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# Standing Committee on Citizenship and Immigration

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**Thursday, April 17, 2008**

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**Chair**

**Mr. Norman Doyle**

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## Standing Committee on Citizenship and Immigration

Thursday, April 17, 2008

• (0900)

[English]

**The Chair (Mr. Norman Doyle (St. John's East, CPC)):** I am not going to keep you waiting any longer. We have a couple of committee members who are missing in action. They are probably out having a look at our beautiful city. I want to welcome all of you here today as we continue our cross-country tour, and bring it to an end, actually.

We've been meeting in all the provinces. We're the Standing Committee of the House of Commons on Citizenship and Immigration, and we've been mandated to look at three very important items: temporary and foreign workers, immigration consultants, and the Iraqi refugee problem.

As I said, we've met in all the provinces except P.E.I. This is our ninth province in 12 days. We'll have heard from about 52 panels after we finish up today, and we have our analysts and officials with us.

The committee, at the end of it all, will do a report that we will present to the House of Commons. The report will be based upon what we've heard from the various panels as we've travelled between British Columbia and here.

Our committee is an all-party committee with representation from all parties. We have about five or six people travelling from the House of Commons, and we have heard some very interesting comments and some very interesting presentations.

We generally give each presenter about seven minutes to make a presentation to us, and then we turn it over to members of the committee who might wish to have some interaction, put some questions or make some comments.

Today I want to welcome, first of all, from the West End Baptist Church, Pastor Gordon Sutherland. Welcome, Pastor. From Fish Food and Allied Workers, Greg Pretty, industrial director; from the Newfoundland and Labrador Federation of Labour, Lana Payne, first vice-president; and as an individual, David Wade, who represents the building trades of the province.

We will begin with you, Pastor, if you don't mind.

• (0905)

**Mr. Gordon Sutherland (Pastor, West End Baptist Church):** First of all, I want to thank you, members of the committee, for coming to St. John's and allowing me the opportunity to meet with you today.

By way of introduction, my name is Gordon Sutherland. I'm the lead pastor at West End Baptist Church here in St. John's. In addition to my responsibility in the local church, I'm currently serving a three-year term as president of the board of directors of Canadian Baptist Ministries, which links together approximately 1,300 churches across the country and has missionaries serving in many countries around the world.

I'm quite proud of the work that our churches across the country do on behalf of immigrants and refugees, but it is in my role as a local pastor that I come to you this morning.

The church in which I serve is not a large one by some standards. We have on the average about 200 people in worship on Sunday morning, but in that 200 people we have 10 language groups represented. West End Baptist Church has long been involved in working with people who are new to this country. Over the years we have worked very closely with CIC as a sponsoring body to help people from a number of countries come to Canada, and we work diligently with recent arrivals to help make those necessary adjustments to life in a new land.

In April 2005 we began a journey down a new path with CIC when a man from Latvia arrived at the door of the church and asked for sanctuary. As I listened to him, I realized that he had a compelling story, and so for the past 1,088 days—and in case you're going to try to calculate that in your mind, it's eight days short of three years—Alexi Kolosov has been, and continues to be, confined to West End Baptist Church.

This relates to why you are here today, for this man is a skilled worker, but a skilled worker who has been victimized again and again. Alexi Kolosov is an experienced fisherman with excellent skills in netmaking, which is why he is in such demand in this province. At least two companies have told us they would hire him today if they were able, because of his experience in and knowledge of European netmaking.

Alexi arrived in Canada in 1997 aboard an Icelandic fishing boat. While the boat was docked in the province for supplies, the owner of the boat went bankrupt. The crew was stranded and had to live on the boat. After 22 months on the vessel, Alexi came to shore and asked to stay. He is not someone who schemed to sneak into the country, but because of circumstances, he felt he had little to no option.

Further background to his story is that Alexi's son moved to Canada in the late 1990s and while here married a woman from Newfoundland and began a family. Unfortunately, the marriage ended; Alexi's son got into some trouble and was eventually deported, leaving behind a single mom with four children, Alexi's Canadian-born grandchildren.

Let me say I don't envy those who are the lawmakers in our land or who draw up the policies under which our country operates. It's a tough job, but when the power to decide on a person's application is left in the hands of one person and no appeal process is in place, it means some very worthy candidates are going to be unfairly treated.

Let me give you a couple of examples of the seeming disconnect between what the government says and how someone like Alexi gets treated.

In 2005, one week before Alexi was to be deported, the then minister of immigration, Joe Volpe, announced new initiatives to speed up the process of bringing grandparents to Canada in order to reunite families. That is something I can heartily applaud. Yet seven days later, the local immigration office was prepared to kick out of the country Poppa Loshia. That's what Alexi's grandchildren call him.

• (0910)

In 2005, one week before Alexi was to be deported, the then minister of immigration, Joe Volpe, announced that the government was prepared to spend \$36 million to help these grandparents settle in Canada. Yet seven days later, the local immigration office was prepared to spend money to deport a grandparent, who would not cost the country one cent, for he had been living here for nearly 10 years and had proven that he was willing and capable of earning a living. In fact, he had not only been supporting himself, but also providing support to his daughter-in-law and grandchildren.

In the most recent proposed legislation from the current government, the rationale given—and I quote from their website—is that “Canada needs a more responsive immigration system where we reduce wait times so that families are reunited faster and skilled workers arrive sooner”. Yet the local immigration office is prepared to ignore these pressing needs and divide a family by deporting this skilled worker. Do you see the irony here?

Two of the frustrations for me in this journey with Alexi have been the attitude of superiority by the immigration officials and the policy of silence by the government. As I stated in the beginning, West End Baptist Church has been a partner with CIC over the years, and we have proven ourselves, I believe, to be good partners, yet there is an unwillingness to enter into any kind of dialogue and a blatant rejection of the idea that we might have some valid input into Alexi's case.

In February of this year, we filed for a leave for judicial review of the 2007 negative decision on Alexi's H and C application. A Federal Court judge ruled that the local immigration officer had in fact violated a number of CIC's policies, especially in terms of the best interests of the grandchildren. The negative decision on the H and C application was set aside and a new review ordered.

I know that the laws and policies are put in place to try to standardize the processing of applicants, but I wonder how many

Alexi Kolosovs have been victimized. How many years and relationships have been lost by not taking into account the best interests of grandchildren? How many dollars have been lost because of a failure to take into account the skills that are needed?

In your policies and procedures, please do not strip away things like compassion and empathy. Not everyone fits perfectly into the box that we set up as a standard for admission into the country. Perhaps some of the people we want to welcome into the country as valued, contributing members of society are already here.

Alexi Kolosov has been victimized at a number of levels, and treated by immigration officials like a criminal, when all he wants to do is to use his skills to make a living and enjoy his Canadian-born grandchildren.

Thank you for listening to me today. I know you are here only for a short time, but I would like to extend to all of you the invitation, if you are able, to come to West End Baptist Church to meet Alexi and to realize there are flaws in the system that you have the power to correct.

Thank you.

**The Chair:** Thank you, Pastor.

Ms. Payne.

**Ms. Lana Payne (First Vice-President, Newfoundland and Labrador Federation of Labour):** I guess you're doing questions at the end?

**The Chair:** Yes, we do. We generally give everyone an opportunity to make a presentation first. It's easier that way. Then we go into questions and, hopefully, answers. It's Q and A.

**Ms. Lana Payne:** I, too, would like to thank the committee for the opportunity to present. I'm representing the Newfoundland and Labrador Federation of Labour. We're an umbrella organization for 30 affiliate unions in the province, representing about 500 locals and 70,000 working women and men throughout Newfoundland and Labrador.

Our role is mostly an advocacy role. We are trying to improve labour laws, establish workplace rights, build strong public services. We're also involved in quite a number of social justice issues. Today we welcome the opportunity to talk about the temporary foreign worker program and some of the problems we see in it.

Currently, we believe it's been too much, too fast. Since 2005, there has been quite an aggressive expansion in our country. In many places in Canada, in many sectors in our economy, it is no longer a last resort for employers but a first option.

In the last little while, we've seen frequent so-called improvements to the program—expedited procedures, another processing office opening, another occupation under pressure, and pilot projects. It's been one measure after another. In our opinion, this rapid expansion has come at the expense of proper monitoring, accountability, transparency, enforcement, and, most important, protection for guest workers.

It is our understanding that in 2006 HRSDC reported a 36% increase in employer applications. This was followed by a whopping increase of 65% in the first half of 2007 over the first half of 2006.

The role of government, as noted on your website, is to make it easier, faster, and less costly for employers to hire temporary foreign workers, rather than to facilitate a well-thought-out labour market and training strategy for our country.

With respect to the temporary foreign worker program in Newfoundland and Labrador, we have not yet developed a list of occupations under pressure between the two levels of government. Between 2005 and 2007, we've each year had 1,200 to 1,500 labour market opinions, not all of which have resulted in temporary foreign workers.

Most of these have been in high-skilled jobs in the offshore. We have had engineers, some physicians, but not many low-skilled jobs yet. We know from talking to the local people from HRSDC or Service Canada that there is an increase in the number of inquiries about this program, a growing interest in it.

We need to be aware that sometimes it's not labour shortages that we're talking about in the country. Rather, it's a wage shortage. We shouldn't confuse the two. In a number of cases, temporary foreign workers were actually brought into the country to replace workers in jobs held by people who live here.

In our opinion, it's also undermining labour relations. When a labour market opinion is developed, in many cases the definition of a labour dispute is very narrow. If unions and the employer are in negotiations, this is often left out of account. When you're in the middle of a round of bargaining, the introduction of temporary foreign workers in a workplace can cause quite a lot of stress.

There are a number of examples. We have them in our presentation, and you probably heard them as you travelled the country. There are places where the program has been used in the middle of labour disputes. The most recent one involved our national union, the Canadian Auto Workers in Windsor, Ontario, and a fish plant.

● (0915)

In many cases, as I said, we believe this has been fast-tracked too fast. A lot of things fall to the wayside when we expand programs really quickly, and I think we've seen that in this case. We've seen news reports of exploitation and abuse, because we haven't had enough time to put the proper monitoring procedures in place. There are a lot of workers and a lot of workplaces to try to keep track of. And we can't, in all cases, guarantee that these workers' rights are being protected.

We would also argue that this makes for somewhat bad labour market policy, because we're not looking at a strategy for the country. We're looking at individual needs versus what's best in terms of the entire labour market. Also, it's an awfully short-term measure for what is really a longer-term demographic problem for our country.

We would argue that it also makes quite bad immigration policy. We should ask ourselves if we want employers to be the gatekeepers

for immigration, or is this something that should be handled in the public sphere?

Not always are we seeing temporary foreign workers treated like guests in our country. We see many examples of living conditions being inadequate. You're probably familiar with the case in Barrie, Ontario. A police officer, after viewing the place where some people were living, said they were economic slaves.

Our position at the Federation of Labour is that if these people, newcomers to our country who are working under this program, are good enough to work here, they certainly are good enough to live here and to bring their families with them. If they are good enough to build our factories and to serve our coffee, they're good enough to be full citizens.

So rather than accelerating the temporary foreign worker program, we might look at an immigration policy and at the reform of immigration policy as the principal means of averting labour and skill shortages. We should look at increasing the proportion of family class immigrants. And we should integrate, certainly, the planning and implementation of immigration and labour market policy at the national and provincial levels.

We've included a number of recommendations. This program certainly needs to be reviewed. We should seriously look at how quickly it's being expanded and maybe put a moratorium on it. We should look at investing, as a nation, in the development of a long-term labour market and training strategy for our country and at integrating immigration planning with the labour market needs of our nation.

We've also included some specific recommendations on the temporary foreign worker program. There was a great analysis done of this program by the Canadian Labour Congress, which I've noted on the last sheet. It could be further reading for you—I'm sure you don't have enough after 52 panels. And there are some other particular recommendations about involving unions, particularly when occupations under stress are being developed.

Unions are part of the labour market. We are a key stakeholder in the economy, and we certainly should be included in any consultations and in the implementation of this program.

Thank you.

● (0920)

**The Chair:** Thank you, Lana.

We'll go to Mr. Pretty.

