do not want to move from Newfoundland or Quebec, and you answered “Well...”. But at the same time we have to realize that people have come to this country from four corners of the world. They are going to continue to come from the four corners of the world. Why are people coming here? We are a compassionate country. We have the best real estate in the world, we have a good job market requirement, and we have great social programs built over the years.

If they can come from India, China, Pakistan, or wherever, I don't think they will have a whole lot of problem moving from Nova Scotia, Newfoundland, Quebec, or anywhere else. That's if they wish to move; the decision on whether they wish to move or not should rest with the people, not with politicians like me or anybody else in this room.

How would you see the labour market flexibility, and how can we bring it about?

Mr. Colin Busby: I agree with you entirely, but what I'd say is that often policy can get in the way and pose obstacles and not give people the ability to move from one place to another if they so choose. There are numerous reasons why that could happen. There could be incentives to stay back home, such as the way the employment insurance program is structured. It's structured so that people would have a better system of return if they were to file their claims in their home province. There are other things as well, such as

people who under 35 years and are repeat users of the employment insurance program falling under the same requirements as anyone else. There are numerous ways in which policy can get in the way of labour mobility, and I'd like to draw that to your attention.

I agree with you that it's not necessarily our say whether they should or shouldn't, but there are also ways of allowing them to make that choice themselves.

Mr. Wajid Khan: My colleague Ms. Grewal will share the time with me.

The Chair: Ms. Grewal.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Mr. Chair.

All of us know that there is a shortage of workers here, whether in construction, hospitality, farm work, or driving. My question is very simple. I don't like to waste time, and that's why I'll ask a very short question so that you have enough time to answer: what improvements would you recommend to the current temporary worker program?

• (1355)

Mr. Ramesh Dheer: Thank you, Madam.

As I said in my previous presentation, the CIC should compile a list of the trades and professions that are in high demand. That should be sent overseas. The new people brought in as temporary workers should be in those categories, not other categories. I think I've answered your question. CIC has to make a list, for example, we want 700 nurses, 200 plumbers. That is how it should be done.

The other thing is, when you're bringing a plumber or carpenter here, there has to be some kind of lowering of the language requirement. You don't need a high proficiency in English or French for a person who is going to come and do cleaning in a hotel or motel, or for somebody who is coming here as a caregiver or a bricklayer. The bureaucrats tend to apply the same level of education on low-skilled worker programs. We need hundreds of thousands of temporary workers to come here under the low-skilled category. Why do they need a grade 12 education? Grade 10 would be okay.

When I appeared in front of the parliamentary committee on immigration, I gave the example of Toronto. I was driving with a friend of mine downtown. We were talking and he told me that downtown Toronto was built by the Italians. I said these buildings probably can understand and speak Italian, but they may not understand English.

What I'm saying is that English may be a requirement for professionals—that is understood—but for the low-skilled workers program, in order to bring them in quickly, I think a lower level of English and grade 10 should be the minimum requirement.

Mrs. Nina Grewal: There are some workers being exploited by their employers. How can we protect these vulnerable people?

Mr. Ramesh Dheer: These employers—we can say unscrupulous employers—may not be able to do that for a long time. I understand that the people who come to Canada as temporary workers, which is being extended to the students, will be allowed to apply for permanent residence from within Canada. I think there is some talk that they may be allowed, if an employer is abusing them, to change their job.

So I think this will be eliminated automatically.

The Chair: Good. Thank you.

Mr. Carrier, you have a couple of minutes.

[*Translation*]

Mr. Robert Carrier (Alfred-Pellan, BQ): Thank you, Mr. Chairman.

I had a question for Mr. Busby, who is a policy analyst at the C. D. Howe Institute. Our committee has heard evidence since last week and there have been at least 20 or so hearings to date. It seems clear that temporary workers are not the magic solution. A number of witnesses criticized the exploitation of those people and talked about cases of abuse in the area of housing. We talked about potentially granting them citizenship. That's an issue.

Today we're hearing from people representing an economic institute that should provide us with an economic focus to assist us in resolving the situation. That may differ from other solutions considered. The solutions you're suggesting concern occupational training and labour mobility. I sincerely think that those solutions have already been implemented; they're not new. That's being done on a permanent basis and it hasn't solved the problem. That's why we resort to temporary workers.

Don't you think that Canada has a responsibility for economic fairness in the country. There's currently a degree of hyperactivity in one region, and that has resulted in an increase in the value of our dollar. This is causing problems in other regions, like the Quebec region, where we export a great deal. The turnover of a lot of medium-size businesses is declining because of this drop in exports, which in turn is due to the increase in our dollar, which in turn is caused by the situation prevailing in the west.

I would have liked you to make some economic recommendations to solve the problem. We're discussing temporary workers, but we won't find the solution that way. Don't you think the federal government should compensate those regions that are suffering as a result of other regions?

• (1400)

[*English*]

The Chair: Make it a short response, please.

Mr. Colin Busby: Sure.

You're saying the only other appropriate action here is for the federal government to intervene in the monetary policy, and that's not something I would recommend. If that were the only other potential action to modify the problem being caused for manufacturers because of the exchange rate, I wouldn't recommend it.

These are market signals. The demands for western Canada's resources aren't necessarily coming from within the country; they're

coming from our trade links with other countries. These are signals that are beyond our control, and our policy at the federal level risks doing further damage if there's monetary policy intervention.

The Chair: Mr. Telegdi, you had a point of clarification for the witness.

Hon. Andrew Telegdi: Hedging to assist small business can be done by an agency of the government, because we have a terrible problem with small manufacturers being done in by the wild fluctuation in the dollar.

Professor Goldring, I really agree with your point on the "Don't ask, don't tell" policy. I wish the parliamentary secretary were here. He'd love to hear that.

On the other situation, where a young woman was sexually assaulted, she came out of the shadows to report it and then the bureaucracy was going to deport her. But because of the actions of a number of ministers in the Conservative government—and I don't praise the Conservatives often, but I will in this case—we were able to stop that.

That is very important, because from a public policy perspective we don't want hundreds of thousands of people with precarious status not reporting crimes; that would be terrible. It also underlines the need for political decision-making rather than bureaucratic. The bureaucrats were the ones who made the decision to deport her, but because of political interference they saw the public policy goal and did the right thing.

The Chair: That's a good point.

Thank you for being here today and being witnesses at our meeting. We'll be making some good recommendations based on what you've told us. Thank you very much.

I now want to welcome Silvia Bendo executive director, from the Construction Recruitment External Workers Services, and the Building Industry and Land Development Association. As individuals we have Jenna Hennebry, assistant professor, departments of communications studies and sociology, Wilfred Laurier University; and Joyce Reynolds, executive VP, government affairs, from the Canadian Restaurant and Foodservices Association.

Welcome to all of you.

Maybe we can begin with your opening statement, Ms. Bendo, Ms. Hennebry or Ms. Reynolds—whoever wishes to go first. If you have opening statements you want to make, feel free.

• (1405)

Ms. Silvia Bendo (Executive Director, Construction Recruitment External Workers Services (CREWS) and Building Industry and Land Development Association (BILD)): Good afternoon, Mr. Chair and members of the Standing Committee on Citizenship and Immigration. My name is Silvia Bendo. I'm the executive director of CREWS, Construction Recruitment External Workers Services.

CREWS is a service offered through the Building Industry and Land Development Association, formerly known as the Greater Toronto Home Builders' Association and the Urban Development Institute. With more than 1,500 members, BILD is the voice of the residential land development, home building, and professional renovation industry in the Greater Toronto Area. We are proudly affiliated with the Ontario and the Canadian Home Builders' Association.

I am pleased to be afforded the opportunity to present the residential construction industry's views with respect to temporary foreign workers and undocumented workers. Both BILD and CREWS have had some hands-on experience with the temporary foreign worker program through our involvement with the construction industry memorandum of understanding between the GTHBA and the federal government.

CREWS was established in 2001 to assist employers with their labour supply needs by facilitating the foreign worker application process. Although the MOU formally ended in September 2007, CREWS is continuing to operate to support our members' needs by again helping them with their application processing.

In addition, we continue to support any and all efforts to increase the supply of skilled labour in our industry, including training and apprenticeship programs. Unfortunately, this does not meet all our industry's needs. With an aging workforce in several of the trades and in management positions, our industry requires action on all fronts to assure a healthy and stable supply of labour.

Within the temporary foreign worker program, one of the recommendations I would suggest is that the process for transferring foreign workers from one employer to another within Canada be streamlined. Currently the paperwork takes, at best, two months to process. During this time, workers can be left unemployed, and employers are prevented from using the skills and experience of these foreign workers.

Traditionally, the objective of the temporary foreign worker program was to meet temporary labour demands in the country. The reality is that most temporary foreign workers within our jurisdiction see the temporary foreign worker program as a stepping stone to permanent residency, although they don't even qualify for that. But that's another topic.

With respect to undocumented workers, we all know that they are here, and the plight of these workers must be addressed. Some of the undocumented workers have been lucky enough to regularize their status through the temporary foreign worker program. However, there are still many more out there who are discouraged from pursuing this route because they are not from visa-exempt countries or because of negative decisions from similarly positioned people at their visa posts abroad.

To ensure some fairness in our system, a regularization initiative needs to be devised that will ensure that our skill and labour supply remains in Canada. An inland regularization program that would result in the issuance of a temporary work permit for a period of at least two years could be one solution. During this time, these foreign nationals could then pursue permanent residency.

