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Mr. Bryan May

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

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• (1535)

[English]

The Chair (Mr. Bryan May (Cambridge, Lib.)): We will come to order.

Hello, everybody. Once again we are joined by witnesses for the temporary foreign workers study, the TFW study. We are waiting for a few witnesses who are apparently coming through security, but we're going to start with presentations from our first witness, who is Mr. Bruce Webster.

Mr. Webster, can you hear me?

Mr. Bruce Webster (As an Individual): Yes, sir, I hear you very well.

The Chair: Excellent. Mr. Webster is appearing as an individual via video conference from Langley, British Columbia. We're going to start with your presentation. Could you keep it to seven minutes, please, sir?

Thank you very much, and welcome.

Mr. Bruce Webster: Thank you.

Mr. Chair and members of the committee, excuse me if I read from my notes. I don't want to omit anything.

I have experienced, as a person executing the power of attorney for my late mother, all of the situations I'm about to describe.

First, Employment Canada's method of determining an applicant's ability to adequately cover all expenses associated with a caregiver is limited and inaccurate. Their basis of judgment is to look at the past year's CRA assessment—line 150, I believe. This method is fair for someone who is employed, but for most retirees looking for caregivers, it is inaccurate.

For example, my mother's income was generally less than \$50,000 per year; however, she had in excess of \$350,000 in investments and outright ownership of her home. It took a protracted and lengthy discussion with Toronto to prove that my mother's claim about ability to pay was in fact valid.

Second, the processing time is a huge detriment to elderly persons wishing to hire in-home caregiving. In my mother's case, it took 21 months from the time the LMO, as it was then called, was initiated until I finally had a caregiver in her house. My mother celebrated both her 99th and 100th birthdays with full-blown dementia and increasing states of total confusion while I was trying to provide for

her adequate in-home care. Some days we had to put her into institutions, which she totally detested.

Third, the duplication of information—and this is very key—asked for by various departments in supporting the LMO and temporary foreign worker issuance of a work permit is a lot of duplication and, I feel, a waste of applicants' and government employees' time. This should be simplified and perhaps streamlined. There should be some method of interaction between the various agencies in the employment and immigration departments so that the duplication could be reduced and thus the time of 21 months reduced as well.

For example, I was seeking to hire a lady from the Philippines who had been referred to me. She met all the criteria demanded by the TFW program for elder care, yet the embassy on one occasion sent an email to her, and part of that email was in fact forwarded to me. She did not realize that she needed to... [*Technical difficulty—Editor*] the email.

My honest opinion is that if an agency is working to ensure that the TFW is legitimate and the employer is viable, then the agency—immigration or employment—should be asking me directly, or, if they feel that they have to send it through the applicant in the Philippines, they should at least copy me on it so that I can respond. This almost caused a dismissal of the whole application, after some 14 to 16 months. It's thanks to a particular individual's intervention that we managed to get the embassy to reinstitute the application.

Fourth and last, if a situation arises in which the TFW is here in Canada and in the employ of an elderly person, and that elderly person passes away, the TFW is severely disadvantaged, particularly with the changes that were brought in the last year, I believe, in August 2015, changing from in-home care, with the caregiver living in the elderly person's home. Suddenly that person is faced with the need to procure new employment, a new LMIA—it's no longer the LMO process—and all the commensurate delays and such that go with that.

My feeling is that TFWs, when they enter Canada with an LMIA contract in hand, should be allowed to extend that contract. The changes that were brought in in August 2015 have driven the economy of TFW elder care virtually underground because of the in-home live-in change, and the increase in wages has made it virtually impossible for elderly people to sustain them. Also, an increase of \$5 per hour does not make it any more attractive for the TFW to live out.

• (1540)

I don't find that is an equitable way to deal with a TFW who has come to the country under what I view as a three-way contract between the elder care person—or, in my case, I was acting as a power of attorney—the TFW themselves, and the Government of Canada, because the government does act as the agent vetting, if you will, the LMIA process. We're filling out a Government of Canada form. It's a three-way contract, and just because one party is deceased should not cause that particular contract to be void.