**Mr. Greg Pretty (Industrial Director, Research and Communications Branch, Fish, Food and Allied Workers):** Thank you, and good morning, Mr. Chair and committee members.

Before I start, Pastor Sutherland's presentation jogged my memory on something. Not too long ago, HRSDC would call the union, because we represent the fish plant workers, particularly net menders. If companies wanted to bring a temporary foreign worker into Newfoundland to work, for example, on fishing nets, we'd probably get a call from Ottawa and they'd ask us whether there really was a work shortage here on this issue. We'd identify the problem and we'd said yes, there is, because those skills are gone, for example, on cod trawls and shrimp trawls. That's a specialty. We'd say yes, there is a real shortage and that's a real job opportunity for somebody from the outside. They don't call any more. As a result, we don't know what's going on inside that issue. That's a real deficit from where we used to be.

Anyway, good morning, and I want to get on to my issue. My issue will surround our union, which is about 20,000 workers dealing mostly in fish harvesting, but also about 6,000 people in fish processing. In addition to that, we have people in steel manufacturing, window manufacturing, hospitality industry, hotels, offshore tankers, and, most importantly, brewing. Actually, some of our metal fabrication workers are temporary foreign workers in Alberta, quite frankly, because most of them are working over there right now.

Our union has a lot of concerns about the program of temporary foreign workers. It's no longer a last resort for employers looking for workers, but increasingly, it's their first option in some sectors.

Newfoundland and Labrador is one of the three provinces that currently does not have an "occupations under pressure" list. So the same pressures that you would see, for example, in Alberta and B.C. don't really exist here and certainly haven't been identified by our governments.

But having said that, interest in that program by fish plant processors in particular is gaining speed. In our province, temporary foreign workers average about 1,200 a year, and as I understand it, most of these people are technical people, specialists, and skilled trades.

The fish processing sector is sending signals that it sees the program as an answer to short-term labour shortages. The real facts around perceived labour shortages in the fish processing sector is that we still have a shortage of work in this sector. Plants are closed because of a lack of resources—for example, Fortune and Harbour Breton—and hundreds of workers are forced to leave their communities to commute to Alberta for work as labourers or in some cases skilled trades, for example, workers out of Marystown, Triton, and Bonavista.

An interesting point that a lot of people don't realize is that this province is still a major exporter of fish plant workers. Our workers supply labour in all the Atlantic provinces, but outside of that, you'll find Newfoundlanders working in fresh fish plants in Manitoba and all along the coast of British Columbia. So we're still an exporter of workers. There are reasons for that, of course, one of which is the provincial licensing policy, which hasn't been too kind to skilled fish plant workers.

There are ways of dealing with peak season issues—technology, new products, new markets, better management, including resource management, as I just referred to—but this requires investment in the

industry. The TFWP is an easy way out for employers who want to increase their profits the old fashion way through cheap labour rather than investing in equipment, technology, and, most importantly, training to increase productivity.

Restructuring is needed in this province. We have far too many processing licences. There is an era of rationalization going on now in the harvesting industry, but it has not translated into the processing industry. As a result, we have too many fish plant workers, many of whom are unemployed.

Interestingly enough, in places where fish plants are paying close to an industrial wage in Newfoundland, there's no shortage of workers. In fact there are waiting lists to get into those plants. Where we see labour shortages is not too far from St. John's, actually, where there are, for example, non-union plants that are paying wages around the minimum wage, and those are the people who are saying we don't have workers to do our fish. We're going to need some. Very shortly now we'll hit the wall and we'll need access to these workers.

We know as a union that this processor has been making inquiries through HRSDC and through some federal agencies regarding accessing temporary foreign workers in the fishing industry.

● (0925)

As far as we're concerned, the program has been used across Canada to undermine labour relations and the legitimate role of unions and workplaces. I'm not going to spend a lot of time on that Ontario issue. But again, that is a fresh fish plant that applied to the federal government, received permission to use temporary foreign workers, and they used those workers while they were on strike against the company. They kept those workers inside the plant. That was forced labour. That's certainly not in the spirit of any program that Canadians should have their stamp of approval on. I'm not going to spend a lot of time on that—it's in my presentation—but it was an absolutely horrific use of temporary foreign workers.

We share these concerns for Newfoundland, that a program designated for Alberta or other industrialized areas in Canada would be used in areas of our province suffering from double-digit unemployment. Outside St. John's, if you are lucky enough to get out there in your travels, you'll note that the unemployment rate is about 13%, which is staggering compared to the national average. Yet processors who live in these areas are saying that maybe temporary foreign workers could be the answer to their problems.

With respect to exploitation, who protects these workers from unscrupulous labour brokers and other employers? You've heard the news reports from Alberta, Ontario, and P.E.I., where workers are charged huge fees for the promise of citizenship, and what they get is exploitation. Who monitors the workplace conditions and living conditions? Who is covered by labour standards and workers' compensation?

I'm a co-chair of the National Seafood Sector Council. Our office is in Ottawa. There was an incident in P.E.I., where some temporary workers actually ran away from the plant. I think they drove to Ottawa. I'm not sure about the story. Anyway, they were working in the fish plant there. It was a union plant. They made about \$10 an hour, but by the time they paid their labour broker and their food and lodging, they were well under minimum wage. So they ran away. One of the comments from the owner of the plant on CBC Radio the next morning was, "By God, there must be a law to keep these people from running away on me." I mean, that's terrible. We're going backwards with the program. That's absolutely horrific. I think we should be past that in 2008. Your program is faulty and it needs adjustment.

I just talked about the mixed message on collective agreements and temporary foreign workers. It also has the effect, by the way, of lowering wage rates—for example, non-union temporary foreign workers. You're trying to move the contracts forward and you have people in your area going backwards. We've seen some of that in British Columbia.

• (0930)

**The Chair:** I'll hold you there. I'm sure we have a number of people who want to chat with you about these things.

Dave Wade is next. His title is not on your agenda, but he's executive director of the Newfoundland and Labrador Building and Construction Trades Council.

Mr. Wade.

**Mr. David Wade (Executive Director, Newfoundland and Labrador Building and Construction Trades Council):** Good morning.

I'd like to thank the committee for allowing me to present on such short notice. While I've known about the hearings for several months, unfortunately I had no idea about the dates they were to occur. My presentation will focus solely on the construction industry.

The Newfoundland and Labrador Building and Construction Trades Council represents 16 construction trade unions in the province, and I believe you've already heard from a number of my counterparts throughout the country. However, while I know many of them have made some very important points about the industry and the effect temporary foreign workers will have on the

construction industry, I have a few additional comments to make that I do not think have been a part of other presentations. I don't want to take up too much of your time repeating the issues that have already been presented; therefore, I will focus on those that are important to this locality and those that I think you may not have heard.

Construction is cyclical, and most construction workers, as you're likely aware, often lead nomadic lives. Some areas of Canada experience construction booms, while other areas are experiencing a drought. Newfoundland has had more than its share of droughts, more than any other construction region of Canada. Therefore, we export our construction workers more often than any other provinces do. This makes mobility a very important issue for eastern Canadian construction workers. The main focus here is to get construction workers to other areas that require them. Some industries that share mobility issues enjoy tax incentives provided by the Canadian government to allow tax breaks on travel expenses. Tax breaks for construction workers who travel across the country to fulfill their work obligations would be a great benefit to the industry in many respects. It would ease the burden on the families who make sacrifices to allow members, both men and women, to travel the distances over spans of time for work. It would also ease recruitment issues for contractors who try to fulfill labour requirements within the country.

The unionized construction industry is heavily involved in apprenticeship and training. I'm sure you're aware that the federal government is promoting apprenticeship training as a means of fulfilling the country's labour needs over the coming decades. The construction trade unions and their contractors have invested substantially as well, both in time and millions of dollars, to support this campaign. The country depends on a large infusion of work in the boom areas to fulfill apprenticeship requirements and complete training programs. For example, work in western Canada right now is helping many of our apprentices complete their programs and become journeypersons. Here in this province, a typical apprenticeship is four years, but with our normal volume of work, that apprentice could take six to eight years to attain journeyperson status.

The person hours required to reach that level are not in our economy right now to make apprentices in the four-year period. If temporary foreign workers are added into this mix, it will have a detrimental impact on our apprenticeship programs, programs that our federal government fully supports. In fact, the major weakness the federal government identifies with apprenticeship right now is the low level of completions.

I'm not suggesting there is no need for immigrants or temporary foreign workers; it's just that we should first look within and handle our internal mobility issues and support our Canadian apprentices before we open the doors too wide in anticipation of a labour shortage that may not happen for another 10 years, and in fact may never happen if we're successful in our recruitment efforts internally. It is difficult to recruit when young people see a nearly decade-long effort to attain journey-person status and a comfortable wage level.

If contractors are allowed to employ workers from developing countries and pay third-world wages and benefits, it will provide an unfair advantage and bring our own industry into chaos. It would be catastrophic for workers in this country. Canada is a prosperous nation, and its citizens are conditioned to a comfortable lifestyle supported by good wages and working conditions. Unions have struggled for many years to bring our workers to a level where we pay generous taxes, and gladly do so, because it sustains a standard of living we're very happy with. Undermining the gains we have made will have a trickle-down effect on the entire economy.

● (0935)

Foreign workers, who are conditioned to exploitation and starvation wages, feel they are living like kings when they come to Canada and live on government support while they're being resettled. This is a culture clash, and while we do not deny that some temporary foreign workers may be needed in the future, we have some major concerns, both economically and socially, regarding the impacts it will bring if not regulated properly.

All groups throughout the country—government, unions, and industry—are focusing on recruiting women into construction to fulfill the anticipated heavy labour requirements of the future. Construction, of course, has been a traditionally male-dominated career choice; however, since the Hibernia construction project, more and more women are choosing to explore the career option, and we are encouraging that.

There is also a noticeable absence of aboriginal construction workers in our province. We have a significant aboriginal population but a very small presence in the industry. Because of fluctuations of work in this province, they are not encouraged to remain in construction. As well, the Newfoundland and Labrador aboriginal population does not appear inclined to follow the kind of nomadic lifestyle committed construction workers here have to embrace.

As we look down the road to more extensive projects, we hope to see more aboriginals complete apprenticeships and become journey-persons and remain in the industry.

These are two groups with substantial numbers, of which successful recruitment could fulfill a large part of the labour requirements for this province and for Canada as a whole. We recommend that government put more focus on employment equity efforts in the construction industry. This will not just fulfill the requirements of industry, but it will provide good paying jobs for Canadians who really need them.

Looking simply at numbers and moving players around at the level bureaucrats must do at times, it's easy to lose the personal focus. In fact, there are many women and aboriginals who would benefit tremendously from the lifestyle the construction industry

could provide. It is simply a matter of, first, allowing them to see that, and second, making the opportunity available to them.

As I am sure many of my colleagues elsewhere have pointed out to you, temporary foreign workers quite often wind up in the underground economy. Then we are all losers. This underground economy undermines government at many levels, the unions and what they stand for, and our Canadian society and lifestyle overall.

The underground economy is gaining strength over time and should be addressed. I understand the Quebec government has realized the substantial losses it is incurring and has initiated actions to end these practices.

We recommend the federal government take a serious look at this matter and take action to address the issue and reclaim the tax dollars lost to this illegal practice.

In summary, my recommendations include (1) tax incentives for construction workers to travel to meet the labour requirements of our country, (2) enhanced support for apprenticeship and training, (3) stronger focus on employment equity within the construction industry so that women and aboriginal populations are encouraged into construction careers, (4) strict regulations governing the importation of temporary foreign workers, tight controls over length of stay in the country, and prevention of exploitation of such workers in terms of wages, working conditions, and benefits, and (5) investigation and controls to eliminate the underground economy in the construction industry.

Thank you for your time and consideration.

● (0940)

**The Chair:** We've heard four excellent presentations.

We might have to go overtime a bit here to get all the questions in that I know people will want to answer. I'll try to manage the time as best I can, given your schedules, your flight times, and what have you.

I'll begin with Madame Folco.