It should be noted, too, that many of our members are not knowingly employing undocumented workers. Our builder members secure their labour through labour agreements and through trade contractor agreements. The contractors, in turn, hire subcontractors to meet their labour needs.

The undocumented worker is sometimes a failed refugee claimant who, in the eyes of the employer, is suddenly deported.

I thank you for your attention. Overall, we request that this committee support immigration initiatives that will address the labour supply needs of the residential construction industry.

● (1410)

The Chair: Thank you.

We'll go to Ms. Hennebry.

Ms. Jenna L. Hennebry (Assistant Professor, Departments of Communication Studies and Sociology, Wilfrid Laurier University, As an Individual): Thank you very much for inviting me here today.

Let me start by saying that what I plan to say to you today is based on my extensive research on this topic for the last six years. This includes interviews with migrant workers, growers, other employers, members of the foreign worker program, as well as the Canadian Food Inspection Agency, the Public Health Agency of Canada, and others. I began publishing based on this material, and some of it you can find: I have a report with the Public Health Agency of Canada, and publication forthcoming in the journal, *Canadian Studies in Population*.

I recently received funding from the Public Health Agency to do a quantitative survey of migrant workers' health issues, as well as received some support through CERIS, the Ontario Metropolis Centre's immigration research group.

I know there are a number of areas worth pointing out with respect to this, but in the interests of time, I want to focus on some of the most prevalent issues. I've grouped them into five areas, and I'm going to concentrate on the last three.

First, I want to point to the vulnerability or potential vulnerability of foreign workers under this system, both in terms of the foreign worker program, but also the other programs like the seasonal agricultural worker program, and health and safety issues, regulations, monitoring and statistics, workplace cohesion, and I'll make some comments about immigration policy.

With respect to the vulnerability of foreign workers, I think it's important—and I'm sure others have already started to point this out—to recognize that because foreign workers are tied to the employers contractually and typically do not have open work permits, they are tied to their employer. The bilateral agreements in place—for example, in the seasonal agricultural worker program—with sending countries like Mexico have allowed for direct protection from the workers' country of citizenship. However, the recent program initiatives and the expansion of the foreign worker program do not operate through these bilateral agreements.

I'm also concerned about third party recruiters and employment agencies, who have played a significant role for employers in locating workers and setting up contracts. These groups are not regulated, particularly in Ontario. They are regulated in Manitoba, and I would urge Ontario and other provinces to adopt a similar framework.

Foreign workers are not eligible for most settlement services, because those are geared towards permanent migrants, and if they have many needs, they're not being addressed. This causes problems for funding and also for estimating the kinds of services these areas can provide.

With regard to health and safety, a number of things have emerged here. Let me just say that with the expansion into the NOC C and D categories of the low-skill pilot program, we have increased foreign workers not just in agriculture, but also in other areas of the economy, as we've seen in construction and manufacturing. The Workplace Safety and Insurance Board's annual report for 2006 estimated that most of these sectors are where the higher rates of workplace injury are taking place. There are some statistics in your notes with respect to this.

The other point I want to make is with respect to monitoring and evaluation, and inadequate guidelines, regulations and provisions, not just for workers but also for employers, who are finding they are struggling to handle a changing workforce and set of relationships with different employees.

With respect to community health, through my work with the Public Health Agency of Canada, I know they are very concerned about the potential dissemination of health problems. I would argue that poor health and safety on farms, and among the more than 20,000 agricultural foreign workers we have, may translate into higher risks for Canadian food production and Canadian food. It's also good that we show this for those involved in other areas of the food sector in different sectors of the economy.

With respect to the Canadian health care system, we have an already overburdened health care system and there's insufficient funding and training to address the myriad health care needs of temporary migrant populations, particularly in the long run.

● (1415)

With respect to regulation and monitoring statistics, this is something that really concerns me, because there's insufficient monitoring of the foreign worker program at a federal level, at provincial levels, and at municipal levels. There's very little direct government involvement. There's no independent body charged with monitoring and evaluating the program. Only in the seasonal

agricultural worker program do we have a group, called FARMS, and that group represents mostly the interests of growers and farmers.

It's difficult to obtain quantitative data and statistics on abuse, complaints, return migrants, contract violations, lengths of stay, refugee and permanent residency applicants, rates of attrition, numbers of workers who go AWOL, or overstay work permits. I feel it's a really difficult situation to be in for either a researcher or a service-level or health care practitioner in terms of trying to estimate the kinds of service demands that temporary populations will put on our social and health systems.

With respect to workplace cohesion, there are a number of issues. The lack of information, language training, and cross-cultural sensitivity training for both employers and workers can lead to conditions that are ripe for racism, discrimination, and violence.

I would like to end on a few reflections with respect to the Canadian immigration policy. First of all, I think a foreign worker program encourages a more hierarchical system, one that's based on country of origin, particularly for the seasonal agricultural worker program, where employers basically select their workers based on their country of origin.

I also think that with respect to status transitioning, using the provincial nominee program in conjunction with the temporary foreign worker program is good on the one hand, because it's a channel for permanent status and it allows workers to get a regular status and get access to settlement services. This is working in Brandon, Manitoba, where approximately 538 Maple Leaf Foods employees have applied for permanent status through their provincial nominee program. Most of them are receiving it. However, this still is binding migrants to employers, so I'd be hesitant to use that as the only avenue for permanent residency for that group.

With respect to the private interests that I see driving policy here, I was just at the Metropolis Conference in Halifax. It was contended there that the farm worker program is not expanding, it is employer-driven. This is what keeps being said. What concerns me is that this means there's no cap on foreign workers, and it means we have an employer-driven immigration system, putting nation building in the hands of the private sector—not to mention the role of the third party recruiters in this process.

The Chair: Thank you, Ms. Hennebry.

To the new people who've come in, if you require a translation device—some of our members will be speaking French a little bit later on—just raise your hand and we'll have somebody bring it down to you.

Ms. Reynolds, you have seven minutes.

Ms. Joyce Reynolds (Executive Vice-President, Government Affairs, Canadian Restaurant and Foodservices Association): Thank you, Mr. Chairman.

The labour shortage is the number one issue facing Canada's \$58 billion, one-million-employee food service industry, so I very much appreciate the opportunity to speak to you today about the temporary foreign worker program. Canada's labour shortage is a long-term demographic trend that is challenging all developed countries and industries. The outlook for the food service industry is particularly serious. Over the next 10 years, Canada's food service industry will need to add 190,000 new workers. Youth between the ages of 15 and 24 account for 44% of all food service workers in Canada today, yet between now and 2025, the number of youth in Canada will decrease by 345,000.

There are restaurant operators in western Canada, where the labour shortage is already a crisis, who would have been forced to close their doors if not for the temporary foreign worker program.

I want to say that improvements to the temporary foreign worker program over the last couple of years have been very welcome, but challenges remain.

Prevailing wage rates—and the methodology used to set them—is a pressing issue for my industry. Our members are frustrated by their inability to access the temporary foreign worker program due to artificially high wage rate demands. Service Canada officials dismiss the Statistics Canada wage rate data and other comprehensive third party compensation surveys, and in each region within each province, different and arbitrary methodologies are used to determine prevailing wage rates.

Prevailing wage rates are often significantly higher than the wages food service employers pay to their experienced domestic employees. There have been ongoing meetings between CRFA, HRDSC, and Service Canada officials about inaccurate data sources, lack of transparency, and lack of consistency in the prevailing wage-setting process. HRDSC officials acknowledge that there are problems and are currently undertaking a comprehensive review.

Our recommendations to this committee are, first, to accelerate the process of developing new methodology and criteria for determining prevailing wage rates that better reflect actual industry wages and, second, to ensure that the underlying policy on determining prevailing wage rates is market rate neutral and does not have the effect of putting upward pressure on wage rates.

I next want to touch on the importance on ensuring the long-term integrity of the temporary foreign worker program.

CRFA supports increased monitoring and compliance mechanisms for this program, and better communications between provincial governments and the federal government in this regard. We support the recommendation in the Federal Labour Standards Review Commission report to deny access to the temporary foreign worker program to employers who repeatedly or systematically violate provincial labour standards or the terms of their employment agreement. There has to be due process, of course, but the program is too important to let a few bad employers unfairly tarnish it.

CRFA also supports recent actions by provincial governments to regulate immigration representatives or consultants or recruiters to prevent the exploitation of workers. We would welcome more federal government involvement in this area as well.

I want to refute the notion that temporary foreign workers are not free to find work, and I also want to express concerns about the ease with which employers can hire temporary foreign workers brought to Canada by other employers without having to share in the significant recruitment and return airfare costs. Employers bringing in lower-skilled workers to Canada—i.e., NOC codes C and D—are required to pay for return airfare. In addition, they pay recruitment fees in the range of \$2,000 to \$3,000 per employee. They provide training, orientation to Canada, on-ground transportation, accommodation, and in many cases home furnishings, TV sets, boots, winter clothing, and so on.

A second employer can get a temporary foreign worker permit for the same worker and avoid the recruitment and start-up costs. There's no way to ensure the responsibility for return airfare and recruitment costs is transferred to the second employer if the worker leaves before the end of the contracted period.

As a result, CRFA's recommendations are to continue efforts to educate employers and temporary foreign workers about their rights and responsibilities under the temporary foreign worker program, to invest in additional monitoring and enforcement mechanisms to protect workers and the integrity of the program, and to ensure that the cost of initial airfare and recruitment for lower-skilled temporary foreign workers is transferred to the second employer and the third employer and the fourth employer on a pro-rated basis if a temporary foreign worker moves from one employer to another during his or her permit period in Canada.