The intent of the TFW program—particularly for elder care, I believe—is to provide quality in-home care for our elderly who wish to stay at home and be less of a burden to the taxpayer. If they can support themselves and support a temporary foreign worker in-home caregiver, then we have extended their quality of life. After all, we're talking about people who have given much to Canada in forming the fabric of our country. I think we should examine how we can... *[Inaudible—Editor]* useful for the TFW and the elderly.

Thank you for seeking my thoughts.

The Chair: Thank you very much, sir.

We are also now joined by Mr. Robert Watson, president and chief executive officer of Information Technology Association of Canada. Welcome, sir.

We have a third witness via video conference. We're trying to reconnect with her.

Mr. Watson, the floor is yours for seven minutes.

Mr. Robert Watson (President and Chief Executive Officer, Information Technology Association of Canada): Thank you very much.

I apologize for being late, but security is security and you don't shortcut that.

My name is Robert Watson. Forty years ago this month, I graduated from Ryerson Polytechnical Institute, when it was still a polytechnical institute. I've been in the business for quite a long time and involved in a couple of industry sectors. I've been in the communications industry for most of my career. However, I had the enjoyment of running a power utility for the Province of Saskatchewan also.

I'm here to represent ITAC, a national organization that represents over 300 members made up of Canadian, Canadian-owned, and foreign-owned companies. They include large-scale companies and companies of all sizes. We are the voice of the ICT sector in Canada.

We are a unique sector in that we contribute over \$70 billion to the national GDP in Canada. We generate, directly or indirectly, one million jobs in Canada and invest over \$4.8 billion annually in R and D, more than any other private sector in Canada.

ICT is also broadening to encompass more traditional sectors. In fact, every industry sector in Canada has ICT involvement, and it is dramatically changing their sectors.

We would like to thank you for being here today and we want to talk about the highly skilled workers in the TFW program.

My sector faces enormous skills gaps and labour shortages. The ICTC estimates that by 2020 there will be more than 200,000 unfilled jobs in ICT. These are high-paying jobs with an average income of \$71,000. These will come from the backbone of our knowledge-based economy.

Canadian colleges and universities produce great students, and ICT companies in Canada predominantly hire these young graduates. My organization is doing its part to help train Canadians to fill these jobs. We presently run two programs that have been incredibly successful. The first is called CareerMash, and it targets high school students. The program inspires students to go into ICT and helps them realize connection points between technology, health, the arts, and other disciplines. CareerMash produces inspired, well-rounded students who are ready to pursue post-secondary training in the ICT sector.

We also run a business technology management program, a BTM program, that targets post-secondary students and provides them with technology and business skills. This program has a placement rate of over 90%, and exists due to the generous contributions of the federal government and the private sector.

ICT companies in Canada are eager to hire locally, and will invest in programs such as BTM to ensure a steady supply of talent. However, despite these efforts, Canada does not produce the talent that we need. This is where we need foreign temporary workers.

To be clear, hiring foreign temporary workers in our industry is more expensive and less convenient than hiring locals, and temporary foreign workers do not take the jobs of local Canadians in our industry. They fulfill crucial gaps that will allow our companies to grow and hire more Canadians. We look to temporary foreign workers predominantly for special projects and training. For example, if there is a malfunction with an advanced 3D printer, there may only be a handful of engineers in the world capable of fixing it.

Another example is IoT, the Internet of Things. There is no 10 years' experience in Internet of Things anywhere in the world right now. If we want to get the expertise in Canada or have the expertise flow out of Canada, there has to be movement of personnel.

They also come from outside to train Canadians for particular projects, and they create new products. The ability to train and mentor, in particular, is important to Canadian ICT companies looking to scale up. They have to scale in order to be part of the worldwide....