**Ms. Raymonde Folco (Laval—Les Îles, Lib.):** Thank you, Mr. Chair.

First of all, this is not my first trip to Newfoundland, but let me say that Newfoundland has risen to the occasion, as usual. I'm very happy to be here. It's a wonderful place.

I have several things.



First of all, to Mr. Sutherland, I'd be very happy to go and visit this gentleman. I don't know whether our schedule will allow, but we'll talk to our chair about this. This is not the first case, you know. I've been in immigration for a long time. I would have thought that what we call humanitarian reasons for staying in this country...given that the grandchildren have no father, and so on. I won't go into the details, but let me just say this, Mr. Sutherland. There are hundreds of cases like this. As an MP with a heavy immigration population in Laval, just north of Montreal, I could tell you horror stories, but I won't take the time to do it now.

I will address the rest of the questions to all three of you, because it's essentially the same problem. I'm very glad to have heard your point of view.

In Quebec, which is where I come from, I've been preoccupied by the working conditions of these temporary workers. This is what hits the newspapers. This is what I talk to the people on the ground about. But since I've been moving around with this committee, I've understood that there is another side to the question, the other side being the employers' point of view, the union's point of view, and so on.

I'm just appalled—appalled—when I hear that temporary workers are used as strikebreakers. I mean, we're going back to 19th century in Britain, for God's sake. So I will ask you to let the clerk or the chair... I would be very interested, because some of the cases that you mentioned in Ontario and so on, coming from Quebec, perhaps, I haven't heard of, and I'd be very interested in hearing more about these cases. If you could send the documentation to the chair, it will get around to all of us. I'd really like to know more about the circumstances, the court decisions, whatever. This is, I think, extremely important.

To Mr. Wade, on the equity issue, obviously the equity issue is very important, for both women and aboriginal Newfoundlanders. You talked about the government's role, but surely the union has a role in this as well. Surely the union can make it known to its members and its non-members, and the wives and daughters of its members, that... You know, you can start programs to bring women in. I've done this kind of thing for women immigrants in Montreal, for example, and I would strongly suggest that the Newfoundland and Labrador provincial government also have a hand in this.

Sure, there are equity issues that can be dealt with by the federal government, but the federal government is only one partner. I would strongly urge you, as a union man—and your colleagues as well—to put together a program. I think this is where it really should get started, not out there in Ottawa. The idea is extremely important.

You're smiling, so I can see there are some other things going through.

Yes, David.

**Mr. David Wade:** We do to a large degree. As a matter of fact, we make presentations to the high schools within the province to that effect. We also have our own union training facilities that actually devote seats specifically to women, and we encourage women to fill these seats. So it's not a dormant issue with us; it's always been on the plate.

● (0945)

**Ms. Raymonde Folco:** And they have been to the construction sites, and you have shown them how it works, and all that kind of thing.

I think the situation here, as I understand it from the three presentations, is a question of how to balance, on the one hand, protecting your own members and prospective members in Newfoundland and Labrador, which you very naturally want to do, and, on the other hand, accepting some temporary workers when they are needed.

Certainly, Mr. Pretty, the lack of communication at HRSDC, which you mentioned, is absolutely important. We've heard in other cases that—and I don't want to be political—there are things to be done by the present government on this. As I said, that balance, which is not easy, is going to have to be brought in, as I see it, through any recommendations this committee will want to make regarding a systemic reform of the whole foreign temporary workers program.

It seems to me that it's like—is it Topsy who grew, and she grew in all directions all at once, and nobody knew where she was going? I get my English literature sort of confused sometimes. But here is a program that had some good ideas, and they grew and grew because there was demand. You've pointed out the fact that they're used by people—not by everybody—overseas as a shortcut for coming into the country. I agree absolutely.

There's a need—and I would certainly ask if you would support a recommendation on the part of this committee to the Minister of Citizenship and Immigration, and HRSDC—to do a complete restudy of the whole system of foreign temporary workers from top to bottom, with some very strong recommendations on how, on the one hand, to protect “native workers”—I don't know what else to call them—and, on the other hand, to make this system work, because there is a need for these people in some industries, some of the time, across Canada, and for yourselves as well.

I'd very much like somebody to perhaps say aloud, so it can go on the record, that they would like to see that kind of recommendation on behalf of this committee.

Thank you.

**Mr. Greg Pretty:** Thank you.

I ran out of time, but I had a number of recommendations here that I'd like to put forth right now.

Before I do, as a point of information, the National Seafood Sector Council was approached by the state of Mexico back in 2007. They thought we were some kind of a human brokerage firm. They didn't realize that we actually promoted Canadian seafood training and those products around the world. The officials—and these were government officials out of Mexico City—said, forget about dealing with those agents, deal with us; we're the government. They said they could supply us with 7,000 fish plant workers for Canada, ready to roll. They'd train them, and they'd talk to us about language training. They could go from B.C. to Newfoundland.

Those are the kinds of programs and deals that are out there right now to undercut the Canadian seafood sector.

**Ms. Raymonde Folco:** Excuse me, Mr. Pretty.

It's a very good idea. First of all, they make their wage and they send the wage back. *Les redevances* that they send back to their home countries are an important part of the third world economy, and we know that.

**The Chair:** Sorry to interrupt. You can tell that Madame Folco has some pretty good knowledge of the province. She was telling me yesterday she taught school here—

**Ms. Raymonde Folco:** I taught at Memorial.

**The Chair:** —at Memorial University for a while, I think for a whole summer—so she's familiar with some of the problems we face in those areas.

Mr. Telegdi.

**Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.):** Thank you very much.

I think most Canadians are familiar with the exporting of workers from Newfoundland. A good friend of mine, Max Hussey, was the fire chief. He actually started off working in a factory and ended up being fire chief at the Waterloo Fire Department. Now he is happily retired to Ladle Cove in Gander. I think he's heading down to South Carolina next week to play a little golf.

Of course, we have Dr. James Downey, who was the president of our university, Ottawa University, and made huge contributions. So you certainly have been exporting them, and we have Newfoundland clubs right across the country. They're always great places to visit and the hospitality has been fantastic.

Let me tell you, we started three weeks ago in Vancouver, and the chair's disposition improved every day as we got closer to Newfoundland. The man was giddy yesterday when we came in, as soon as we touched Newfoundland airspace. This is a fantastic place, and I really like visiting and I am enjoying the hospitality.

You mentioned the underground economy. That's one of the issues we're studying, because the underground economy in many cases involves undocumented workers who are in an even more precarious position than the temporary foreign workers. The previous government was going to do a regularization so we could get them above ground and make sure they're paying taxes and not being exploited or used to undercut organized labour.

Anyway, the bureaucrats who tend to drive these things... We're the politicians; we sit here and then ministers come and go. I've been

on this committee for 10 years. Seven ministers have come and gone. None of them really get their teeth into the file before they're gone to someplace else, and then you get a new minister. So essentially what you have is the bureaucracy running the department.

This whole question of undocumented workers and the proposed changes coming to the immigration act were things that were tried even before I got on the committee 10 years ago. Quite frankly, this government is asleep at the switch, and they allowed that to happen because they were not aware of what they were doing and the bureaucracy finally got their viewpoint through. They couldn't get it through the previous six Liberal cabinet ministers, because the cabinet of the day was a little too smart. But in this one they did get it through.

I think you really need to make sure it's an issue that you will fight for, because, ultimately, we're probably going to be fighting an election on it, this and other issues.

The immigration policy we have tends to be very elitist, and I dare say 95% of the people who came to Canada...well, no, it would be higher than that. It depends on how far we go back, but 95% of the people who came to Canada who are Canadians now but were not born here would not be allowed to get into the country under today's rules. The reality is that we need people who can do labour and we need them here with their families. We need them here helping to build a country, not to be used and discarded once they're found to be redundant.

This is not dissimilar to what happened when the Chinese were brought in. They were brought in, and when their labour was no longer needed, there was an attempt made to discard them. It didn't happen, but, you know, it goes back historically.

I think it's really incumbent upon the labour movement to keep fighting to make sure that when you come and work in Canada, you're not going to be exploited. I think that's a very strong tradition we have, and I think it's something that really is worth fighting for, because we have to honour and respect labour; everybody does not have to be a rocket scientist. Rocket scientists have to live in houses. It takes people—carpenters, tradespeople, bricklayers, you name it, all the people who can't get into Canada today—to build those houses.

So that's the message I have for you.

As a question, because I want this on the record, would you agree that we should be doing it through an immigration policy, building this nation, instead of trying to bring in temporary foreign workers to be discarded at will?

● (0950)

**The Chair:** I wanted to allow some time for the witnesses, if they want to respond. There's only about a minute and a half left; that's why I interrupted you.

Anyone at all, if you wish to respond to Mr. Telegdi, go ahead.

● (0955)

**Ms. Lana Payne:** I think he made it clear on both of these points from both of you that from the federation's point of view, we should be putting a moratorium on this temporary foreign worker program until there's been a substantial review. Hopefully your committee will be able to help with that.

Secondly, we need to work hand in hand with a substantial immigration policy, with a labour market policy, so that they're not happening from the left hand not knowing what the right hand is doing. This needs to be coordinated.

Just as an example, so that you know, in our province we have a tripartite labour market committee. We meet regularly every month with representatives from the provincial government, the labour movement, and the employers' community. We talk about issues like this, but we also do labour market planning, and we try to incorporate the need for newcomers. All of that is discussed at this table.

I would suggest what's lacking is a similar table in the national sphere, where we are bringing stakeholders together—government, unions, the community, and employers—to discuss what we do with this. And I'm not talking about on an ad hoc basis, but as a committee that works and does this work and that is there on a standing basis to advise the federal government on issues of this importance.

**The Chair:** Thank you, Lana.

[*Technical difficulty—Editor*].... Are we okay now?

Go ahead, Monsieur St-Cyr.

[*Translation*]

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

Thank you all for being here.

Mr. Chairman, since this is our last day of travelling in Canada, I immediately want to thank all the staff who have worked with us over these three weeks. I know there is still another group of witnesses, but I don't want to run the risk. All the members around this table know how important these people are and how important and fantastic their work is. I want the entire public to know that, when the Standing Committee on Citizenship and Immigration travels across Canada, it's much more than a few members who talk a lot. The real work is done by other people, and I want to emphasize that.

At the entrance, you met Kate and Nathalie, who handle logistics. They're the ones who must manage the very full orders of the day and the members' frequent changes of mind. In the interpretation cabin, there are Dagmar, H  l  ne and Paule. They are the voices of the Quebec members. It's thanks to them that the voice you're hearing right now is quite a bit more pleasant than mine. There are

also, obviously, Penny and Sandra, our analysts. They record everything you give us and they'll present that mass of information to us in intelligible form. There's also Andrew, our clerk, whose work is important. In the back, on the controls, we have Andr  , whose birthday it is today, and St  phane. They ensure that everything runs well. I wanted to take a few minutes to recognize the work of those people.

Mr. Sutherland, I listened to your speech. I think you're right to recall that we must show compassion and never lose sight of the fact that we're dealing with human beings, not numbers or cases. I've known similar situations in my riding. You may know of the case of Abdelkader Belaoui, who has been in sanctuary in Pointe Saint-Charles for more than two years, nearly three years. Abdelkader is blind and comes from Algeria. When he came to Canada, he sought refugee status and dealt with a board member who rejected 98% of the applications submitted to him. I'm convinced that no Canadian would agree to appear before a judge who convicts 98% of the individuals who appear before him. Everyone would say that justice obviously was not done. Abdelkader's case shows that our system lacks sensitivity, because there is still no Refugee Appeals Division. Abdelkader, unlike any Canadian citizen, was unable to appeal from that decision, because the government, be it Liberal or Conservative, has always refused to establish a Refugee Appeals Division.

The Bloc Qu  b  cois introduced a bill on the subject. It was passed in the House, but is still moving slowly through the Senate. I hope the Liberals will pass it soon. Apart from that, there could have been a compassionate intervention by the minister. She could have used her powers and shown some compassion for a blind person who has literally been living in a prison for years, in an attempt to save his life. Action should have been taken.