Our operators are also concerned about the high percentage of application rejections for LMOs in some regions compared to others, inconsistencies in how the program is administered, and anomalies in how the occupations-under-pressure lists are developed—in particular the omission of cooks, since this is the most in-demand food service occupation.

•(1420)

CRFA recommends that government provide appropriate training, transparent guidelines, and incentives to foreign worker staff to reflect modernized objectives and to ensure consistent application of regulations; in conjunction with industry, re-evaluate the methodology and criteria used to establish occupation-under-pressure lists and E-LMO eligibility lists, particularly with regard to cooks; and allocate the necessary resources to regional Service Canada offices for the efficient processing of labour market opinions and temporary foreign worker applications.

I'd also like to speak about Canada's immigration system in relation to the temporary foreign worker program. We believe the immigration system needs to be overhauled and that the philosophy and culture of immigration policy has to change. The competition among developed countries for workers has already begun, and Canada needs to better establish itself as a country of choice.

Our immigration laws were established when labour market conditions were very different, and these laws need to be updated to reflect the new reality of labour shortage both in Canada and globally. Our current system is biased against low-skilled and semi-skilled workers, and there is no bridge between temporary foreign workers and permanent residency for low-skilled workers.

We were pleased to see a new immigration class established for temporary foreign workers who want to apply for permanent residence status without having to leave Canada. However, this new immigration stream is available only to workers in NOC codes A, B and O, and therefore not applicable to the majority of foreign workers in the food service industry.

Our recommendations are to revise the point system to better match labour market needs and to expand the Canadian-experience class of immigration to include NOC codes C and D so that Canadian job experience acquired by lower-skilled temporary foreign workers is recognized and will be weighted in their application for permanent residency.

To conclude, I want to emphasize that the labour shortage is the greatest single issue facing operators in the food service industry. It is not unique to our industry or country. It is not simply a skill shortage, it's a people shortage that is crippling our efforts to attract skilled, semi-skilled, and low-skilled workers. We need a long-term vision in Canada for attracting workers.

Thank you.

•(1425)

The Chair: Thank you, Ms. Reynolds.

Thank you to all of you for your good presentations. Now we'll have some interaction with our committee members.

I'll go first of all to Mr. St-Cyr.

[*Translation*]

Mr. Thierry St-Cyr: Thank you very much, Mr. Chairman.

Thank you all for coming to appear before us today.

Ms. Hennebry, you talked about vulnerability in your presentation, saying that work permits for foreign workers were closed. You

said that, in some cases, there were bilateral agreements between countries. You didn't have a lot of time to develop that idea.

Could you explain to us the nature of those bilateral agreements, and tell us what their consequences are for workers?

[*English*]

Ms. Jenna L. Hennebry: With respect to the bilateral agreements, as far as I understand, the first memoranda of understanding were in 1964, and later on we had bilateral agreements with Mexico, with the organization of Caribbean states, and more recently with Guatemala. These are mostly focused on agriculture, to bring workers from particular countries into agriculture. They are agreements that were formed between those countries.

My comment about not being able to move employers was that, yes, it can happen, but it has to be employer-driven and permission has to be given from employers. There are differences between the management of the seasonal agricultural worker program and the way in which the foreign worker program deals with that kind of process. I just wanted to raise that as one way of showing the differences between the two programs.

[*Translation*]

Mr. Thierry St-Cyr: Having heard the testimony of a number of individuals on this point, I have no trouble believing that the fact that work permits are closed puts workers in a situation of great vulnerability. These permits are assigned to particular employers, with little opportunity for the workers to change employers. In some cases, it's even impossible. I would agree to the idea of allowing workers to change employers, as we allow Canadian residents to do. That said, employers often tell us—and I believe Ms. Reynolds has done that—that they have to pay for worker transportation and recruitment. I think we could make the opportunity to change employers subject to the condition that the new employer compensate the first employer.

Do you find that suitable?

[*English*]

Ms. Jenna L. Hennebry: That is a reasonable recommendation. If one employer is paying the initial fees and the second employer is able to pick up that worker, then there needs to be some fair way of assessing that.

•(1430)

[*Translation*]

Mr. Thierry St-Cyr: In your presentation, you talked, in particular, about Maple Leaf Foods, a company that operates in the meat industry. That company employs a number of foreign workers who come to work in Ontario, if I understand correctly.

In their presentation in Moose Jaw, if I remember correctly, representatives of Maple Leaf Foods even told us that the company had been denied the possibility of hiring foreign workers in Quebec because the wages offered them were not high enough. I answered them that, in Quebec, the meat industry has laid off large numbers of workers. It doesn't seem very realistic to claim that there's a labour shortage when you lay off massive numbers of workers and close down plants.

Instead I think that's a way to get cheap labour, not to offset a genuine shortage.

Is that also the case in Ontario? Is there a labour shortage in the meat industry in Ontario? Is it your impression that that employer, like others—I don't want to criticize that employer in particular—is using this program to get cheap labour, not to meet a shortage?

[English]

Ms. Jenna L. Hennebry: My point in bringing up the situation with Maple Leaf Foods in Manitoba was to talk instead about the options available to foreign workers once they are here. I was trying to point to the fact that of all the farm workers who came here, at Maple Leaf Foods all of them wanted to apply for provincial nominee status and wanted to have permanent residency, and almost all of them were given it. I wanted to point out that temporary migration is never temporary. Workers want to stay, whether it is undocumented or otherwise, quite often. It depends on the sector and it depends on where they're from. I think that's important to realize—there is variability.

I wanted to say that it was one channel by which there was an option for permanent status, but I don't think it's the best, and that is for a whole host of reasons. One has to do with the undercutting of labour costs and undercutting of Canadian workers. That is a real problem. They're being used to push wage rates down, and that's an issue. In terms of estimating labour market demand, there is a whole host of problems there, not to mention the process of getting a labour market opinion and how that seems to be. I would agree with Joyce, as well, that there are some inconsistencies with regard to how that's being determined. We need more systematic study on the long-term labour shortages in those areas, before we just simply insert temporary workers that we can use to undercut the costs and keep businesses afloat that maybe should rethink their business model.

[Translation]

Mr. Thierry St-Cyr: Do I have any time left, Mr. Chairman?

[English]

The Chair: You have 15 or 20 seconds, but it's okay. We have plenty of time.

[Translation]

Mr. Thierry St-Cyr: I simply want to add that, when you study labour needs, it seems to me you have to take wages into account. If an industry is offering inadequate wages and poor working conditions, it will find no one to meet its needs, except perhaps foreign workers who would have even tougher conditions in their country.

How can we determine whether there is a genuine labour shortage in a certain field? Is it only a matter of poor working conditions? Then we could solve the problem by improving working conditions.

[English]

Ms. Jenna L. Hennebry: The problem comes with trying to assess across the board in a sector if a labour shortage or working conditions is the main reason why you're having trouble attracting employees. There are a lot of factors that lead to trouble attracting employees in these sectors. Many of them are demographic—urbanization, education levels, fertility rates. There is a whole host of issues that go into interpreting that.

With respect to the foreign worker program, I see that this is being used to address those needs, and my concern would be to pay attention and regulate those areas, regulate the living and working conditions, in particular the working conditions for foreign workers in companies that have foreign workers, as compared with simply saying that we have to have a better way of assessing working conditions. My concern is that this would then lead to people just saying either that we either need to scrap it altogether or we can't use that meaningfully. I would like to see a more detailed evaluation of employers.

• (1435)

The Chair: Mr. Telegdi, do you want some time? You can have seven minutes.

Hon. Andrew Telegdi: Yes, thank you very much, Mr. Chair.

Welcome, Professor Hennebry. I thought we might have seen you in Waterloo.

Ms. Jenna L. Hennebry: Thank you, but I was at Metropolis Conference in Halifax.

Hon. Andrew Telegdi: Well, it's great having you here. We're going to be going out to Halifax as well.

Ms. Jenna L. Hennebry: Good.

Hon. Andrew Telegdi: Also, the chair is going to take us to St. John's.

I guess from a sociological perspective, one of the problems I have with temporary foreign workers and people with precarious status—and you've heard that terminology—

Ms. Jenna L. Hennebry: I know that terminology well.

Hon. Andrew Telegdi: —is that we have an underclass, if you will, in Canada, of people who don't have the stability of working towards Canadian citizenship. Then I look at countries like Germany and the kinds of problems they had with guest workers. I look at the agricultural workers who come back decade after decade after decade. Now, maybe all of them don't want to come and make Canada their home, but I dare say most of them would, and that's troublesome.

Also, what kind of image of Canada does this project to the world when we're so ready to go and exploit people from other places? I wonder if you have any thoughts on this.

Ms. Jenna L. Hennebry: I've lots of thoughts on that, but I'll try to limit myself to just a couple.

I think we need to ask some pretty hard questions with respect to a whole range of issues around this. Some of the larger ones are things like how do we foster cohesive and integrative communities? How do we have a framework of integration on the one hand and then on the other hand have this temporary population doing the work that the permanent population doesn't want to do? How do we maintain a community that is cohesive and not have increased racism and violence? I think that's one of the frameworks.

The other is to think about what this says about Canadian society, and I think you raise some good points in terms of whether we want to have a nation of workers or a nation of immigrants. I think that's something that needs to be taken into consideration.