Earlier this year one of the founders of BlackBerry, Mike Lazaridis, released a white paper called "Scaling Success: Tackling the Management Gap in Canada's Technology Sector". He interviewed over 125 top ICT companies to identify barriers to growth and found the lack of executive- and management-level talent was a major inhibitor to growth. Canada does not have a lot of talent at this level because we don't tend to produce large companies. One of the ways to address this gap and to help Canadian companies to scale up is to bring in foreign talent.

What I'd really like to emphasize here is temporary foreign workers, which is what my industry needs, are highly skilled and in short supply. If Canada cannot find a way to access foreign talent easier, we risk hindering the ICT sector and delaying growth and technological advancement with other sectors of the economy as well. For this reason, I'd like to make the following observations and recommendations:

Canada needs to revamp the national occupational codes. These codes provide key data about employment within our industry. Currently they are outdated and a number of discrete professions end up being pigeonholed into broader categories. This makes it harder for Canada to pinpoint vacancies within the workforce where programs should be developed, and it leads to increased rejections when companies apply for TFWs. Updating these codes, therefore, would have the dual benefit of helping to train domestic workers and facilitating short-term solutions. So, access TFWs.

I'd also like to recommend the creation of service standards for processing applications. Some of these applications take over six months for processing. In our industry we need to make decisions within days or hours. These delays can cause Canadian companies to lose clients or mandates to foreign competitors. Our industry is not overly concerned when the application fees are increased, but they'd like faster turnarounds.

ICT companies are domestically and globally very competitive. There's a requirement that we disclose salaries publicly when we advertise the LMIA, labour market impact assessment, therefore putting off companies. It is a very competitive industry. This can be difficult for smaller companies which cannot always match the larger international salaries. This is why I'd like to recommend the exemption of ICT from having to disclose salaries in the labour market impact assessment.

The definition of "specialized knowledge" should be clarified. This phrase appears to be in international mobility and TFW programs, but there is no set definition. I recommend that we create a clear definition based on several factors: training, education, work experience, and salary. This would make the application process more predictable for companies applying.

Finally, I'd like to essentially ask for two things from this committee.

First, I'd like to recommend that Employment and Social Development Canada and Statistics Canada be more granular with their information. We need more granular information. We cannot prepare students for the workforce of tomorrow if we're not closely monitoring labour patterns. Improved foresight in this area would help universities, colleges, and private groups such as BTM and CareerMash tailor their programs, and in turn, there'd be a decreasing reliance on TFWs. We need the data to be more granular.

Second, I would like to ask this committee to consider restoring the pre-existing sectoral exemption for the ICT sector. Given the severity of our skills gap and the global competition that surrounds TFWs, this would allow industry to grow. If sectoral exemptions are not feasible, then perhaps a trusted employer program could be considered.

In conclusion, I represent interests with significant skills gaps in highly trained and highly motivated personnel. We need the government to collect more data about ICT labour markets and exempt the ICT sector from labour market analysis.

Thank you very much for your time.

● (1550)

The Chair: Thank you, Mr. Watson.

I understand we have a representative from the Caregivers' Action Centre. Unfortunately, Teta Bayan, whom we had here previously and who had offered to come back, was not able to come back Monday and apparently was not able to come today either. However, we do have Marcia Barret from the Caregivers' Action Centre.

Thank you very much for stepping up and stepping in. You have seven minutes, please.

● (1555)

Ms. Marcia Barrett (Representative, Caregivers' Action Centre): Thank you for having me and thank you for listening.

My name is Marcia Barret, cousin of Sheldon McKenzie, who was 39 years old when he was injured and died at 40.

Sheldon was a loving and devoted father of two teen daughters. He began to work as a migrant worker 13 years ago in Canada to care for his family. Sheldon loved to play soccer, loved music, and also coached the game.

Sheldon was injured on January 26, 2015. He died September 17, 2015, on his younger daughter's birthday.

It was during this time of Sheldon's injury and death that I became aware of the frustration and the difficult conditions that the migrant farm workers bore. On top of the injury and death that traumatized our family, the policies that are in place were a source of frustration that we endured during that time. Things we had to endure included the fear of repatriation, of his permit running out, lack of medical coverage, his family's...[*Technical difficulty—Editor*] Realizing that there are no proper policies in place to take care of these workers, who contribute greatly to the Canadian market, was quite a surprise.