Lastly, I've learned of the case of a woman who applied for a visa to come to Canada to pick up the remains of her husband who had died in Canada. Initially, her application was simply denied. They had to fight, intervene and go as far as the minister's office so that a woman could come and pick up the remains of her dead husband in Canada.

These are examples, but I wanted to thank you for reminding us that we have lost sight of the fact that we're dealing with human beings.

Do you want to add anything on the subject?

● (1000)

[*English*]

**Mr. Gordon Sutherland:** The fact that we are dealing with individuals and human beings makes this very emotional. Each case is very emotional. I know it would be literally impossible to operate a country and an immigration program where every case is viewed from an emotional perspective. But in terms of what the other panellists here have been sharing, in terms of bringing temporary foreign workers in, I believe there are a number of people being deported these days, who are already here, who could be very beneficial to our country. But because immigration officials don't look at the needs or the value of what they add, what these people bring to the country—they only look at the method, the route, they took to get into the country—we're in fact in danger of losing some very good people.

I mentioned in my comments that Alexi has been victimized on a number of levels. I'll just share with you two such ways in which he's been victimized. His application on humanitarian and compassionate grounds, which was filed in March 2006 and the decision rendered in February 2007, was reviewed by the Federal Court judge.

When he questioned the immigration department lawyer about the process that was followed, she admitted that they really simply took the previous decision from another application, which was on an agency basis, and said they just applied the decision from that earlier decision to this application and rejected it.

The judge asked what process they went through to question the validity of his statement, such as whether they contacted anyone who had written letters in his support, and the lawyer said, "We don't know these people and don't know if their opinions would be valid."

The judge did not know I was sitting in the courtroom at that time, and he said, "Well, I'm looking at a letter here from a Reverend Gordon Sutherland. I would assume he has some level of education and some insight into the situation. You didn't feel it necessary to contact him?"

Alexi gets victimized because they only see the route he took to get into the country.

● (1005)

**The Chair:** I am just going to move on. Are you finished up on that, Reverend?

Go ahead, and then I'll move to Mr. Carrier.

**Mr. Gordon Sutherland:** I'll try to keep this one to 30 seconds.

Canada Border Services Agency was dealing with this particular case. A year and a half ago, Alexi was suffering from a toothache—I'm sorry if this is taking some time away from yours. He was suffering with an intense toothache. We brought a dentist in who looked at it and said, "If it flares up again, it'll need to come out, but I don't feel comfortable taking it out here in the church."

Six months later it flared up again, and it was very, very bad. I contacted Canada Border Services Agency and requested permission to take him to the dentist office, directly to the dentist office and directly back, no side trips, no stops. They turned him down. The next day Alexi took the tooth out himself, it was so bad.

When we get into situations where the immigration officials, Canada Border Services Agency, are so intent on removing people that they lose sight of compassion and humanitarianism, we lose as a country.

**The Chair:** Mr. Carrier.

[*Translation*]

**Mr. Robert Carrier (Alfred-Pellan, BQ):** Thank you, Mr. Chairman. I'm going to try to talk about various subjects that my colleagues have not yet addressed. I'll start with Ms. Payne, who I think made a presentation that effectively summarized the idea that I have and that is shared by a number of my colleagues.

Since we're completing our third week on tour, we already have a good overview. You clearly summarize the fact that labour needs cannot be met by temporary workers, but that that should be done on a priority basis through good immigration so that the people who

come here want to stay here, not simply do their work and leave. I share your opinion on that point. That could be included in the recommendations that our committee will subsequently have to make.

I would like to address two specific topics: the exploitation of temporary workers, which you mentioned, and, as regards Mr. Pretty, the fact that temporary workers are used during a strike on an employer's premises. So there's a flagrant lack of monitoring of working conditions and labour standards.

I would like to hear what you have to say on the subject. Normally, every province must enforce labour standards. What is lacking so that at least working conditions and labour standards are complied with?

● (1010)

[*English*]

**Mr. Greg Pretty:** Thank you for the question.

I believe it starts with the actual application. To date, some of the people who have contravened the system haven't been honest with HRSDC. For example, in the case I quoted this morning, they told HRSDC that the workplace wasn't unionized, when in fact it was. Once that untruth was uncovered, there was no mechanism inside HRSDC to address the problem in the workplace—they couldn't retract....

To answer your question within a broader scope, people coming in here have to know what the ground rules are. They have to know, for example, that they are covered by workers' standards. You don't surrender your passport when you arrive at St. John's airport. Where else does that happen besides Cancun? Sorry about that.

You also have to know that you're covered by workers' compensation in the individual provinces, and there has to be a connection between the provincial government and the worker.

In our experience, it hasn't been that way at all. I once asked HRSDC regarding the P.E.I. workers, while it was still an issue in P. E.I., if in fact these workers were covered by workers' compensation. I couldn't get a response. This was somebody in the program in Ottawa. So there's a disconnect.

**Ms. Lana Payne:** Could I just add to that?

I think besides the issues around the expansion being too fast and that we can't therefore get enough people in place to do the monitoring and the accountability—which have been to the wayside—the other thing that has happened is that we have different levels of government administering a program. You have the federal government responsible for the temporary foreign worker program, and then two government departments who are having a say in what's happening with that program, and then there's the expectation that another jurisdiction, the provinces, also have to administer the rights and the labour rights of workers when they come.

If there is not major communication happening between those two federal departments and the provinces, in terms of where the workers are going and what's happening in that workplace, then we are going to have problems.

Up to this point, the communication has not been very good; there's been no follow-through. It just sets up the system to allow mistakes to happen.

[*Translation*]

**Mr. Robert Carrier:** Thank you. Those are good answers to my questions. I also wanted to address another topic, since we're in Newfoundland.

You noted the fact that you are losing a lot of labour, which is moving out west, mainly to Alberta. It's precisely there that labour is moving. However, you mention that, at the same time, there is a need for labour in Newfoundland.

I wonder what you think about the government's responsibility, that of Canada, which is further stimulating Alberta's economy and thus encouraging the export of labour to that region, to the detriment of provinces like yours. What would you like the government to do rather than stimulate Alberta's economy?

The question I'm asking you seems to stray from the subject we're studying, but we see that there is an impact, that this is creating a need for labour here since yours is heading to the western provinces.

•(1015)

[*English*]

**Mr. Greg Pretty:** Let me take a shot at it.

We're at a precipice in our history right now, in that we're about to embark on a huge economic development. Our province is becoming very rich through oil, but there are other developments. For example, in Labrador, on the Churchill Falls issue, there's the hydro power, which could in fact bring a lot of these workers back to Newfoundland.

You have to have an industrial base, obviously, to do that. Up until now we haven't had a huge industrial base, but the future looks pretty good. Once those deals are in place, then we are going to need labourers and construction, and there'll be people coming back into Newfoundland. We'll deal with that issue once these huge industrial deals are in place.

**The Chair:** I want to go to Mr. Wade—he had his hand up here a while ago—and then I'll go over to you, Ms. Payne.

**Mr. David Wade:** Sorry on the front end of this. I understand, of course, with workers going to Alberta, possibly the majority will be going into the construction industry, which I represent in this province. I'm not speaking for other industries, just construction.

I'd like to make it quite clear to the committee that in the unionized construction industry in Newfoundland and Labrador there is no shortage of workers. We have an ample supply of workers to meet our needs. We can't supply Alberta and Ontario with all their needs, although we try as much as we can.

Right now, of course, at least in major industrial work, we're relatively slow, which allows us to have a lot of our people in western Canada. We're on the doorstep of major work here in this province, and we anticipate having our people return from either western Canada or central Canada, wherever they may be working, to work our projects. But as of right now, we can fill all of the requirements we have within our province in our unionized sector.

There is a shortage of skilled trades in the non-union sector, and as stated previously—I believe Greg addressed it to some degree—it's solely because of the amount of wages and benefits paid these people, and they have options to be elsewhere, making better wages, better benefits, looking after their families. That's the problem.

**The Chair:** You have ample people to do the unionized part of it. It is the non-union sector that—

**Mr. David Wade:** Yes. Most of it is either residential or some light commercial. That's mainly where it's coming from.

**The Chair:** Okay.

Do you want to follow up, Lana?

And then I'll go to you, Mr. Komarnicki.

**Ms. Lana Payne:** I just want to reinforce what Dave was saying, because we shouldn't confuse skill shortages with labour shortages. They are two different things and we should understand that. We have skill shortages for quite a number of different reasons, one being that we haven't done a very good job of labour market planning in our country and we haven't done a terribly good job overall, over the long term, in terms of a training system that matches the needs with giving people the skills for the jobs that are out there. I think we need to do a better job of that.

In our province I would also agree with Dave around the issue of the wage being the problem. It's not necessarily a labour shortage. In many cases, it's the wages that are being paid.

**The Chair:** Okay. Thank you.

Go ahead, Mr. Komarnicki.

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

With all of the questions that have been asked and answered, we certainly hear you.

I think one of the words that was mentioned was “balance”, and maybe that is what we are trying to strive for, in terms of listening to the labour groups and your unions and so on.

Of course, employers tend to tell us a different story. They have certain needs that they want. You've mentioned that at least here there are no occupations under pressure, and certainly that's the way it ought to be. Although immigration doesn't deal with labour market opinions, human resources does, but there still needs to be that communication you're talking about to be sure that it's proceeded with appropriately.

I know that employers indicate that when there aren't occupations under pressure, there is a significant amount of advertising involved to ensure you can attract someone, and I understand the wages need to be at least what's going in the market, and perhaps a little greater.

I think Lana said that if we're going to have temporary workers or skilled workers coming in, as far as the temporary workers are concerned, it should be with an eye to saying that if you're good enough to work here, you're good enough to live here and become part of the community.

My sense is that we looked at some programs like the Canadian experience class and others that perhaps need to be broadened to find a way where the spouse can also have an opportunity to work and the children can have an opportunity to become a part of the community. For skilled trades, if you want to call it that, waiting a year or years is maybe not the best option when you look at what's happening; if we truly have a shortage in a particular area of skilled trades, then perhaps we should move expeditiously in that realm, rather than just throwing them into the numbers game. Getting to be 800,001 or 900,002 is not the answer.

My colleague, Mr. Telegdi, waxes eloquent about what he might have done or was just about to do, but this immigration problem has been around for years or decades, and it's time for us to do an overhaul of the system. Probably the time for talk is coming to an end, and it's time for some real action, but it must be action that takes into account the viewpoints.

I think it's important that there be communication between employers, newcomers, tradespeople, unions, and so on, to see if we can achieve a right balance to build our country. There are certain places in the country, as we've heard, where the economy is taking off; the same is about to happen in this province, so you've got to be realistic and yet preserve and protect the workers' basic benefits and rights.

What I've been hearing from the temporary workers' side is that their rights and benefits, if you want to call them that, are regulated provincially to a significant degree, and they vary to some degree from province to province. Perhaps the federal government needs to set some benchmarks across the country that are met across the line, so that if you're going to have somebody, these are certain basic things that need to happen. We've heard quite a bit of that.

I gather you agree generally with my summary.

I think I will close by talking about Pastor Sutherland. I appreciate there is a lot of compassion in particular cases; I know you're closely tied to yours, and I understand that. Others as well have been mentioned.

Because of the particular cases going on, it is difficult for the government necessarily to do their policy and look at it on a bigger-picture basis. That is not to diminish the situation you're going through.

Many have said to us that we need to look at the system we have presently. There are two sides to that coin. Again, there's a balance. A person has to pick a route to come in to the country, whatever that may be, and that is the way they do it. They need to adhere to the rules that apply to that category.

For example, you can make a refugee application, you can come in as a temporary foreign worker, or you can come in as a skilled worker. Once you've done that—let's say as a refugee—and you haven't been successful in a hearing, you of course can apply on

humanitarian and compassionate grounds. Presumably people look at the humanitarian side of it and the compassionate side of it. You can make the application more than once if there are some grounds for that.

• (1020)

There is leave to appeal to the Federal Court to look at that. Of course, there can be a Federal Court hearing as well, as you mentioned happened in your case. Then there's a pre-removal risk assessment. Presently we're instituting a refugee appeal division that will allow an appeal from the first hearing body. That's in the Senate. I'm not sure if it has passed or received royal assent, but it's in the process.