I think using the foreign worker program to address particular kinds of labour market needs is not a new thing, but to see the changes that have been made to facilitate greater ease, and the speed at which this has been taken up by employers is a way of going around, I think, for many employers, the problems of getting permanent residents in to work. I think it does create a two-tiered system. It does create a problem with respect to importing people on a temporary basis to do work we don't want to do, and I think that's a real problem.

Hon. Andrew Telegdi: You mentioned Maple Leaf, and of course we have Schneider's in Kitchener, which was bought out by Maple Leaf. One of the things that happened is that wages were suppressed, and that's really difficult. Friends of mine were laid off and lost their jobs. Then Maple Leaf picked up some new people, but they picked up new people at the lower rates. It somehow is troublesome.

It reminds me of how, in Canada's history, when we needed to expand the railway, the only way we could do it was to get the Chinese. The Chinese came in, and they built the railway, and as soon as the railway was finished being built, of course, we had the Chinese head tax and exclusion acts, and the result was to keep families separated.

It bothers me to see the temporary foreign workers coming over here without their families. It creates problems for the families. Certainly the government claims to be a champion of family values. Well, I'm a Liberal, and to me being able to see your family and be with them is a pretty strong family value.

I wonder if you have any comments on that.

• (1440)

Ms. Jenna L. Hennebry: I think the foreign worker program treats people as workers—just that. They're not treating this population as immigrants with families.

Almost all of them have family members in countries of origin. Not only is that difficult for the foreign workers, but it translates into separation issues for the families and it translates into increased mental health problems. There are all sorts of issues faced by migrants.

As we've seen, many temporary and migrant workers want to become permanent. When they do so, they do so without their families. This could be a long-term thing, not just a temporary period—a one-year or 24-month type of contract—away from their families. This could be 10 years, quite feasibly, for many of these

workers. That's something that needs to be taken into consideration when we think about this.

Also, regarding the temporary program, even if we think about it realistically being a program that helps bring migrants into particular areas, even if we channel them in and give them access to permanent residency, then what we have are migrants who have been separated from their families for long periods of time, who have come in through a route that has taken longer for them to do so. It basically leaves them in the situation in which, once they're in, they may have difficulty sponsoring their families, to bring them over at that point, as well. So we could be talking about really long-term separations from families, as well.

Hon. Andrew Telegdi: Thank you.

One thing you also mentioned is that we indenture people, because there's an employer who pays to bring them in. When employer one is found to be abusive, it would be unfair for employer two to enjoy the fact that employer one is responsible for buying them their fare home.

It would seem to me that if you have an abusive employer who is going to abuse a person who's essentially indentured to them, I have absolutely no problem penalizing that employer and making them pay a lot more than the return air ticket home.

Could we improve the situation by saying that if you're going to come over to work as a nanny, you are open to work as a nanny for a number of employers? This might be a good warning to employers: you cannot abuse your nanny because they're going to say good-bye and go and work for someone else. Hopefully that in itself would improve the working conditions for nannies.

The Chair: Please give a short response, and then we'll go to Mr. Komarnicki.

Ms. Jenna L. Hennebry: I do think it's a problem if it's being widely used. Transfers between employers are a problem for workers, particularly in the seasonal agricultural workers program, when that happens under the table.

But I do think your point is well taken. If you have a system where the only concern is that the employer pays for bringing the worker and sending him home, then I think it's missing the point. The point is that it needs to be an evaluative system to assess employers and to document and remove those who have been violating workers.

I think one of the ways in conjunction...that needs to happen with a more open work permit so that, yes, they can change employers, but also with a regulatory mechanism.

The Chair: Mr. Komarnicki, please.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Thank you, Mr. Chair.

I'd like to thank the presenters.

Unfortunately, Mr. Telegdi wasn't here when we were talking about some of the grave labour shortages that are experienced across the country, certainly by your organization, Ms. Reynolds. There is no doubt our country needs a lot of people to fill a lot of positions that we can't fill from within our country.

I've been from hearing a number of witnesses that they're looking for some type of bridge from temporary status to permanent status. The examples of that are the Canadian experience class. When you've been in Canada for a number of years, you can then apply for permanent residence. The provinces have been invited to uptake on the provincial nominee program—i.e., you can actually set out the categories you would like to nominate and the federal government will allow you to meet the regional-provincial needs that you might have. I know in Saskatchewan, for instance, if you're a temporary resident and you've been in the province for six months, you can apply through the provincial nominee program, which eventually gives you landed status.

It seems to me that notwithstanding your having temporary workers come in, the idea that a lot of people expressed is to bring them into a permanent resident status.

The other aspect is that if you have a job and you can bring your family, you are likely to stay. There's been a suggestion that the spouses of the people who come should be given open work permits so they too can work and their children can come with them. Many of them are quite able and qualified, and there's a demand for labour. You can find yourself in an awkward situation when the child or the spouse is able to work but doesn't have that ability. So there's been some suggestion that we ought to expand that and find a means to offer them permanent residence.

I'd like to ask you for a comment about that aspect that we heard from Joyce and also from Ms. Hennebry.

I'll conclude with a question to Silvia with respect to CREWS. I'm wondering if the provinces really have a good uptake with CREWS, which I understand caters to the construction industry. Or is not working as it's meant to? There are a number of undocumented workers, if you want to call them that, who are working in the industry without going through that process. Has there been any intention of looking at the provincial nominee program, which gives the province a whole new type of jurisdiction to deal with workers who may be needed in construction and other industries?

Perhaps Joyce could start.

•(1445)

Ms. Joyce Reynolds: Absolutely we would support provisions that would allow the family members of temporary foreign workers to work as well. My understanding is that the A, B, and O categories permit that, and the C and D categories do not. We have situations where our members are employing temporary foreign workers who do have other family members who would like to be able to work and are not able to at this time.

Ms. Jenna L. Hennebry: With respect to bringing in family members and providing them with open work permits, I too would concur that this would be a very feasible solution, particularly, as you pointed out, for the NOC C and D workers, because that's not the case.... On the other hand, I would be concerned with the provincial nominee program that is being utilized in Manitoba and Saskatchewan—

Mr. Ed Komarnicki: And British Columbia.

Ms. Jenna L. Hennebry: —to assist in securing residency as being the only way. I think we need to think of some other

mechanisms to do so, or rethink the immigration policy. Clearly if all these temporary workers end up as permanent migrants, there's obviously a need for those migrants, and we need to rethink our immigration system at the get-go.

Mr. Ed Komarnicki: You're suggesting we should do it directly through the federal stream as opposed to the provincial stream?

Ms. Jenna L. Hennebry: I'm saying that there needs to be some rethinking about that. If it's happening directly through the federal stream, maybe it can happen with the provincial nominee program at the same time there is some provincial nominee process...but that at least we don't have to only go through, or the provinces aren't stuck only going through, temporary workers and then the provincial nominee program.

Ms. Jenna L. Hennebry: Yes, I definitely think it has merit to it.

I'm just saying that on a larger scale for the longer term, we need to integrate provincial needs for immigration and regional needs for immigration into the point system, into a federal system, as well, that it doesn't seem to be recognizing clearly.

Mr. Ed Komarnicki: Finally, Ms. Bendo.

Ms. Silvia Bendo: You asked about the CREWS program. We can probably admit that it did not meet its full potential. At the beginning, when it started in 2001, it was plagued by the involvement of third party recruiters and a misunderstanding of how the program worked with respect to the visa posts abroad. Some workers were already here illegally and could not use the program.

Applications picked up and became more successful as a result of the high media attention that was given in March 2006 to certain deportations. As a result, when people realized that there was not going to be an undocumented program at that time, they used the temporary foreign worker program to regularize their status. But as I mentioned, not everyone has been able to do so.

Currently a lot of the companies are using the PNP to get permanent residency status for the workers. Some workers have been here seven years on a temporary basis and they just continue to renew because they've had no ability to become permanent. Although, most of the companies do not qualify under the requirements of the Ontario PNP.

Most of our companies, 70% of those that I deal with, have nine or fewer employees. They are the small subcontractors that are employed by the larger contractors, who are employed by the builders. It's the nature of the companies, small business, and they do not meet the requirements of the PNP.

•(1450)

Mr. Ed Komarnicki: Again, it's something that's provincially driven. The province can expand, include, or use discretion for some of the categories if they wish to actually make it work for that particular industry.

Ms. Silvia Bendo: Exactly.

Mr. Ed Komarnicki: That's something the provinces have to have a look at.

The other aspect I wanted to ask you about is that we seem to have a good number of undocumented workers—there have been various estimations—but they're doing useful things in the economy. It seems that there aren't legitimate ways or means for them to come through to meet those needs, so they go some other way after everything else fails.

Would you agree with that comment? Should there be some way of meeting what appears to be a need for a particular group of people doing particular kinds of things?

Ms. Silvia Bendo: Yes, because currently the humanitarian and compassionate stream would be one option, but it's not usually successful for them. There does need to be something to address that issue.

Mr. Ed Komarnicki: Is it a symptom of the fact that maybe we haven't had a stream that adequately addresses the economic needs that are out there?

Ms. Silvia Bendo: You could do that, but then you're still going to leave out a lot of people who may be working in industries, if we don't identify.... It depends on how you do it. If it's occupation by occupation, it might be difficult to do that. You need to encompass everyone if you're going to look at undocumented workers.

Ms. Jenna L. Hennebry: Certainly the point system could be modified to have some kind of reflection of those areas.

The Chair: There are a couple of questions left.