The horrible conditions that they have to endure... [*Technical difficulty—Editor*] ...we ever thought happened right here in Canada. Some of the horrible conditions they have to endure...this was during the time in Ontario when we were looking after Sheldon and had the opportunity to talk to other migrant workers, who live in constant fear. They are afraid that if they speak up about the working conditions that they have to endure, they will be repatriated; not only that, they would never be called back to work.

For some of them, this is the only way for them to take care of their families. They are hard-working men and women who came here to contribute to Canada and take care of their families. They're asked to work hours that.... I don't think we subject even a farm animal to those kinds of hours.

Oftentimes, as a family member who was present, I wondered whether, if there were proper policies in place, we would have suffered the loss of a loved one through a preventable injury and death.

As to training, was there... [*Technical difficulty—Editor*] That's a question we're left with all the time. The runners that he was wearing in a sweaty greenhouse, the plastic on the floor that is wet.... Is there a policy in place for proper training?

I've talked to men who have fallen off tractors and hurt themselves. They were repatriated with no health care. They're back in their countries with nothing. They were injured here, yet they are sent home with nothing.

These horrible conditions have to change. The history of the workers who are sent back is... [*Technical difficulty—Editor*] ... heading back to one country, Jamaica, talking to wives and girlfriends of past migrant farm workers who were injured here in Canada and sent back to Jamaica. They're sitting there, no longer able to work, and with no support.

It is hard to grasp, knowing the stand that Canada takes on these issues, knowing that these conditions and these things are allowed to happen.

Also, it was during this time that I found out that these workers are tied to one employer, and whether that employer is treating them well or not, they have to endure those horrible conditions, because if they complain...they cannot change; their permit is tied to one employer. They cannot change that permit; they can't go to another job. For them to continue to care for their families, they have to endure horrible abuse.

• (1600)

I've spoken to a group in British Columbia. They weren't allowed to go use the bathroom, because it takes time. It is conditions and things like this that I hear over and over again that have me speaking up today.

I cannot get my cousin back. His daughter will never celebrate his birthday ever again. The reason for my sitting here before this committee as a family member is that I need you, as fathers and brothers, to review the policies that are in place for migrant workers, the policies that force them to endure things nobody should have to endure.

The label I often hear to describe migrant workers is "low-skill". Low skill does not mean low value or lower human rights.

I am not asking this committee to dismantle the program. The program has been a great benefit to my cousin's family and to many families who are here to work. I am asking the committee to get rid of some of the things in the program that cause these migrant workers not to have access to the proper health care, proper benefits,

proper training, and proper working conditions that regular Canadians have.

I am asking this committee to get rid of things in the program that have caused the worst nine months of my life, living under the constant fear that my cousin, who was lying in a hospital bed with a head injury, was going to run out of health care and be sent back to his country, which does not have the facilities or the medical capability to take care of him.

The torture of watching him, a young man stronger than I am, lying there unable to do anything.... On top of that, the worst torture was sitting there every day wondering if he would be shipped out when I turned my back. I had that constant fear: will his medical be cut off? Will he be sent home?

The families are left alone. We have no resources. I had no resources to turn to in making sure that he got the proper medical care and that the medical benefits would not run out when the permit ran out. He was injured, and he should have the same opportunity as any Canadian to get proper medical care.

Again, I am stating emphatically that I am not asking the committee to get rid of the program. I am asking the committee to review the program and the actions to protect the migrant workers and their families.

The Chair: Thank you very much, Ms. Barret. I appreciate your testimony today.

Ms. Marcia Barrett: Thank you.

The Chair: We will jump right into questions.

First up is Mr. Warawa.

Mr. Mark Warawa (Langley—Aldergrove, CPC): Thank you, Chair.

Thank you to the witnesses for sharing their valuable time with us today.