I'm thinking of this on a big-picture basis, not as an individual case. I've asked some pastors, who said that churches do provide sanctuary, but even if the refugee appeal division was implemented, which adds another layer to four or five, you would probably reserve the right to still provide sanctuary yourself if you weren't in agreement with all of those processes. That's the first question.

Secondly, if we as a government follow all the processes and get a negative decision at some point, does that not have to be respected?

• (1025)

**The Chair:** Go ahead. Please feel free.

**Mr. Gordon Sutherland:** When it comes to sanctuary, none of us like sanctuary. I wish we didn't need to have sanctuary.

**Mr. Ed Komarnicki:** But you would probably reserve that right yourself, no matter how many systems or processes we put in place.

**Mr. Gordon Sutherland:** Under the current system, when the power to make a decision on someone's life rests with one person and there is no appeal process in place, when the current immigration

**Mr. Ed Komarnicki:** But Pastor, the refugee appeal division will be the second appeal in place. If that were in place, would you still not reserve unto yourself the right of sanctuary?

**Mr. Gordon Sutherland:** I believe sanctuary is a...not in every case. I mentioned Alexi's son, who was deported. I was asked by the media if I was going to stand up for him. I told them there are some deportation orders that you do not fight.

**Mr. Ed Komarnicki:** That wasn't my question. My sense is that sanctuary is going to exist, probably in your mind and others as well, whether or not you have another process or appeal level, because you want to reserve that right. Is that correct?

**Mr. Gordon Sutherland:** That's right, because no system is perfect, and there are issues around those decisions that we need to question.

**Mr. Ed Komarnicki:** So my point is that the refugee appeal division, which will be that appeal from the refugee hearing in the first place, will be in place. But even so, churches will generally want to reserve for themselves the right to say they don't agree with that.

**Mr. Gordon Sutherland:** In some instances, I think that is a valid stand to take.

**The Chair:** I'm sorry, I have to wrap it up here. Time is always a problem. We've gone about a half an hour overtime and we have a panel waiting. I want to thank you very sincerely for coming in and making your presentation today.

At the end of it all we will be doing a report, and it will probably take a few weeks to get it out. Let me assure you that your presentation will be taken into consideration. We'll be making recommendations to the House, the government, and the minister, based on what we've heard.

I know that the case you have talked about, Pastor, has been ongoing for some time. I've been aware of it and worked on it, as you know. Hopefully we can get something done to alleviate these concerns. We have a lot of people across the country in similar situations. It hasn't fallen on deaf ears. We'll be making recommendations. Thank you very much.

We will pause for a few minutes. Thank you.

•(1025) \_\_\_\_\_ (Pause) \_\_\_\_\_

•(1030)

**The Chair:** Will the members please come to the table so we can get started?

I want to welcome, from the Coalition on Richer Diversity, Barbara Burnaby, Donna Jeffrey, and Jose Rivera. From the International Brotherhood of Electrical Workers, we have Mike Power and Rick Dalton—old familiar faces. Mike is the international representative for Atlantic Canada, Newfoundland, and New Brunswick. Rick is the business manager of Local 2330.

It's good to see you again, Mike and Rick.

I think you know the drill from what the last panel went through. We allow about seven minutes for an opening statement. How many opening statements do we have? I know we have one from Mike and one from Barbara. So we have two opening statements. When we go to questions and answers, you can jump in and make comments.

Do you have some opening comments, Donna? It's hard to imagine you not having some kind of an opening comment.

**Ms. Donna Jeffrey (Executive Director, Refugee Immigrants Advisory Council):** In the historical sense—yes.

**The Chair:** We have seven minutes for Barbara and Mike. We'll just play it by ear and give you a few minutes. Then we'll go to questions and comments.

Barbara, we'll go to you first.

**Ms. Barbara Burnaby (Coalition on Richer Diversity):** Thank you, sir.

We very much appreciate the opportunity to come and give our perspective on the very important questions the committee has raised. I think what I'll do is just read our presentation, and then we can get into more details, if necessary.

I'm writing on behalf of the steering committee of the Coalition on Richer Diversity of St. John's, Newfoundland and Labrador—we normally call it CORD—to request the opportunity to present a brief at the hearings scheduled.

The largest sources of newcomers to Newfoundland and Labrador have historically been the United States and Britain, although there has been a greater diversity of sources of newcomers over the past few years.

Recent economic and demographic conditions have highlighted the value to the province of increasing immigration from a broad variety of sources. The provincial government has announced, in March 2007, an immigration policy to better attract and retain immigrants as an important solution to population and labour issues in the province.

In light of the fact that less than 2% of the province's population currently is foreign-born, it is not surprising that amenities to support the specific needs and interests of diverse newcomers are not well developed at present. The province has very few human resources available in social, economic, or government systems particularly to support settlement and integration of newcomer residents. It currently relies heavily on existing services in their current form or volunteer work in not-for-profit organizations throughout the province, especially those organizations created by newcomers themselves, to address newcomers' needs in long-term integration and adaptation.

Since 2005, a group of interested people in the St. John's area have been meeting to consider responses to growing pressure for attention to new social challenges resulting from an increase in volume and diversity among new residents. At first focusing on issues of children and youth, the group's scope has widened to include responses to newcomers' needs in all aspects of society.

In June 2007, three focus groups were held to gauge the interest and support of stakeholders from a broad spectrum of human service work—government, non-government organizations, and individuals. From the approximately 40 people who attended these meetings, strong interest was expressed in the formation of an organization that could enhance existing services through collaboration, coordination, and communication among them. In response, the Coalition for Richer Diversity, Newfoundland and Labrador, the immigration umbrella organization, has been formed. We have put this in so that you understand the context we're coming from.

CORD's aim is to create more opportunities, assess needs, further develop services, and ease the pressures on social support systems. CORD crosses the boundaries between immigrants and longstanding populations of the province, as well as those who walk between the various types of social services. Through research, education, outreach, and mediation, this umbrella organization works to identify what is being done, who is doing it, what needs to be done, and who can do it. CORD acts as a cultural and community broker.

Against this context we have three issues we would like to raise. Our first concern relates to the fact that only one agency in Newfoundland and Labrador has received CIC ISAP funding for settlement services to immigrants. We note that, to the best of our knowledge, every other province has at least one agency providing services under CIC ISAP funding. Even P.E.I. has at least two. It has been our experience that other prospective applicants for CIC ISAP funding in Newfoundland and Labrador have consistently and actively been discouraged from applying on the grounds that services would thus be duplicated. Our response to this is that a large variety of human resources are required to address adequately immigrants' needs as targeted through ISAP and, more recently, through other CIC initiatives. We insist that Newfoundland and Labrador agencies' proposals to CIC, other than those from the Association for New Canadians, be officially received and given fair consideration in the disbursement of CIC settlement funding. We also insist that CIC's parameters for funding, schedule, and specific call for proposals be made known in a timely fashion to all such agencies in the province that are suitable organizations to implement such service.

• (1035)

Our second concern is that a province with a small population such as Newfoundland and Labrador can only serve its immigrant population through an explicit and comprehensive system of collaborative relationships among immigrants and all service providers in the area of human support, such as health, education, housing, special populations, justice, access to and support in employment, and so on. Without collaboration, mutual learning, and work among such groups, this province cannot hope to amass the human resources necessary to deal with the multitude of issues that arise as a result of an influx of newcomers. Therefore, new initiatives toward improved settlement experiences for newcomers must involve a broad range of service providers and maximize the benefit of their experience and knowledge. We see this in terms of sharing of resources, skills and knowledge bases, professional development, research, and so on.

Our third concern is that at present there is no adequate system or facility to support appropriate sharing of the information among all parties implicated in immigration settlements. Heritage Canada has in the past supported the creation of booklets listing a range of sources of information and services relevant to immigration matters, but these have been distributed in print, and no ongoing strategies for keeping them updated have been put in place. In light of the capacities of modern technology, now is the time to create a system of data collections, management, and distribution to meet the various needs of the stakeholders involved.

Thank you for your kind consideration of our perspectives and concerns.

• (1040)

**The Chair:** Thank you for an excellent presentation.

Mike, please.

**Mr. Michael Power (International Representative, Atlantic Canada, Newfoundland and New Brunswick, International Brotherhood of Electrical Workers):** Thank you, Mr. Chairperson.

We've already submitted our brief, and it deals with temporary foreign workers. We're going to talk about the construction industry.

First I'll give you a bit of background. We're part of the IBEW, which is the International Brotherhood of Electrical Workers, which was founded in 1891. It's an organization of workers all across North America, the Panama Canal Zone, and Puerto Rico.

It's made up of highly skilled tradespeople in industries such as construction, power utilities, telecommunications, and manufacturing. There are approximately 58,000 members in Canada, of whom 25,000 are electrical construction workers.

Our presentation will focus solely, of course, on the construction industry, and that's one of the major contributors to the economy in Canada. As the Construction Sector Council reports, it's a \$130 billion industry.

There are certainly a lot of differences in the construction industry that set it apart from any other industries in Canada, and I just want to touch on some of the highlights of some of these.

Construction work is pretty well temporary by nature. There are boom and bust cycles in the construction industry itself, and that varies from region to region, province to province, and even within areas within provinces.

Workers in construction don't get up in the morning and report particularly to any workplace. They could be reporting to a workplace today, be laid off tomorrow, and then be going to another workplace. That's the nature of the business. People are pretty mobile, and even the contractors themselves are pretty mobile when it comes to looking for work in that area.

So they go wherever work is, and they look for the best way to earn money to provide that living for their families and to pay their bills.

Because there are such unique differences in the construction industry, it's important that some of the public policy decisions reflect on the reality of that industry as it relates to temporary foreign workers. The issue of temporary foreign workers has not gained any prominence in Atlantic Canada. It seems it's gained more prominence particularly in Alberta and British Columbia because there's a regional construction boom in these areas.

As an international union, we recognize the contribution that immigrants make to Canada and have made to the building of this union throughout its history as a building construction trades union. We're not opposed to immigration. Significant numbers of past immigrants make up the membership of this union, and I'm one of these people. My ancestors came from England and Ireland, so our whole organization is basically built on immigration.



As an organization we support public policy that is pro-Canadian, pro-immigration, and pro-foreign-trained workers. We support the importation of foreign temporary workers if there are proven and justified shortages during boom and peak construction periods and if Canadians are not available to complete the work or there is a shortage of qualified Canadian workers. But we do have some concerns with respect to foreign workers filling some of these construction jobs. Employment opportunities for Canadians—as an example, Newfoundland and Labrador construction workers or other provincial construction workers who entered the industry as apprentices—can be compromised by inappropriate use of temporary foreign workers. That has a negative impact on our youth, our aboriginals, and our resident immigrants.

The IBEW recognizes that temporary foreign workers are a part of the Canadian economy. However, we need to assess these workers to confirm their legitimacy, to ensure they are properly orientated into their workplaces, to assist in their training, and to ensure that labour standards are complied with and that these workers are not exploited, abused, and used as a source of cheap labour.

Temporary foreign workers should have to meet the same selection and criteria-testing standards as Canadian workers in occupational health and safety—red seal certifications in the trades—and should have a valid driver's licence.

We will offer an alternative option with respect to the importation of temporary workers from outside Canada. One of these options is that Canadian unions operate a hiring hall system. Because most of the Canadian building trade unions are part of the international unions that are headquartered in the United States, these union halls can be accessed for a supply of workers. If there are no qualified construction workers available from Canadian local union hiring halls that are international in scope, like the IBEW, we have access to hiring halls in the United States.

• (1045)

Most building unions in Canada are affiliates of international unions. There's a protocol that allows American workers to come in and fill these shortages during peak construction periods. This process is probably a little better than bringing foreign temporary workers from outside North America. The simple reason for this is that these American workers have training and safety standards similar to that of Canadian electrical construction workers.

We have a problem with obtaining the working visas or permits for these people. That process is very slow and cumbersome from our perspective. I would suggest that other international unions besides the IBEW are experiencing the same problems with obtaining working visas to get people in to fill shortages on these job sites.