Mr. Telegdi.

Hon. Andrew Telegdi: Yes, Mr. Chair, thank you.

To the parliamentary secretary, sometimes I have to go out of the room to talk to the media about something we're not talking about here, which is Bill C-50—and also to say good things about our chair compared with other chairs in Ottawa.

It seems to me we could be solving a number of problems with the shortage we're having right now. It doesn't make any sense at all, from a policy perspective, to spend a lot of resources chasing after undocumented workers so we can now deport them out of the country. We'd be better off trying to regularize those workers, because really, they're the result, to a large extent... There has been a huge growth since the new Immigration Act was put in place in 2002, when we said that people with trades and people who want to work hard need not apply because they cannot get in. So what we did was to drive up those numbers.

My community has a lot of university professors and what have you, so we have a pretty high level of education in my community. But when I go around the community, I dare say that 95% of the people who came here as immigrants would not be able to get into this country now if they wanted to get in on this point system. That includes people like the parents of Mike Lazaridis, Frank Stronach, Frank Hasenfratz, and the list goes on.

We really made a huge mistake. We'd be much better off to make up for the mistake that the bureaucrats talked the government of the day into because ministers, unfortunately, did not know what they were doing—then as now. We could use those numbers to correct it, because it was the shortage of workers that drove the people who are

in the precarious class of being not documented or not being in status at the present time.

I agree; there isn't a restaurant I can go to in Waterloo region where people aren't complaining that they're really having trouble getting people. It's all a function of totally perverting the point system and totally changing the way that Canada used to do immigration.

Do you have any comments on this?

• (1455)

Ms. Jenna L. Hennebry: I would agree; quite fundamentally, I would agree. I think that using a temporary foreign worker program to solve a problem that was, in part, created by that, and in part created by demographic change and changes in industry and globalization and all these factors, is using a band-aid approach to something that I think is a much more long-term issue: the shortage that employers are facing. Employers need these workers now, and these migrants want to come now. Many of them are already here, undocumented. That is a bit of an irony to try to work with.

I think that using the temporary program as the only means to get migrants and workers into the NOC C and D categories is going to lead to greater numbers of undocumented, greater numbers of people who are trying to stay, who are separated from families for long periods of time, greater costs—

Hon. Andrew Telegdi: And it seems to me that the government wants to solve the problem by going to the same bureaucracy, which is not transparent and not accountable, and giving them more power to be less transparent and less accountable. It's an oxymoron, and I think we have to expose this as being an oxymoron.

I hope you really pay attention—I'm sure you already have, but we can't talk about it, we have to go outside the room—when this bill is being debated.

Ms. Jenna L. Hennebry: Certainly with respect to the money that was just given to the foreign worker program to help deal with some of these issues, they now have a monitoring section. They have a lot of areas that are developed within their program. It used to be one or two people, and now they foresee an expansion, I think.

They spent a lot of money to set up Service Canada, to be able to help employers get workers, but they've spent no money helping workers and spending energy to try to find a way to regularize the many capable workers and migrants, and their families.

Hon. Andrew Telegdi: Thank you very much.

The Chair: We'll now go to Ms. Reynolds.

Ms. Joyce Reynolds: I agree that we have an opportunity to include Canadian work experience in the criteria for immigrating to Canada. As I said in my presentation, we already have that kind of classification, and a new classification. We just need it to apply to all categories of workers and not just the very high-skilled categories of workers.

The Chair: Thank you for coming today and presenting. You had some very interesting views, and I'm sure they'll be very helpful as we compile our report and recommendations to the government. Believe me, your views will be taken into consideration.

Again, thank you. We appreciate that.

- _____ (Pause) _____
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- (1505)

The Chair: I want to welcome you here once again to the immigration committee hearings.

Debbie Douglas and Roberto Jovel of the Ontario Council of Agencies Serving Immigrants, good to have you here. Sima Zerehi, the communications coordinator from the Status Now! Campaign in Defense of Undocumented Immigrants, is here, and we also have Marie Chen, the staff lawyer for the African Canadian Legal Clinic.

Thank you for being here.

If you have any opening statements you might want to place on the record, please feel free to begin.

Ms. Debbie Douglas (Executive Director, Ontario Council of Agencies Serving Immigrants): Absolutely.

I know we were here yesterday, but on a different issue. We wanted to thank you for hearing us on the temporary workers program.

We believe, as OCASI, the Ontario Council of Agencies Serving Immigrants, that this is a real change in the direction of Canada's immigration policy, away from nation-building towards treating immigrants as economic units. You'll hear quite a bit of that from us.

I won't be presenting. I just wanted to introduce my colleague, Roberto Jovel, who will be presenting, and to give you a heads-up that he will be presenting in English and French.

The Chair: Thank you.

[*Translation*]

Mr. Roberto Jovel (Coordinator, Policy and Research, Ontario Council of Agencies Serving Immigrants): I want to thank the committee for inviting us.

As Debbie mentioned, we're going to talk about temporary work permits. I'm going to do one part in French and the other in English later.

I'd like to raise three points: first, our concerns about these programs; second, our proposals for change; and, third, a final comment on how to view the connections between the various Canadian policy areas and immigration, the labour market and human rights.

I have two main concerns. First, there are all the human rights abuses and violations to which temporary workers are subjected, particularly in the seasonal agricultural industry. As they have already been very well documented by workers' organizations, such as the Travailleurs et travailleuses unis de l'alimentation et du commerce, I won't repeat them. And yet the program and commitments of the Canadian and local governments and host countries of the workers and employers, as well as the agreements and formal declarations, tend in the direction of rights protection and labour rights legislation.

I would like to question the common idea expressed in the media and certain circles of political thought that temporary work permits

are an adequate solution to meet current labour market needs. These permits do make it possible to obtain workers very quickly for economic areas where there are obvious labour shortages. However, are the workers who come here on a temporary basis, without their rights being respected, without being able to settle in a stable setting and have a life that can be considered normal, without being able to make a proper contribution to the objectives of private businesses? We don't think so. We think this unstable and undeveloped living situation does not enable workers to perform at an optimum level, even in the businesses that have hired them.

Lastly, the main concern, as Ms. Douglas said, is that the program marks a departure in terms of immigration policy in Canada: we are switching from the notion of immigrants as co-builders of a country to the notion of workers born outside the country, as though they were economic units that could be easily disposed of.

In conclusion, we are creating a highly vulnerable subclass of workers instead of bringing in new members of healthy local communities to create a healthy labour market in a country that is building itself in a healthy manner.

- (1510)
- [*English*]

Given the current policy of increased recourse to temporary work permits, what we would like to propose is threefold. On the one hand, we would like to propose that access to services and to real enjoyment of rights in all Canadian and international legislation be given to temporary workers.

We are seeing the fact that they are being brought here quickly, that there's an increased use of the program. There's no way to deny that reality. We do think the Government of Canada and Citizenship and Immigration Canada should provide eligibility for these workers to receive services like anyone else. Again, even for the purposes of satisfying the labour market needs, we are able to enable them to live under better conditions while they are here.

That said, of course, as our second proposal, we are suggesting that they be given the opportunity to apply for permanent residence status early on—that is, as early as they apply for their temporary work permit. This is in line, again, with the objectives of the Immigration and Refugee Protection Act, in terms of having new members of Canadian society being able to contribute to building Canadian society.

We would propose equally to extend already existing measures that are currently granted to specific categories, like live-in caregivers, for instance, or skilled immigrants, to all categories of temporary workers. We would give the example of the Canadian experience class, which is now limited to international students and certain categories of temporary workers. We want that generalized, as well, to people without status who do already have a Canadian experience. If they become employees in a regular manner, they wouldn't have so much of a steep curve to learn and to be able to integrate businesses.

To end with, we would like to raise the concern about the linkages that are being made between several Canadian pieces of policy. We are seeing that labour market policy in Canada is informing immigration, so the link between the two areas of policy is there, but we are concerned that this might amount to a devolution to businesses of this responsibility, the responsibility of building the country through immigration.

Now, the other way around, we are not sure that this is happening, whether immigration policy is informing labour market policy. Again, the use of immigration to build a country is not being taken into account when we try to give solutions to labour market issues.

Finally, as the piece that we are most concerned about, if the current government or any government in Canada is able to make those linkages between labour market and immigration policy, what is the role of Canada's human rights policy to make sure the all these linkages are done in an adequate way?

Thank you very much.

The Chair: Thank you, Mr. Jovel.

Sima.

Ms. Sima Zerehi (Coordinator, Communications, Status Now! Campaign in Defense of Undocumented Immigrants): Thank you.

Our deputation is going to address predominantly the issue of undocumented workers, but we're going to make a few references to temporary foreign workers as well.

I'm here on behalf of Status Now! Campaign in Defense of Undocumented Immigrants. Our campaign includes various national, regional, and local immigrant refugee organizations, trade unions, and agencies.

We strongly believe an immediate moratorium on deportation of all non-status people living in Canada must be implemented. Until then, we ask that a full, inclusive, and acceptable regularization program be put into place.

I would like to begin by making a couple of references to the motion for a moratorium on deportations for undocumented workers under family, which was discussed in June 2007. The success of the motion spoke to the growing support for a national regularization program in Canada. In fact, the motion itself was a response to significant demonstrations and public protests demanding an end to the unjust deportations that an increasing number of Canadians see as cruel and unnecessary.

We're encouraged that such a motion has recently been debated and supported by members of our Parliament. Regularization programs have been a significant part of Canada's history. In fact, the first regularization or amnesty program was introduced by MP Douglas Jung about 50 years ago.