Mr. Webster, thank you for being with us. I got to know you and your mother, Muriel. I'm very happy that she reached the ripe age of over 100 years of age. Your whole family was very respected in our community, but your mother had roots here in Ottawa; I believe it was in the mid-sixties that she was in charge of the Ottawa Cancer Clinic in Ottawa. She was a very well-respected nurse and radiologist. Then the family moved out to Langley, where we were happy to have you as a family live and grow up.

We're here today to talk about the temporary foreign worker program and changes that are needed.

You mentioned, Mr. Webster, that the process you went through to get your mother a live-in care provider in the home took 14 to 16 months and then you had to ask to get your application reinstated. The total process took 21 months.

We had an official from Citizenship and Immigration Canada here on Monday, two days ago, and we were told the process takes 56 days, yet you shared that it was 14 to 16 months, and it then became 21 months. There's a huge discrepancy between 56 days and 21 months.

The government is considering having those who apply and qualify for a TFW, after an LMIA, immediately get permanent resident status to deal with the issues of people not being well cared for, which we've heard some very sad stories about. Even now we've just heard a very sad story.

We heard that the process for getting permanent resident status is, according to CIC, about a six-month process, as opposed to a 56-day process, because you have to go into more detail for permanent resident status. The government's now considering having permanent resident status come with the TFW approval. Then the big question is, is it going to take longer to get a TFW, or is the process going to be streamlined so that then we would not be screening adequately?

If the government moves ahead so that your approval for a TFW comes with permanent resident status, what do you think of that idea? Will it slow the process down, or speed the process up? Could you comment?

In your case, you showed incredible compassion and care, particularly to the women who had worked and cared for your mother, Muriel. Even after her death, you treated them like family members to make sure that they were taken care of, even with accommodation. How do we make sure that we create a system that protects TFWs and avoid some of the very sad stories that we've heard? You're a prime example of how it's done right, so could you comment.

Thank you.

• (1605)

Mr. Bruce Webster: Thank you very much, Mr. Warawa.

Just to address the 21-month versus the 56-day issue, I initiated the LMO process in February of 2013, after having read all the documents and such on the website. At that time, you had to advertise the job position for three months. There was an error in that I advertised in Abbotsford. In fact, the job should have been advertised in Langley, so that cost me three months. It was my fault. *[Technical difficulty—Editor]* ...understanding what it was.

The LMO process in August of 2013 changed somewhat. It changed by virtue of the government's trying to make it a cost recovery system. There was an additional page to the LMO, which demanded payment of \$750.

Apparently it was sufficient for the government to restart all LMO processes that had not been submitted by July 31. If your submission was received August 1, you were supposedly out of luck. Again, it took some assistance from, I believe, the minister at the time. I contacted the minister in Ottawa. The minister may have suggested that my suggestion was correct and that there should be some sort of weighing-in period, if you will—that it shouldn't be an 11:59 to 12:01 clock-driven change of process.

In summary, then, there were a number of things that caused this particular application and the LMO process to be delayed.

However, to answer your question about granting permanent residency under the TFW program, I don't particularly see that as being terrifically advantageous. Many of the TFWs wish to have permanent residency, but they're willing to serve the 24-month

probationary period within... *[Technical difficulty—Editor]* ...calendar year to achieve their PR, their permanent residency.

The problem with the PR process, as I see it now and as I know from two examples first-hand, is that for the one lady it took 39 months from the time of her arrival in Canada before she was granted PR, and for the other lady, I believe it was 46 months. It's a point I heard from the gentleman from the Information Technology Association. The time is onerous for anybody trying to get temporary foreign workers in.

From the IT perspective, it's critical from their business standpoint. From the standpoint of finding an elder caregiver, it's crucial, because we don't want to hire a TFW to come to a funeral; we want to hire that TFW to come to provide elder care, which, as you know, Mr. Warawa, was the objective.

• (1610)

The Chair: Thank you, Mr. Webster.

We'll go over to Mr. Long, please.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Mr. Chair.