In the IBEW, there's a pool of 330,000 electrical construction workers in Canada and the United States. These people can be accessed through the hiring hall we're talking about. In the United States right now there is high unemployment in some of these halls, with 50% to 70% of members available to go to work on very short notice.

Access to these American workers is impeded by the wait times for visas. It costs \$3,800 to obtain a visa to bring an American

worker into Canada through a Canadian hiring hall affiliate. It takes six weeks or longer. To accommodate these American workers coming in through hiring halls, the system needs to be reviewed. It needs to be streamlined so that visas can be issued more expeditiously. Local unions should be able to access working visas for these individuals within a few weeks or even days.

I want to give you an example of a shortage situation that exists right now in Canada. British Columbia Hydro is in desperate need of 50 qualified power line technicians. We used to call them linemen at one time—power linemen. They are available from affiliated IBEW local unions in the United States, right on the border of British Columbia. However, there's an issue with securing working visas to bring these people across the border to go to work for BC Hydro. They're being told that it's taking six weeks or longer to get working visas for these people. In the face of that kind of an impediment, power line technicians who are ready to go to work tomorrow morning with their tools aren't going to wait six or eight weeks. They are going to be on another job down in Arizona or California, where the work is booming. These are some of the issues we have with respect to getting workers.

Right now there's a bit of a downturn in the economy in the United States, and more and more skilled construction workers are becoming available through the hiring halls of the international unions, particularly in the IBEW. The American economy is on a downslide in the construction industry, and a lot of Canadian affiliates could access that supply of workers if we had a system that would allow us to obtain working visas fairly fast.

We suggest that a labour force work plan should be developed. It should be done in consultation with Canadian stakeholders. We need a master work plan with a long-term national job strategy to address the country's labour force needs for all industries, including the construction industry.

• (1050)

**The Chair:** Thank you.

Madame Folco.

**Ms. Raymonde Folco:** You could give your words to the chair, Mr. Power. That way, the recommendations will be distributed to everyone.

**The Chair:** He gave them to the girl outside. We'll have these distributed.

Donna, did you want to have a word or two?

**Ms. Donna Jeffrey:** Yes.

**The Chair:** I've known Donna a long time. She's met with me on probably 40 or 50 occasions, and when I say a word or two—that's impossible.

Ms. Jeffrey.

**Ms. Donna Jeffrey:** Definitely, writing things down is not quite the same.

**The Chair:** That's the Coalition on Richer Diversity.

**Ms. Donna Jeffrey:** Yes, but originally, my part of it—I've been put into their group.

**Ms. Barbara Burnaby:** The Coalition on Richer Diversity is a multi-organization. Donna is the executive director of the Refugee Immigrant Advisory Council and has been its leading light for decades.

**The Chair:** For sure.

Go ahead, Donna.

**Ms. Donna Jeffrey:** I'm going to start back a little bit earlier, simply to give my history as a definite senior in this group.

From 1950 to 1956, I was at Pier 21 helping the port workers. Having been a history teacher...I think it's something people don't realize, how many people came into Pier 21. I was an assistant, because I was a teenager, but every time a ship came in—my father had a big thing on ships—we would go down to the port to see the immigrants come. I helped the port workers, because they were all different denominations; they were Catholic, Baptist, and so on.

They would come in, and it was so simple then. When they came in on the ships, there was one long table with two immigration officers, one on each end. All the officer did was write down the names, where they came from and where they thought they were going. They all left Halifax, where I lived at that time. There was a train outside and every one of them left.

It was so simple. Of course, some of the Europeans, particularly Dutch and German, were coming over at that time. In fact, at my award time in Ottawa there was the senator who we figure was the man who was a young boy then, much younger than me, who came in at Pier 21. He is now a senator.

**Ms. Raymonde Folco:** Was it Senator Di Nino?

**Ms. Donna Jeffrey:** Yes, because I had previously drawn a picture.... I was at a Colombian seminar for the Canadian Council for Refugees, where a Colombian person was speaking about the trauma Colombians went through in leaving Colombia. Here I've been in North America—well, my mother's family, since the 1600s in Boston—so I have no background at all in being an immigrant, but at Pier 21 they said, why don't you come up and draw something on the board about your situation. Why ask me, because the Colombians have all sorts of horrible situations? I have nothing.

But I did go up, because I remembered a young boy—and at that time in the fifties they wore the short pants, the knee socks, and carried hard suitcases—who was standing there all alone. He was 11 or 12, standing there, and I kept looking at him and thinking, oh, he's all alone. His parents were obviously busy doing something else, and I said, oh, I'd love to help him. So I drew that on the board. This was a sponsorship agreement holder, because I'm also a sponsorship agreement holder for the Atlantic area for the Baptists. She asked me, why did you draw that picture on the board? I said, it was because I'd never, never forget him, because he looked so lonely, but I could not help him. Then she turned to me, and it was one of those moments, and said, what are you doing now?

Let me tell you this, because I've been doing work with immigrants here in St. John's for about 15 or 18 years, and I don't do it for money. I hold this post, and when I say something is true, it's true. When I say something is wrong, it's wrong.

In some of the cases, we have real, real concerns. For example, I made a report on a case because I found out that we had allowed a criminal to stay here in St. John's. I knew he was a criminal; I knew what he had done. Instead, he was allowed to stay, and when they started to get wise about him, he slipped over the border and is now staying there.

I made a report—and I'm not a writer, but a talker—with the help of a friend of mine who worked for the *New York Tribune*, who's now retired from that American paper, a big New York paper, and she confirmed everything about what was happening. They were sending back people....

Again, I've been to Russia, because of my husband's work back then, just after it turned from Communism, and I was in St. Petersburg, protected, by the way, by the Mafia. That was the only safe way to keep me protected when I wasn't in Krylov, where my husband had to help them get rid of 2,000 people. The point is, I knew what the Mafia was like in St. Petersburg.

We had a person here who was a saint, and he was sent back. He wasn't a skilled worker, but he was a hard worker. He was here for eight years. He was an absolutely unusual man, and he was deported. I knew, because the Mafia in St. Petersburg, back when I was there, were so bad that.... When he was deported, they kept the man who caused him to be deported, they kept him, and he slipped over the border.

•(1055)

When I got all of the information on him, I made the reports to the head of the RCMP for Atlantic Canada, the head of border control for Atlantic Canada, the head of immigration for Atlantic Canada, the five top people. And I had my friend do the write-up on it, who knew a lot more about writing than I did. I made the report, and I said, "This is it. This is the truth, and nothing but the truth." And at the end of it, knowing the whole lot of them were younger than I, when they said they weren't going to do a thing, then—

•(1100)

**The Chair:** I know, because—

**Ms. Donna Jeffrey:** But it's the unfairness. It's the same with the man who is in sanctuary. I took him in because, again, of this man.

**The Chair:** I know what you're saying is true, because you've related it to me on a number of different occasions. I know what you're saying is absolutely factual and true.

Now, I really need to interrupt you because I know how long you can talk. I know you can keep going and going all day, because you've done it—you and I together. But I'll have to interrupt you and go to some questions. Those were all the presentations, I think.

**Ms. Barbara Burnaby:** I want to put this into context, and that is, please understand that Donna has done all of this and the Refugee and Immigrant Advisory Council has done all of this without any funding.

**The Chair:** That's right, and with no pay at all. You're to be commended. I've said it on so many occasions. Your commitment to refugees and people in trouble is second to none. I know that to be a fact.

Now, can I go to people who might have some questions?

Madam Folco.

**Ms. Raymonde Folco:** I think my colleague will want to—

**The Chair:** Mr. Telegdi.

**Hon. Andrew Telegdi:** Thank you very much.

I want to say that “Power” is an appropriate name for electrical workers. I really thank you for bringing up the U.S. situation, because we have a free trade agreement and we know that the standards are very similar on both sides of the border, plus we have international unions going across the border. I think it's a very good suggestion you made, and we should definitely bear it in mind, because it goes right along with the free trade agreement with the Americans. So I appreciate it.

I also want to say that I really appreciate the unions, the construction unions in particular, coming forward and making presentations right across the country, because I know how hard you've been trying as organizations to fight the underground economy.

In that regard, we should also be dealing with our undocumented workers, or, as they are called, “precarious status people”, because when you say “undocumented”, it sounds like people coming across the Mexican border into the U.S. We were reminded in Toronto by a professor from York University that, really, most of the undocumented people in the country now came in legally at one point in time as temporary workers, or whatever. We gave them clearance to come in.

It seems to me that we should be making efforts to regularize them. The previous government was going to do that. The bureaucrats didn't like it. Unfortunately, the government changed before that could happen. A new government came in, and the new ministers were quickly talked into not regularizing the undocumented workers; so they're spending \$22 million a year going around trying to kick them out of the country. It's really, really counter-productive. We should be using that money for settlement and assisting people to settle, especially since we created the undocumented class. In a large way, what drove the numbers was the change in the points system, which all of a sudden said to the tradespeople, “You can't come in, we don't want you. We want somebody with a university education. We want you to speak the language. We don't want you.”

I know that when we came to Canada in 1957, at the time of the Hungarian revolution.... Last year was the 50th anniversary of my arrival to Canada, so I met with the people we stayed with, the Hay family. We had a reunion. We have been friends ever since, and it was a wonderful experience. It certainly bound our families together in a way that will last our lifetimes—and for that, I really, really thank you for what you're doing.

You should be getting some kind of support from government for doing it, for helping with settlement, because I know there are other costs that come up, and one should not have to have a bake sale every time there's an emergency. With support, you could do better planning. So let me just say I appreciate what you're doing.

I love the Atlantic, but as I said to the chair, the one thing I miss is seeing the fair number of visible minorities in my community. When there, I can go around my block and touch every continent, and the richness it gives is really amazing. That's one thing in the Maritimes, where the numbers are not quite there. But it's an incredible richness I see in our community in the Waterloo region, and of course in Toronto and Vancouver. It's a real positive, because all of a sudden, you don't have to travel around the world to appreciate the cuisine and the people and the culture. That's not to say you don't want to travel, but it's really nice to say, all of a sudden, I'm living in a global village. I think we're a model, in that sense, to the rest of the world about how you can get people from all over coming together with different beliefs and faiths and actually building a pretty prosperous country.

So I thank you for the work you do.

I would like to have a comment from all of you on the undocumented workers, as to whether or not we should go to regularization and be more “appropriate” in spending \$22 million to throw them out of the country. That's number one.

•(1105)

Number two, I would ask you to comment on what I said about having better cooperation with the labour markets to the south of us, particularly in the trades, where we have the same kind of standard, recognizing that tradespeople are going to travel a lot.

**The Chair:** I think Barbara and Mike wanted to have a word on that.

Barbara, do you want to lead off? Then I'll go over to Mike.

**Ms. Barbara Burnaby:** Thank you, sir, for those very thoughtful comments.

I've got a story a bit like Donna's. I started teaching English as a second language in Toronto in the late 1960s. At that time, it was the manpower program. Do you remember the manpower program? At that time, we still hadn't gotten the new immigration act. So we would get students in our classes, they'd sort of introduce themselves, and we'd ask them a bit about where they came from and how they came into the country.

If they said they were here on a tourist visa or something like that, we'd say, "You should probably go down to the immigration office and get landed immigrant status, because you might want it later on." They would, and they'd come back the next day with landed immigrant status.

We've had only my working lifetime of the changes in immigration. What I want to say—and this has to do with immigration and the rules that are around it that Donna has been struggling with for so long, and also the kinds of settlement things that we've been talking about—is that there's no point in putting rules in place if we can't humanely enforce them.

**The Chair:** That's a good point.

Mike.

**Mr. Michael Power:** Yes, the undocumented worker situation is really not an issue where we live in Newfoundland, or on the east coast for that matter. We see that as kind of regionalized to cities like Toronto or Vancouver or places like that. There's obviously not a lot of undocumented workers running around in any numbers anywhere else, other than these cities. That's the reason we've really never addressed that from a construction perspective. They're just not there. These people don't exist.