Many such programs have followed, including the administrative review program and many others. I won't waste your time reading through those.

While the previous motion put forward by the Standing Committee on Citizenship and Immigration for a moratorium on

deportation was a tremendous step forward, we believe that in the future a more comprehensive strategy needs to be set forth. We're speaking in particular to the wording around non-status workers and their families.

While we support the spirit of the motion, in order for the moratorium to adequately address the multiple barriers faced by the individuals without status, we ask that this category be expanded to include all members of non-status communities, not only those who are working. In this way we can ensure that individuals are not lost in the translation of such terms as "family".

When examining the definition of "family", we want to guarantee that definitions used take into account the various formations of families, which could include multiple types of extended families and same-sex couples.

We're making a lot of references to the previous motion because we're optimistic that you will include such recommendations.

In addition, limiting regularization to those who are working is problematic, as individuals without status or with precarious immigration status face many barriers while attempting to hold stable and continuous employment. Establishing proof of such employment is difficult, as many employers are unwilling to provide proof of employment to individuals without work permits.

Oftentimes workers without status are forced to accept precarious terms of employment and precarious jobs with no guarantee that their position will be available the next working day, week, or month. These workers have no recourse if they are not paid or if employment standards are violated.

Workers without immigration documentation are often forced to move from one job to the next, with inevitable lags between employment. These realities must be addressed in any future initiative.

The reality is that while regularization programs are designed and implemented, the hundreds and thousands of people without status will continue to live in deplorable conditions with little to no access to basic services. Individuals initially arrive in Canada able and willing to participate fully in Canadian society; however, many newcomers fall out of immigration status or enter various forms of less-than-full status.

Unfortunately, precarious immigration status also means a lack of access to medical care, the legal system, education, employment, and housing. Currently we have a two-tiered system in which individuals without status struggle to access the basic resources needed to ensure full membership in Canadian society.

This has serious negative consequences on their mental and physical health and on family stability. This also reinforces the emerging two-tiered society, a model of society that most Canadians would consider unjust and undesirable.

As we wait for a positive decision on a moratorium on deportation and an inclusive regularization program, we need to ensure that these vulnerable populations are extended access to the most essential services and are offered the same employment standards and recourse to justice that other Canadians rely on.

• (1515)

We also believe universal access to health care is essential amongst these services for the overall health of all of our communities. This is a public health issue. We live in communities where our schools, hospitals, workplaces, public transit systems, and community centres are all interconnected. It is crucial that all members living in these communities and participating in these systems have good health through access to public primary health care.

Although illness is a normal life event that can be addressed through access to health care and social benefits, individuals without status are greatly penalized if they become sick. Non-status individuals are uninsured and cannot access comprehensive medical care. They are forced to pay for medicine, doctors' visits, and hospital stays; however, they are not eligible for disability or sick benefits.

The impact of illness results in a severe crisis, as individuals without status will simultaneously lose their employment, shelter, and health. In addition, illness presents a profound barrier to regularization because of the medical inadmissibility category. The medical inadmissibility category unfairly targets individuals with disabilities and fails to acknowledge that society is composed of individuals with varying abilities.

Canadian immigration policies that exclude individuals with disabilities from obtaining permanent resident status actively contribute to systematic discrimination and contradict the Human Rights Act.

Living without status is marked by instability and uncertainty. Individuals and families without status or with mixed status live with the fear that the lives they have worked so hard to build can be ruptured and dissolved at any time through deportation. Working and surviving without social benefits is an additional stressor. Anxiety, worry, and mental exhaustion accompany the non-status experience. This is a population that is at risk for depression. This clearly has a negative impact on an individual's mental health as well as the health of the overall community. A regularization program could play a critical role in responding to the significant mental health problem.

Access to education is another barrier faced by non-status families in communities. Although the right to education is guaranteed under Canadian immigration laws as well as under the United Nations Convention on the Rights of the Child, to which Canada is a signatory, many barriers continue to deny non-status children unrestricted access. Parents without status attempting to enrol their children in Canadian schools continue to be confronted with staff who are not familiar with the rights of all children to education. As a result, Canadian-born children of parents without status may also encounter barriers to education. School boards across the country still disseminate registration information and registration forms that demand information regarding children's immigration status and immigration documents.

To compound the situation, in the past few years we have witnessed multiple cases where CBSA enforcement agents have used schools as a place to arrest families without status. In one case, children were used as bait to entrap their mother.

When it comes to access to post-secondary education, there are no options for non-status students. Students who have been raised in Canada and have received the bulk of their primary and secondary schooling in Canadian schools have the right to continue to college and university. As such, students without status are treated as a second-class population and relegated to the same precarious areas of employment as their parents.

Access to emergency services for the non-status community is also a public safety issue. We see this clearly in domestic violence situations in which women are afraid to call the police because of the lack of immigration status. We have seen unfortunate cases of undocumented women reporting incidents of rape, only to end up in detention and facing deportation without ever having their day in court. Similarly, witnesses of crimes continue to be afraid to report to the police services across the country, as their immigration status or that of their family members may be revealed.

No one should be afraid to call the police for immigration reasons. There needs to be a strict division of duties between police services and immigration enforcement. The police need to serve and protect our communities and not act as attachés of the CBSA, enforcing immigration policies.

We have had some progress with the Toronto Police Services Board in adopting an "access without fear" policy that provides limited protection for victims and witnesses of a crime. A great deal more work has to be done across the country to ensure safe communities.

Any regularization program implemented must not include any requirements regarding criminal records or backgrounds.

• (1520)

The use of the Immigration and Refugee Protection Act as a clumsy tool for punishment of crime makes for a situation of double jeopardy for non-status people and immigrants, a system where they are doubly punished for the same crime, which stands against the very principles of our criminal justice system. It also creates a two-tiered criminal justice system, one where citizens are punished once and all others twice.

As we work towards implementing a regularization program that meets the multiple needs of non-status people, families, and communities working and living in Canada, it is important to work closely with affected communities, agencies, as well as academics to ensure that the implementation of this program is relevant and effective.

Academic research and advocacy has identified barriers to accessing services without fear. It has also outlined some of the negative effects of living without status on individuals, on public health, on mental health, and on the well-being of women, families, and children.

Finally, the solution to the crisis of undocumented workers cannot be an expansion of temporary work programs, the increase of temporary work permits, and work visas. Canadian immigration cannot become a glorified temporary work agency where immigrants are treated as cheap and exploitable commodities.

In the past month we have seen the government pushing through changes to the Immigration and Refugee Protection Act in the House of Commons, via the Budget Implementation Act. Despite the government's insistent denials, these drastic changes will give vast powers for the minister to decide which categories of immigrant applications will be processed, ignored, or discarded. It will also limit several kinds of applicants, based on humanitarian and compassionate grounds that sponsors can use to bring their relatives into Canada.

If the current amendments are implemented, the minister will have the power to refuse to examine agency applications filed for refugees and immigrants outside of Canada. The government has oftentimes pointed to the agency application as the recourse for the gaps in our immigration laws. With these amendments in place, this recourse will no longer be available.

We close by noting that in order for regularization to be effective, it must be inclusive in terms of who qualifies and also with regard to cost. While we are not opposed to cost recovery, we also know that high fees could pose a barrier, particularly to families in general, single parent families, and youth. Mounting a regularization program is an investment that must be planned in order to maximize its reach so that as many qualified applicants apply as possible.

Thank you. And I'm sorry for the length of my presentation, but many organizations are part of our campaign.

•(1525)

The Chair: That's okay. Thank you.

Do you have any statement, Ms. Chen?

Mrs. Marie Chen (Staff Lawyer, African Canadian Legal Clinic): I have an oral statement only, as I didn't find out about the standing committee until last week.

In the short time I have, I am planning to speak to two issues—temporary foreign workers, specifically the seasonal agricultural workers program, and also immigration consultants. I'm not sure how these issues have been bifurcated, but I can't be split in two, and I'm here today, so I'll talk about both things.

I will be speaking from the experience of my work as a staff lawyer at the African Canadian Legal Clinic. We are a specialized Legal Aid Ontario clinic. We have a test case mandate to address issues of systemic racism impacting on the African Canadian community in Ontario. We litigate and advocate on behalf of African Canadians to protect their human rights. In our advocacy work we receive calls from African Canadians on a daily basis regarding immigration-related issues. I'll be speaking from that experience.

I'll start with the immigration consultants issue. At the African Canadian Legal Clinic, we've seen our fair share of clients who have been taken advantage of or exploited by immigration consultants to whom they have gone for help. We've seen people who have paid huge sums of money, but the work was not done or it was done badly. We've seen people whose chances of being accepted were dashed by the incompetence of the consultants they hired. We've seen people's chances of a future ruined. We've seen people who have been given false hopes when they really do not have a viable case, yet they have forked out huge amounts of money.

These stories are commonplace in many immigrant communities. It's not an issue that these incidents happen; the issue is what the Canadian government should be doing about it. What is truly needed is a system of accountability that works. The fact is that the current self-regulating system by the Canadian Association of Professional Immigration Consultants does not work. It is weak, has numerous loopholes, and in fact there is no accountability. Immigration consultants act with impunity.

In terms of our proposal as to what can be done, with respect to the provinces where the law societies are currently regulating paralegals, we propose that the federal government work with their provincial counterparts to ensure that these law societies also regulate immigration consultants. Immigration consultants do work that's akin to paralegals. There is absolutely no reason why the law societies that already regulate paralegals should not be regulating immigration consultants.