Thank you to our presenters this afternoon.

I have listened with great interest to the presentations today, earlier in the week, and obviously in previous weeks. Coming up with the right framework or formula on TFWs is a heavy load for the committee. We hear and recognize that atrocities and very bad stories and situations have happened out there and continue to happen.

On the other side of that coin, we see examples from ITC, the video game industry, Maple Leaf Foods in Brandon, and other situations or industries that really need temporary foreign workers to sustain them.

We're here to try to find solutions and to come up with the right framework going forward. I can ask you lots of questions about your industry and things such as that, but I think I'm going to start, Mr. Watson, with ITAC and talk about your industry's efforts to recruit, retrain, and attract Canadian workers. We want to hire Canadian workers first, if possible.

Can you elaborate a little bit on what you and your industry have done to recruit, retain, and attract new Canadian workers?

Mr. Robert Watson: Thank you very much.

ITAC, which is the Information Technology Association of Canada, goes from coast to coast. We have relationships with all the major institutions across Canada, including colleges and universities. As I said, CareerMash is down into the high school level now. We have a business technology management program that is now a degree program, which we're working on with the institutions, trying to get it into every post-secondary school we can.

Mr. Wayne Long: Is it community college, or is it university?

Mr. Robert Watson: It's university level.

Mr. Wayne Long: Is it a degree—

Mr. Robert Watson: We also have community colleges that have the program.

Mr. Wayne Long: Is it a degree?

Mr. Robert Watson: Yes.

Mr. Wayne Long: A degree in...?

Mr. Robert Watson: It's a degree in business technology management. It's IT courses, but it's more on the business side. It's not a course that gives you source code programming and stuff like that. It gives you the business of technology.

Mr. Wayne Long: Sure.

I'll let you continue.

Mr. Robert Watson: On June 16 we kick off our new program, Women on Boards, in the ICT industry. It is a program to encourage specifically women to apply for boards and get on IT boards. In other words, we want to balance the gender thing. In the ICT industry we have more males than we do females, so we have a program that will encourage more women to get into the ICT industry in Canada.

Mr. Wayne Long: How are you doing that?

Mr. Robert Watson: The inaugural kickoff event is on June 16. We have participation from all of our members on that. That starts at the top level to see if we can do it that way.

We continually have seminars. We continually have conferences. We continually promote the ICT industry.

One of the other things that's a bit of a challenge, quite frankly, are the young kids. They can be any age, but mostly it's the very young. No matter which gender or wherever in the world they're from, they are inquisitive. They go off and do things. They build their own little applications and stuff like that. Somehow we have to bring them forward and bring them out and encourage that kind of thing.

We're a program. We're involved in almost every aspect. Our members range from one-person members to large Canadian corporations and all the way up to large international corporations.

Mr. Wayne Long: What kind of success are you having? What's your opinion?

Mr. Robert Watson: The success we're having is that 90% of all ICT students graduating in Canada are hired in Canada. The success also is that Canadian companies and foreign-owned Canadian companies are setting up centres of excellence here in Canada: software centres of excellence, a spectrum centre of excellence, a network centre of excellence, and an application centre of excellence.

When you set up a centre of excellence, you have to react. You have to be quick, because the technology changes. If you're a company in Canada that's scaling up to get outside of Canada, or a foreign company that's in Canada, and you want to bring people together, it's not about permanent employees, because they can handle bringing permanent employees into Canada. That's a process. If you want to bring somebody to live here and work here, that's a different process from bringing somebody in to do a project for a year or two years or to help out with a software issue.

If you build those centres of excellence in Canada, we will be doing the same going elsewhere. The free trade agreement has become part of the whole scenario of how we can not only have products moving back and forth but also have people taking our expertise elsewhere.

• (1615)

Mr. Wayne Long: How many temporary foreign workers does the industry need?

Mr. Robert Watson: That's a good question.

The Chair: You have about 30 seconds.

Mr. Robert Watson: ICT is coming out with a report at the end of the month that will give us more information around that.