Now if you ask whether they could be here in the future, well, we don't know that. There's a bit of an issue here in the non-union sector where they can't hire our workers. We have 500 electricians unemployed at the hall. Their wages and their collective agreement bring them up to \$35 or \$40 an hour, total package. Well, a non-union contractor is looking for \$15-an-hour people or \$12-an-hour people. There are none of those \$12 or \$15 people out there right now. If they were out there—those who used to do that work—they've gone to Alberta to do that work anyway, where they can make the \$40. So that kind of thing is not there.

We've really never dealt with this undocumented thing that much. Maybe it's in the bigger centres like Toronto and places like that. To say whether it should be legalized or shouldn't, I'd have to do some more research into that, to get a better handle on the situation. I read it as people coming into Toronto to do drywall taping in homes and apartment buildings and things like that. So I don't really see it as a major issue in the construction industry down here.

• (1110)

**The Chair:** Mr. St-Cyr, and then Mr. Komarnicki, and I'll go back to Madam Folco.

Go ahead, Mr. St-Cyr.

[*Translation*]

**Mr. Thierry St-Cyr:** Thank you, Mr. Chairman.

Thank you for being at this last meeting as part of our cross-Canada consultations.

During these consultations, we've talked a lot about the situation of temporary foreign workers and the consequences of that situation. We've addressed the problem at more than one level. On the one hand, we've gone so far as to question the program's relevance and effects on the labour market. We've talked about how these workers were treated. On the other hand, we've taken a more detailed look at the major problems with the present program, obviously for the eventual purpose of making recommendations.

To talk about the program in a more overall rather than detailed way, I'll tell you about an irritant that we've systematically been told about, the fact that the temporary foreign workers' visas are closed, that workers are assigned to a single employer. That situation gives the employer a disproportionate advantage in a relationship of power. Here we're talking about the possibility of blackmail, and thus abuse, in view of the fact that the simple risk of losing the right to work in Canada can induce a worker to accept any working conditions. Quite early on, it seemed clear to me that we had to put an end to that situation. The visa should be open and temporary foreign workers should be able to choose their employers, somewhat as Canadians do.

That said, a certain number of restrictions will have to be set, to ensure, for example, that individuals recruited to offset a labour shortage in a given employment field remain in that field if they change employers. We'll also have to ensure that the question of the province of residence is respected in order to prevent individuals recruited by certain provinces from all leaving for Alberta, for example.

The last point that has come out of these cross-Canada consultations is the fact that, to bring a temporary foreign worker into the country, an employer has to pay for that worker's return ticket, as well as recruitment fees. Employers have pointed out that, if employees could change employers as they wished, without restrictions, once they arrive in Canada, certain employers recruiting temporary workers could lose money relative to other employers who wouldn't invest in recruitment.

We could consider a system in which employees would be free to change jobs in order to improve their working conditions. On the other hand, the new employers of those workers would have to compensate the first employers for initial costs incurred. I've tested that idea across Canada, and I didn't want to forget Newfoundland.

In your opinion, without considering the program in general, could that kind of change improve matters?

[*English*]

**The Chair:** Mr. Rivera, go ahead, sir.

**Mr. Jose Rivera (Coalition on Richer Diversity):** Thank you very much.

As Donna already mentioned, I'm originally from Colombia. I've been here in Canada, particularly in Newfoundland, for six years and 22 days. I don't want to move to Alberta. I want to stay in Newfoundland and see my family grow.

First and foremost, I would like to thank Canada for the opportunity to be alive. If it wasn't for humanitarian and compassionate grounds, my family and I would have been dead six years ago, as many of my Colombian friends are. Thank you again, Canada, for the opportunity to be here.

I was accepted by Donna five years ago when I came to her office to ask for some help, to help my family to reunite. It was an unsuccessful effort. We couldn't do it because of the regulations and the changing of the immigration act in 2002 and so on. She decided to appoint me as a member of the board, so here I am trying to help as much as I can.

We, at the Refugee and Immigration Advisory Council and the Coalition on Richer Diversity, don't understand how this wonderful government of ours—and now I'm a citizen of Canada as well—spends so much time and effort looking outside for things when they are here in Canada. When my Colombian friends come to Newfoundland and Labrador, the first thing I say is, don't go away, this is a wonderful province, full of richness, full of opportunity. But you already said that, Mr. Komarnicki. We cannot retain people from abroad when we are losing our own Newfoundlanders.

When we started the Coalition on Richer Diversity, we were talking about retention, and the first question was, how do you intend to retain immigrants if the local people are going away?

• (1115)

[Translation]

**Mr. Thierry St-Cyr:** Mr. Rivera, I see you're talking about the general state of the program. We've talked a lot about that in this committee. I made a more technical proposal concerning the current program. If the committee decided to accept it, absolutely essential changes would have to be made, I believe. I wanted to hear your comments on that point.

I see that your microphone is on, Mr. Power. Did you want to make a comment or a suggestion?

[English]

**Mr. Michael Power:** On the issue the member of the panel raised with respect to temporary foreign workers, I gave the example in the presentation I made, in my opening statement, about the availability of workers just across our borders, living side by side with us.

Mr. Telegdi made the point that we have a free trade agreement with the United States. If we can get visas for these people, there's no cost to employers to bring these people in. They come in through a union hiring hall. They can go to work and they can fill these jobs. There are quite a few workers available on the American side of the border. That's because construction peaks are up and down. The American construction industry is down a bit, except if you go to California and Arizona. Maybe there are booms there, or in places like that, but in a lot of the midwest and central United States there are no big booms going on in the construction industry.

That's one area we can certainly look at with respect to temporary workers. The other thing is—and you say it's a cost, if you have these open visas versus closed visas and that sort of thing—I put into my brief that you should look at some kind of labour force work plan. I think that's something we need to look at, but I'm not saying the onus is on the federal government to do it. I'm saying they should

do it in consultation with all stakeholders, everybody who's involved, in all industries, and set up sectors and go out and deal with that. But I'm speaking specifically from a construction perspective.

We have a lot of people in Canada who, if we had the right strategy and the right master work plan in place for this country, and if everybody participated in it.... There are many people who lose jobs in this country through restructuring, relocation, and everything. Right here in this province, there were 450 tradespeople, in the last year or year and a half or so, put out of work when they closed the paper mill—fairly highly skilled people. Where do you think they went? They're used to making good money. They came to the union halls to see whether they could get work. That's the first place they came.

These are areas that I think we have to look at in the long-term scheme of things.

**The Chair:** Okay.

Mr. Komarnicki.

**Mr. Ed Komarnicki:** Thank you very much for your presentation.

It's certainly a pleasure to be in your province. I want you to know that we appreciate some of the volunteer work that goes on behind bringing newcomers to Canada, and refugees, and so on. Without you the system wouldn't be able to come close to what it's achieving presently. So we do want you to know we appreciate that. There's always room for improvement, so we do want to hear what you have to say. And to the extent we can, we should.

With respect to settlement funding and integration funding, I know we have in our budgets allocated \$1.4 billion across the country to go to settlement agencies. I appreciate that you mentioned some difficulties with ISAP funding, and others, so absolutely we need to look into that and work through Citizenship and Immigration Canada to see what is available. Funding has been frozen for over a decade, and even though we want to bring in more newcomers and take more people in, we have to remember there needs to be the infrastructure there to help people succeed, and that includes English language provisions, counselling. When newcomers come in, simple tasks like banking, finding a place to stay, all those kinds of things we maybe take for granted, are necessary and important. When you come to a new culture, a new country, that even of itself can be challenging.

Certainly you're the front line in the face of the country, and we appreciate your efforts. I know it was with that in mind that you've allocated significant funds. Across the country, how they filter it down ultimately to the many organizations is another matter, and you can certainly pursue that.

It's good to hear from Mr. Power that we are dealing with a kind of moving bus situation. Some sectors or regions are doing well; others aren't. When one concludes here, another one starts there, so labour mobility is important. I know we've heard from other witnesses that we should try to make that more accommodating with some tax incentives and so on. So we do hear that. And I also hear the fact that consultation with the stakeholders and the parties involved is important to try to have a master strategic plan to take advantage of the people we have or to use the benefits of the people we have available in Canada—the young people, aboriginals, and other groups that are here, and those who have been displaced from their work because of one situation or another. I think we need to concentrate on finding out how to do that, for sure, and make a better effort.

Statistics seem to suggest to us that if you did all of that well, you still would have some shortages in some places. We need to find a way to be smart about it and not to pose impediments in your way. We need to find a route that makes sense and to open up those avenues. It's not always that easy, and I appreciate when you say there's a proven, justified shortage and we need to look elsewhere. I've heard a lot from a lot of the witnesses that if you have the skills and trades coming in, or temporary foreign workers, for instance, there are some base levels that we should set that can be met.

Am I summarizing your thoughts on that, Mr. Power?

I guess Barbara would like to make a comment too.

Maybe Mr. Power can go first.

• (1120)

**Mr. Michael Power:** Yes, Mr. Komarnicki, with respect to labour mobility assistance, I direct you to have a look at that in my brief and read that, because it is costly to bring in temporary foreign workers.

What we're trying to do here is to reach out to people who don't want to leave home, because it's a cost to go and find jobs sometimes. If you're in a union, it's a lot easier for you because when you go, you get room and board and allowances that you don't get if you're not in a union. But there's a lot of Canadians who are not in unions. They won't leave the province of Newfoundland. If they can't find an airline ticket to go to Alberta, to go work, if someone doesn't pay their way, well, there's a bit of an issue. So labour mobility assistance might be something that could be worked out.

If you get the stakeholders together, that's another area that you can work on, because employers are saying it's pretty costly to bring in temporary foreign workers. And of course it is. There's a cost attached to that.

**The Chair:** Barbara.

**Ms. Barbara Burnaby:** I think we're talking about two kinds of human resources here. First of all, we're talking about the very public human resources of employable people with appropriate skills to do the kinds of things that are at a high level in our economy.

On the other hand, I think it's really important that we look at the human resources to do the human resource kind of work that's required. Donna and I are retired, Jose is living on welfare, and that's how come we can do the volunteer work that we do. We can't keep doing this forever. We have to have some way of really developing

the human resources in the community, in the human services sector and the voluntary sector, in order to be able to do a good job of making this a humane, possible, and attractive place for immigrants both to come and to stay. And until we do some work in that area, it's not going to happen.

• (1125)

**Mr. Ed Komarnicki:** I appreciate that comment, and we do need to have some kind of infrastructure. It's maybe not a good word, but the foundation for that to happen...some of that takes some money, and we've done that increase, but it takes a while before it filters down to the levels that need it.

With respect to Mr. Power, I appreciate the fact that you have union hiring halls in places outside of Canada. Maybe it could be utilized. It seems to me that in the highly skilled or in the temporary foreign worker area, there is a need for an advocacy group that advocates on behalf of the worker to ensure that some basic rights are represented.

Perhaps your organization or organizations like that are already there on the ground, that have the infrastructure and the ability to do that if it gave you what you needed. Is that an area that you'd like to get into or not?

**The Chair:** A brief answer, and then I'll go to Madam Folco for five minutes.

**Mr. Michael Power:** Yes, there is an area. As a matter of fact, the IBEW just worked a deal with Emera in Nova Scotia, where we sat down with them to bring in linemen from the Philippines, or power line technicians as they call them. So we brought in five on a trial basis, and we've gone back and struck a deal with the employer to bring in twenty more of these people. But they're members of the union. They're going to be trained in-house; they're going to be brought up to Canadian standards. So yes, we're working. If there's no linemen in Nova Scotia and nobody wants to relocate because it's \$5 an hour more in Alberta...these companies have to have people to go to work. So that's what we've done. We're working on stuff like that.

**The Chair:** Thank you.

Madam Folco.

**Ms. Raymonde Folco:** Thank you, Mr. Chair.

I think, Mr. Power and Mr. Dalton, you were here when I made my remarks to the other unions earlier this morning. I'm not going to repeat what I said because I'm short of time and I want to address another problem. But let me say that I think the whole structure of our temporary foreign workers has to be seriously looked at from top to bottom and bottom to top. And that's the recommendation I'm making to this committee.