The problem is that not all law societies regulate paralegals. In Ontario we have paralegal regulations, but it's not consistent across Canada. Alternatively, our proposal is that the federal government look into setting up a licensing scheme with respect to immigration consultants, whereby standards of competence are set and there are regulation mechanisms.

As part of that regulatory mechanism, there needs to be an arm's-length complaints system through which victims of exploitation can seek recourse and can file complaints without fear. That's why we're proposing an arm's-length system, because many people have no status, and if you have a government agency, they're not going to come forward. There will be no hope of people coming forward from the get-go. It has to be an arm's-length system.

Also, to make sure that complainants do come forward and they're not excluded by fear, you should allow for third party complaints. Organizations, councils, or people who have come in contact with victims can file those complaints.

With respect to the temporary foreign workers, the seasonal agricultural workers program, I am going to be talking specifically about it. I will touch on some of the problems that are faced by the workers. I would also speak to some proposals to address those problems that the federal government can implement.

I would also like to draw attention to the racialized aspect of this program. The history of the program is rooted in the Caribbean. It was started in 1966 with workers from Jamaica. Since that time, it has drawn workers mostly from the Caribbean.

•(1530)

Currently all workers in the program are racialized. They're from the south. We have workers from Mexico and the Caribbean mainly. Approximately 40% of the 20,000 workers are now from the Caribbean, from countries like Jamaica, Trinidad, Barbados, and the Organization of Eastern Caribbean States. About 80% of these workers work in Ontario.

Because of their status, migrant farm workers are highly vulnerable to exploitation and mistreatment. Their vulnerable situation also allows for abuses to go unchecked. As racialized people, they experience racism not just from the employers but also from the communities, the people in the communities they work in. These workers are mostly placed in rural, predominantly white communities.

We've also heard of workers complaining about the poor working conditions they have to work in. Caribbean workers, for example, have compared their working conditions to modern-day slavery. They experience extreme social isolation. A lot of these workers come here for extended periods of time, up to eight months. A lot of them come up year after year. They are separated from their communities and their families for extended periods of time. This is extreme social dislocation. There's no opportunity to be reunited with their families while they're in Canada.

They also can be sent back very easily, repatriated. If they stand up for their rights, they can be repatriated. They live under this constant threat. They have no choice but to remain silent and endure unfavourable work conditions and treatment, if they are victims of that.

What can we do about this? What can the federal government do about this?

Let me be clear right from the get-go. These migrant farm workers provide much-needed labour. They are a benefit to Canada. They fill a labour gap and contribute to Canada's economy. They do the long hours and the long days, the hard back-breaking work that Canadian workers do not want to do.

On average, migrant workers work 6.7 days per week, 9.5 hours per day. There's no question that Canada has benefited and profited from this program. Indeed, it's part of our history that Canada has benefited from migrant labour, from the Chinese railway workers who built the railways to the manual farm workers who cleared and settled the west.

But with benefit comes responsibility to protect the human rights of the workers we bring in and we profit from, to provide the rights and protections that are due to them under Canadian law.

The federal government should work with its provincial counterparts to ensure that these rights are protected. For a start, it should work to provide accountability for employers who mistreat workers and it should create avenues of redress and recourse for workers who have been mistreated. In this respect, we support the UFCW's call for the creation of an appeals process for repatriation cases.

The federal government can provide funding and support for advocacy services to these workers—for example, advocacy services and help for workers who are being repatriated or who have worker's compensation claims or appeals.

The federal government can also work to improve the living and working conditions of these migrants by helping to set minimum standards of living conditions and setting up regular inspection and monitoring mechanisms.

The federal government can allow these workers to apply for permanent residence status, by setting up a special program such as

the one for domestic workers, whereby workers can apply for permanent residence after having worked in Canada for a certain period of time and shown an ability to successfully live and work in Canada permanently. Currently workers experience indefinite temporary work. Year after year, they're here temporarily with no chance of success of applying for permanent residence.

Canada should also sign on to the International Convention on the Protection of the Rights of All Migrant Workers, the migration workers convention in short, which contains protections and rights to prevent workers from being exploited. Currently Canada is not a signatory.

• (1535)

We have heard that the reason for Canada not signing is that we have a superior immigration system, where people can come in and apply for permanent residence and citizenship. This does not apply to migrant farm workers, who live here on a temporary basis. They're completely temporary, and the avenue of applying for permanent residence doesn't apply to them.

I would like to close by saying that it would be remiss of me not to mention Bill C-50, because it does fundamentally affect everything we're talking about today. I know that the committee has set down the work in these categories, but it really does affect what we're talking about fundamentally.

I agree with the concerns that others have raised about the changes to the Immigration and Refugee Protection Act and the sweeping powers that will be given to the minister, and the cutting out of humanitarian and compassionate applications. I won't speak to the substance of those concerns, but I would like to speak to the process.

These changes are sweeping and fundamental. In a democracy like ours, we should be debating this, truly, just as we are doing here. It needs to be worked through the legislative process, and not through the back door by a budget bill. So we would ask that a full and open public debate, with a full consultation process, be held to discuss this issue.

Also, I would like to comment that this hearkens back to the good old days where, you know, who decides whom is good for Canada or which immigrants are desirable? The history of Canada is replete with examples of groups—to which many of us here belong—that were considered undesirable. The change from an objective system, which the Immigration and Refugee Protection Act has with respect to checks and balances between subjectivity and objectivity, to an arbitrary system is going to affect fundamentally the way that immigration is dealt with in Canada, and it deserves full and public consultation.

Thank you.

The Chair: Thank you.

Just on the temporary foreign workers, we've been travelling now for about a week and a half, and we did hear—I think it was in Alberta and Vancouver—about human rights violations, the living conditions of temporary foreign workers, safety on the job, and about different wage rates being promised and not delivered.

Right here in Ontario, of course, they use an awful lot of temporary foreign workers in the agricultural sector, don't they, such as tobacco growing, fruit, and wine? Have you found widespread abuse of or complaints from temporary foreign workers? I guess what I'm wondering is how widespread, in your opinion, would it be? I guess it wouldn't be all that widespread here in Ontario, would it?

• (1540)

Mrs. Marie Chen: In terms of our experience at the clinic, ACLC, we work with other groups who are on the ground. We are not on the ground in Ontario—we're a very small office—but we keep in touch with the issues that arise within these very isolated communities.

You see, the thing is, it really does depend on the employer, or whom your employer is. That is not good enough, because all you need is a bad employer and the whole migrant community working for that particular employer will suffer. And they suffer in silence, because the sanction is that they could be sent back at the drop of a hat.

The Chair: Yes.

I can't speak for all committee members, but I don't think I've heard of any abuse of temporary foreign workers here in Ontario. It's

Ms. Debbie Douglas: Let me give you an example of how we're defining abuse.

We have a large agricultural migrant population in Leamington. One concern that OCASI has had, and one clarification that we've sought from the provincial government, is that everyone who works in Ontario should have access to our labour laws. The answer is yes, absolutely. But if you're an agricultural worker in Leamington and the labour ministry is based in Toronto, how do you get here? One thing that we know is happening—unfortunately, only anecdotally—is that people are on their bicycles trying to get from town to town, just to begin to get out of their social isolation. We have deaths of migrant workers that nobody is documenting.

So to your question about abuse, yes, there is abuse here in Ontario, because we do have isolated farming communities here in Ontario.

Mrs. Marie Chen: It's a chicken-and-egg thing, because people suffer in silence. We know, from the ones who have spoken out and from working with our advocacy partners, that there are abuses, but the fear is there than when abuses get reported, there are serious repercussions.

So we don't know the full extent of it. We know it's there, but it is a chicken-and-egg thing.

Ms. Sima Zerehi: Yes.

I think the fact that they're not unionized here also has a tremendous impact on the level of reporting of abuses. In places where temporary foreign workers are unionized and have access to unions, they also have access to bodies that can document and then echo their voices.

We have some legislation coming in May around the unionization of temporary farm workers here in Ontario. I think we're going to see

a dramatic change once those workers have access to unions and the ability to voice some of their concerns through those bodies.

Mr. Roberto Jovel: There has been documentation done by the United Food and Commercial Workers both here in Ontario and in Quebec. I think it's not surprising that...

We were just in Halifax last week for the Metropolis Conference on immigration. We heard of human rights violations and job abuses within the hotel industry, for instance. Workers come up under a contract that says they're going to be working full time, but then they work only for three out of five workdays a week, and even for a few hours some of those days, not even full days. Or they have included in their contract a line that says they have to go to this certain apartment, and this will be their landlord, and this will be how much they're going to pay. It's difficult for them to get out of a very expensive apartment that was assigned to them before they even got here.

I think this goes on across the country. It's a matter of just getting to talk to the organizations that are doing work in the field, working directly with the workers.

The Chair: You had a lot to say about immigration consultants. We've heard a great deal already about immigration consultants. You mentioned that an arm's-length complaints system should be set up, that the federal government should set up a licensing system as well, and that there should be laws and statutes governing immigration consultants.

We've taken note of that. You're not the first to mention it, as a matter of fact. We'll certainly be making some good recommendations on that.

Do you have any questions, Mr. Telegdi?

• (1545)

Hon. Andrew Telegdi: I do, but I want to give Monsieur Carrier the first go at it.

I've been dying to do that.