I'll simply stop there because I think you heard my remarks this morning.

Let me go to Madam Burnaby and Madam Jeffrey.

Is there a bilateral entente between the federal government and the Government of Newfoundland and Labrador regarding the settlement of immigrants?

Let me backtrack. Twenty years ago, Quebec was the first of the provinces to actually have a bilateral agreement with the federal government by which the federal government would give the Province of Quebec so many dollars every year, and then Quebec would use those dollars—seeing that it's Quebec—as they wanted. The point was it would help immigration and it would help what you call “settlement” and what we call “integration”.

Is there such an agreement in Newfoundland and Labrador?

**Ms. Barbara Burnaby:** Absolutely not.

**Ms. Raymonde Folco:** That's the impression I got from you. I would think that's the first step. Quebec's example has been followed by practically every single province in Canada. I've been right across Canada. In British Columbia they have one; in Saskatchewan also. I think it's time. We can talk about this privately at another time. I don't want to take up the time of the committee.

One of the problems is that nobody seems to realize that Newfoundland today is not Newfoundland of 20 years ago. I have seen the changes. I taught at Memorial University—I think it was 20 years ago—and I've seen the change. Not too many people realize that Newfoundland is now a place where immigrants can come to work. Let us talk about this at another time—whose door you should knock on and so on. That's the first comment.

The second comment I want to make is to Mr. Rivera. Unfortunately, I was away when you made your presentation, but I would like you to tell me how you came to ask to be accepted here in Canada on compassionate and humanitarian grounds. There's a reason behind my questions, and I would like the parliamentary secretary to be listening to this.

Mr. Rivera.

• (1130)

**Mr. Jose Rivera:** My wife was a personal volunteer, and we helped somebody in our country. We ended up threatened by one of the five illegal organizations down there. We applied for refugee status in Canada and we were denied four times. We applied a fifth time. Some change occurred in the embassy, and they saw our case and accepted us as refugees. We came to Canada in that way.

I would like to complement the questions with regard to the settlements. Most of the dollars that I've spent on other issues can be spent in retraining people. I live in the Newfoundland House. My friend John is one of our neighbours. Some of our Canadian neighbours are sitting at home because they cannot access education. They have to wait two, three, four years in a line-up to go to college.

We have a good number of young adults, people who don't apply for high school because they're too old, and they cannot apply for college because they have no English and so on. So they can't be retrained in these job situations.

We have a number of entrepreneurs who went to Alberta to set up shop. They could have done it in Newfoundland and provided more jobs. This is something we are proposing at the college—a database

to help us understand how to go about business and how we can deal with unions, schools, and funding.

**Ms. Raymonde Folco:** Thank you for your comments.

Let me go back a little bit. You're originally from Colombia, I understand?

**Mr. Jose Rivera:** Yes, I am.

**Ms. Raymonde Folco:** When you asked for compassionate and humanitarian grounds for coming into Canada, where were you?

**Mr. Jose Rivera:** I was in Colombia.

**Ms. Raymonde Folco:** You were in Colombia. That's the point I'm trying to make. You were in Colombia when you were allowed to apply on compassionate and humanitarian grounds. When the Canadian government accepted you, you were then able to come to Canada.

**Mr. Jose Rivera:** The funny part about it is that I didn't know I applied on humanitarian and compassionate grounds. There was one person inside the Canadian embassy, not an official but a lawyer—

**Ms. Raymonde Folco:** That's immaterial to me.

**The Chair:** I have to move on now.

**Ms. Raymonde Folco:** Can I say just one sentence?

**The Chair:** Only one, because I'm thinking about the schedule.

**Ms. Raymonde Folco:** I want to make the point that in the new bill that the Minister of Citizenship and Immigration has presented to Parliament, Bill C-50, it would not be possible for somebody outside the country to ask to get into the country on compassionate and humanitarian grounds. I just want to make that point.

Thank you, Mr. Chair.

**Mr. Ed Komarnicki:** That's not correct.

**The Chair:** That's not correct?

**Ms. Raymonde Folco:** I beg to differ. I've studied that bill, and let me tell you that I beg to differ.

**The Chair:** A difference in opinion between two honourable people.

Mr. Rivera.

**Mr. Jose Rivera:** I'm sorry to intervene in this way.

In my Colombian experience, and from several countries, I don't understand how Canada is allowing something that in Colombia we call the monkey, which is including something that doesn't belong to an act, to be in there to be approved. That's a risk. That means Canada is going to third-world country status.

**The Chair:** It's Madam Folco's position that what the parliamentary secretary says is wrong, but Bill C-50 is going to be the subject of another hearing, which will begin on April 28. So I'm not going to get into too many arguments between people across the floor from each other here. One says it's right and one says it's wrong. It's a disagreement between two honourable people here.

Monsieur Carrier, you will wrap up?

[Translation]

**Mr. Robert Carrier:** I want to focus on the migration of workers from Newfoundland to the western provinces. I spoke about that earlier, but I want to talk about it here because I know that Newfoundland is the province most affected by that migration. Earlier Mr. Rivera addressed the subject by saying that local labour would have to be retained because there is no interest in seeing it leave.

Before being a member of Parliament, I was an engineer—I still am—and I was responsible for construction projects. I'm familiar with labour shortage problems that you can have when you have a project to carry out. Mr. Power mentioned that he is used to seeing labour go from one place to another. I would like him to tell me whether he wouldn't prefer local labour to remain here in order to move his economy forward.

In the same line of thinking, since economic development is disproportionate across the country, people say they're going to work in the west. I'd like to hear your comments on that subject. Do you think our government should have other initiatives to balance labour needs in the country, instead of resorting to immigration or to temporary workers?

I'd like to heard both of you answer.

• (1135)

[English]

**Mr. Jose Rivera:** I think we already mentioned the idea of retraining and re-educating the labour force we have. We also mentioned the idea of having access to information. I also mentioned the idea of a number of Colombians and Indians coming to this wonderful province and having the chance to develop new organizations, new businesses, but having to go away because they have no information and no access to resources, not because the resources are not there. It's amazing. I can point out about 3,500 different kinds of programs around the country that provide funding for small entrepreneurs to develop, but we cannot access them because we don't know them.

Having the opportunity to stay in a growing economy like this one is a wonderful opportunity for people coming in. I know this wonderful province has something that other provinces don't have, and it's the quietness, the loveliness, and the warmth of the people. And please don't tell anybody, because we don't want millions of people storming our province.

[Translation]

**Mr. Robert Carrier:** Mr. Power, what do you think?

[English]

**Mr. Michael Power:** Talking about the migration of workers from Newfoundland to western Canada, Newfoundland has a history of people migrating to work all over North America and all over the world. I've been an electrician, a technician, a technologist; I've spent all my life in the electrical and electronic business, and I've been one of the fortunate ones. I've made my living without leaving Newfoundland.

I brought Rick along. He's with the construction local here. There are approximately 1,000 electricians under that local. We have no

problem manning any work. We've got workers on the water treatment plant on the south side of St. John's; we just finished a project in Duck Pond, and we had no problem. If our guys were out west working, it's because they can't stay here if there's no work for electricians. They've got to go where the work is, right? That's the reason why they travel, and that traditionally has been that way.

Newfoundland workers go to Boston. They built the airport in Denver, by the way. There was a whole raft of them down there when they built that new airport in Denver. They go everywhere, wherever there's work. But if there's work at home, we have no problem. We put 600 electricians on the Hibernia project when we were building it, and we won't have any problem putting them on the Hebron project or any other project. We've got them to put there. They'll come back home because they're transient workers. They're moving, they've got good jobs, and they're bringing home the money and spending it in Newfoundland. They've got their families in rural Newfoundland.

**Mr. Jose Rivera:** There's another source of income now. I'm a business consultant—that's my background in my country—so I'm eager to see new business. More Newfoundlanders are coming back home, and they're bringing their spouses and they're bringing their siblings; they're building houses and they're building complexes. There's a larger need for those new developments, and there's going to be a lot of need for health care and the resources for them. They're going to become volunteers for us, and they're going to work for free, like Donna does.

**The Chair:** One last question.

• (1140)

[Translation]

**Mr. Robert Carrier:** I'm completing the questions I have on the subject.

Earlier, Mr. Power, you suggested bringing in American workers rather than other foreign workers, since American workers have similar training to ours, which is more practical for us. You admit you have a need for foreign labour, since you're talking about favouring the importing of American workers. That's admitting that we lack resources here.

If you had the choice between accelerating the immigration process and only importing temporary labour, what would you choose? Would you prefer our immigration system to be more effective? We would have new citizens who would stay here, not just workers who want to earn money then leave.

[English]

**The Chair:** A brief comment, if you would, Mike, and then we have to wrap up.

**Mr. Michael Power:** When I talk about the American situation, I'm not speaking specifically about Newfoundland. We have linemen here. We don't have thousands of them, but we have enough to keep the province going. We have plenty of electricians in this province, more than for the work available.



With respect to bringing in foreign workers on a permanent basis, we're not opposed to that. We just did that in cooperation with Nova Scotia Power to meet the requirements of their workforce in Nova Scotia. A number of their linemen have left after 15 years with the company and have gone to the United States to work with power companies down there, because there's more money. It's all about money and being mobile. You won't keep people pinned down in any one place when it comes to that.

**The Chair:** I have to wrap it.

I just want to get a point of clarification on one thing. Barbara, I think you asked the question on settlement. Did you ask a question on settlement funding?

**Ms. Barbara Burnaby:** Yes.

**The Chair:** Did you say we don't get any settlement funding?

**Ms. Barbara Burnaby:** Not in the sense that there is a relationship between the federal government and Quebec. Quebec was the first one to get that kind of thing.

**The Chair:** But we do get—

**Ms. Barbara Burnaby:** No, they don't. It's only happened over the past number of years, over the time since the Quebec government had that kind of thing, and the high immigration provinces got it first. British Columbia got it, and Ontario, which is always feisty about the whole thing, took its time—

**The Chair:** All of them are getting it now.

**Ms. Barbara Burnaby:** No, they're not all—

**The Chair:** Yes, they are, because we're getting settlement funding under the Canada-Newfoundland and Labrador Agreement on Provincial Nominees.

**Ms. Barbara Burnaby:** Nominees, yes.

**The Chair:** Yes, we get settlement funding. We get our per capita share of the \$4.5 billion that was made available in the budget this year for settlement funding. We get our share of that.

They asked me just recently if I would preside at a ceremony at the Association for New Canadians to talk about settlement funding

and our share of settlement funding for the province. So we do get settlement funding.

**Ms. Barbara Burnaby:** In relation to the provincial nominees, that's right. That's not quite the same as some of the other relationships. The relationship with Quebec with respect to language training, for example, has been unique since the—

**The Chair:** But they all get it under—

**Ms. Barbara Burnaby:** No, no, it has. Believe me, it has been unique since the 1970s and 1980s.

**The Chair:** I've opened up something now that we could go on about all day, so I'm going to wrap it up at this point.

**Mr. Ed Komarnicki:** I don't want to add to the confusion, except to say this: Quebec, of course, has an agreement peculiar to Quebec.

**Ms. Raymonde Folco:** That's why they're bilateral.

**Mr. Ed Komarnicki:** Ontario has its agreement. Then the other provinces, including my province—and I'm not sure about this province—has an agreement that does have settlement funding come through to it. It does have a formula that bases it on numbers of newcomers you have coming in, and so on. So that all figures into it, but it would be unusual if just this province was not covered.

**The Chair:** I have the 10 agreements right here.

For instance—and I'm not going to go into it—the Agreement for Canada-British Columbia Cooperation on Immigration, the Agreement for Canada-Alberta Cooperation on Immigration, the Canada-Saskatchewan Immigration Agreement, the Canada-Quebec Accord, the Agreement for Canada-Nova Scotia Cooperation on Immigration, and the Canada-Newfoundland and Labrador Agreement on Provincial Nominees.

Their settlement funding comes in there.

Now I have to wrap. Thank you very much for your presentations today, and stay tuned for our report. Thank you.

The meeting is adjourned.





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