[*Translation*]

Mr. Robert Carrier: Thank you. Thank you for being here, even though this is the last sitting of the day. You're providing us with a fairly complete snapshot of the issue.

Mr. Jovel and Ms. Douglas, I understand from your remarks that you don't necessarily recommend the temporary worker solution; that's not one of your priorities. You can correct me later if that's not the case.

Ms. Zerehi recommends a moratorium on the expulsion of undocumented workers, those whose situation is no longer in order. You also want us to establish a program to regularize the status of those workers.

Those are logical recommendations, but I don't know at what point the present government can make those decisions. I share your opinion. In any case, in the past week and a half, we've come to realize the problem of temporary workers and undocumented workers.

There is still a temporary worker settlement program. What do you think of that? The first time I saw the minister in committee, she boasted that she had increased the number of temporary workers. In her view, that was a success. I think she still views it that way. In view of the problem of temporary workers that must be solved, how should we react to the influx of new temporary workers?

[English]

Ms. Debbie Douglas: We're not against temporary workers, we're against Canada's immigration policy shifting towards "privileging" temporary workers as opposed to permanent residents, family reunification, and protection. That's the cornerstone. That's what our immigration policy really should be about, what we want.

I think we're all in agreement here that we have temporary workers and they need access to services, so we need to look at changing our eligibility criteria. Who is eligible for services, for settlement and integration services? Who should we be paying attention to as a civil society and as a sector that's funded federally and provincially—and in Ontario, municipally—in terms of ensuring that immigration is a privilege? All these things are connected.

One of the ironies for us is that we are not willing as a country to look at regularizing status, but we're looking at increasingly bringing in temporary workers. Do we really think that once these people are here they're going to leave and go back? And Canada doesn't have an exit policy. We don't know who leaves the country.

So at the same time the minister is claiming that this process is about reducing a backlog, it's in fact increasing the backlog.

[Translation]

Mr. Robert Carrier: Would anyone like to speak to that?

M. Roberto Jovel: Yes, I'd like to supplement Debbie's answer. Subsection 3(1) of the Canada Immigration and Refugee Protection Act states the essential elements of the wisdom of Canada's immigration policy, which are being circumvented through the increased use of temporary workers.

Paragraphs 3(1)(b) and (c) state that their purpose is to advance two combined objectives: to enrich the social and cultural fabric of Canadian society and to develop Canada's economic prosperity. We're focusing on one and forgetting the other.

Paragraph 3(1)(e) refers to the mutual obligations of new immigrants and Canadian society. We have shared and mutual responsibilities when we seek to successfully integrate immigrants to Canada. By using temporary workers, we shirk the responsibility of local society to integrate immigrants. In a few years, we will be relying completely on immigration to build the country's future. We think we are completely wrong to continue in that direction.

• (1550)

[English]

Ms. Sima Zerehi: Perhaps I could just add one quick point to that.

I definitely agree with the statements made by both Debbie and Roberto, but I think also that the issue raised by a number of trade unions across the country, including the Canadian Labour Congress, was about whether the crisis of worker shortage is a real crisis or whether we are not looking closely at how these particular positions

are underpaid and therefore become undesirable. So is it really that we're lacking workers, or are we creating jobs that are so undesirable that no one in Canada wants to take them on?

The other quick point around temporary workers is the point that was brought up at the Metropolis Conference, with the example of their Brandon, Manitoba, Maple Leaf Foods factory, which was that if industries know that they are going to need these workers for a long time, then why are we bringing people in as temporary foreign workers? Why don't we move from the very beginning, from step one, and give them permanent residency? The success stories seem to be coming into Canada for two years as temporary foreign workers...and then regularizing people.

The Chair: Mr. Telegdi.

Hon. Andrew Telegdi: Thank you very much.

I'm really glad to see all you folks here.

Sima, I remember we were battling under the Sossa family. I think it's an opportunity to let my colleagues know and let the record show that the Sossa family came from Costa Rica. Their children were doing exceptionally well in school. Immigration officials went into the school and held the children hostage to try to lure in their parents so they could pick them up and deport them. It was just reprehensible. I took that back to the House at the time; I raised it in the House. Anyway, the minister said that no more of this will be happening.

I point this out because here we have again a bureaucracy in action that tends not to be accountable and really points to the need of having good political accountability, transparency, and oversight. We spent a lot of money and effort in getting the Sossa family out. Their kids were doing great. They were established in the community. The father was a foreman on a construction site in this city and the wife was working very hard at another job, I think. It was cleaning or something like that that other people didn't want to do.

It seems to me that here we have the perfect candidate to come to Canada. So what do we do? We ended up sending him out of the country and then we ended up bringing him back. So a lot of money, time, and effort was wasted going through this exercise. There are undocumented workers like this all over the place. It would have been so much simpler to go through a regularization process. As mentioned before, we have people living in the shadows. Do a regularization, which the previous government was on the verge of doing but they got defeated. Then you know what happened: the bureaucrat said, oh, here's our opportunity to put this off again, because we're against it; essentially, these people are the result of the mistakes we made by changing the point system on the Immigration Act in 2002.

I mention it to committee members because it's a perfect example of how we could have saved a lot of money. We could have saved a lot of effort. We could have saved a lot of heartache. We could have dealt with some more of the backlog but instead we chose to expend our moneys in this way.

Ms. Chen, I agree with you in terms of what you're talking about in Bill C-50, because what we end up doing is giving more control to the bureaucracy, taking away even oversight from the courts as well as from the politicians, from this committee, from the minister, which makes the whole thing very dangerous. So when you say that, yes, we racialize our migrant farm workers, it's certainly the same thing we did with the Chinese. We brought them in, they built the railway, and we got rid of them under the Chinese exclusion act and put on the Chinese head tax.

You guys are doing a remarkable job on probably not a very popular topic. How do you keep going? I really want to know. I commend you for what you're doing, but how do you keep yourselves going, as advocates?

• (1555)

Ms. Debbie Douglas: We show up and have conversations like this—and hope that you are really listening, that these will be brought forward as recommendations, and that our governing parties are listening.

Ms. Sima Zerehi: We also, every day, see people like Kimberly and Gerald Lizano-Sossa, 14- and 15-year-old kids, stand up and fight and try to explain why they want to be Canadians, why they want to go to school here, why they want to work here, why they want to live here. If people in those kinds of conditions have the courage to stand up and speak out, then certainly we have an obligation to try to do our best to represent them.

Hon. Andrew Telegdi: Tonight the House is having a vote on Bill C-50. Obviously we're not going to be there. I want Bill C-50 to pass tonight, because if it were defeated tonight, there would be no debate on Bill C-50. I think it's important to get that bill debated as much as possible.

We're going to have the debate both in this committee and the budget committee and in the House of Commons. If that bill were to be defeated tonight, there would be no debate. I just want you to be aware of it.

I myself, if I were in Ottawa, would have supported the passage of this bill, because I think we need to get it into committee so that we can expose the shortcomings and have people come in and talk about the implications of this bill.

When Bill C-50 goes through third reading, I will vote against it.

The Chair: We have five minutes left, and we really have to cut it off at 4 o'clock sharp because we have a train to catch to Montreal. So if you could be very brief, Ms. Grewal, I would appreciate it, and I'm sure the clerk would too.

Mrs. Nina Grewal: Thank you, Mr. Chair. I always have short questions.

I would like to thank all of you.

What are your recommendations for improvement, or your suggestions on the current temporary worker program? Could each of you just answer?

Ms. Debbie Douglas: There are a number of issues here in terms of the temporary workers program.

We know that we have a number of undocumented people here in Canada. Let's look at a regularization system.

Let me take a step back. I think we all agree that we need to revisit IRPA, right? There are huge issues from the changes made in 2002. So in terms of the temporary workers program, we need to look at regularization.

Bringing in people to work in Canada on a temporary basis is morally wrong. If Canada is going to grow economically and as nation builders with immigrants, we should bring people in permanently.

We need to deal with the backlog by ensuring that there are more resources in the places that immigrants are coming from. We know that we've had a change in demographics over the last 10 years. It makes no sense that Europe is over-resourced, and not Asia and Africa. Canada has identified French immigrants, for example, and they're hanging out in Belgium. So those are the kinds of things we need to look at in terms of where our resources are going.

The \$50 million that's in this budget to bring in temporary workers should be spent in our visa posts abroad, in Asia and Africa, Latin America and the Caribbean.

The Chair: I'm sorry, but we're right at four o'clock.

Mrs. Nina Grewal: Mr. Chair, could you just give them one or two more minutes?

The Chair: I'll allow one more comment.

Roberto, do you have a comment? And then I'm going to cut it off.

Mr. Roberto Jovel: I'm totally in support of what Debbie just said. Maybe I would just add that, in the meantime, while the temporary workers are coming here, until the big policy picture is arranged and properly addressed, we need the services to be provided, we need to make them eligible, and we need to make sure that their human rights, under all the Canadian legislation, are properly protected.

• (1600)

The Chair: Sima.

Ms. Sima Zerehi: Access to unions: I would just add that to Roberto's comment.

The Chair: Ms. Chen.

Mrs. Marie Chen: Ditto to everything that was said before me. I also think we need to recognize in principle that if we need people to come here and work for us, we need to recognize their worth. We need to allow them to settle here permanently, not dispose of them after they have worked and make them have to leave.

The Chair: Thank you.

Thank you to all of you for being here and presenting some very interesting views. We'll be making recommendations, and I'm sure your views will be taken into consideration. Thank you.

The meeting is adjourned.

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