Mr. Wayne Long: So—

Mr. Robert Watson: Sorry. I'm trying to answer your question.

It is a fluid number, right?

Mr. Wayne Long: Roughly.

Mr. Robert Watson: We have approximately 70,000 unfilled jobs now, and it's getting to 200,000 unfilled jobs in the future for temporary workers.

If corporations can have a set time frame, or even be exempt for now, now's the time. The new technologies coming out now, the worldwide technologies coming out now.... We mentioned 3-D printers before, and now 5G is a worldwide technology. Some of our members want to develop that in Canada.

The Chair: Excellent. Thank you, sir. Sorry, but I have to cut you guys off.

We'll go over to, Ms. Ashton, please.

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Thank you.

I would like to thank all of our witnesses for joining us here today. I would like to direct my questions to you, Ms. Barret, and I want to thank you so much for joining us on such short notice and for sharing the tragic story of Sheldon, your loved one, a story that was also broadcast nationally and I know touched the hearts of many Canadians. I think you touched on it as well.

Many Canadians, seeing that story, asked how this is possible in Canada. How is it that a worker in Canada, no matter where they are from, can be treated in such a way? How can we treat somebody who does that kind of work in such a way?

I also wanted to note that stories like that of Sheldon were shared very powerfully as part of a film that was shown here on Parliament Hill, called *Migrant Dreams*. Hearing directly from migrant workers themselves is something that our committee here obviously has not done enough of. I would encourage all the members of the committee, and those who are tuning in, to watch this film and hear those stories.

Of course, hearing from you today about what Sheldon went through and how he was treated.... We must take it very seriously, and take the recommendations you are putting forward very seriously as well.

I wanted to touch on the battle you had to keep Sheldon in Canada because he didn't have access to health care and there was a constant threat to deport him. There have been some studies on those acts of deportation. You also spoke of people who are back in Jamaica, who were deported after their injuries on the job. I am wondering if you can speak to us as to how unacceptable that lack of coverage and support is for those who are injured on the job.

Ms. Marcia Barrett: I'm a Canadian citizen. I came to Canada, so I believe I have an advantage in knowing some things about how things work here. For me, it was impossible to find the proper place to seek help when we ran into issues. Moreover, migrant workers who have no family here are relying on what the employers are telling them and what the liaisons are telling them.

Most of the workers I speak to who are back in their own countries with no health care were promised that when they got there, they would be looked after. Some of them were told, "Here is a certain amount of money. Go back home, and we will send you money." They are waiting to this day with no resources.

For myself, I had to go to legal aid. I had to try to get lawyers in place to assist me in Sheldon's humanitarian stay for him to stay here and to continue to get health care. When I first showed up in Windsor, I was not told immediately that he had slipped and fallen at work. I was left with the impression that he had a stroke. It took a lot of digging, and it took a lot of investigating on my part and my husband's part to find out exactly what had happened to him.

From then on, there was the constant threat of repatriation from the liaison. It began in a very friendly way. "We will put him in a medevac and send him home, and he will get proper health care." I've been away from my country for a long time, but I happen to know there is not such a thing.

When I started to say, "No, he needs to stay here and receive proper health care", they would not release his passport, so I went to the lawyers for the humanitarian visa to be taken care of. The liaisons held onto his passport. As a family member, I hired a lawyer. I had power of attorney at the time to get the passport, but it still was not released to me. After his death, I still had to fight to get the passport to repatriate his body back to Jamaica for burial.

This is happening with nothing in place for the family or for the workers themselves to go to, because if they talk to those who are in charge of them, they will not be able to come back, and this is, for some of them, the only way to take care of their families. No matter how horrible the job conditions are, they are working hard to care for their families and they will put up with anything to get money to take care of their families.

The problem I have is that this is not the Canada I know, but maybe I've been living in a bubble and I've been blind to a lot of things. This is not what we know when human rights are concerned. We have failed these people miserably, I think probably because the perception is that they're coming here and taking jobs from Canadians. I think that is far from the truth. They are doing jobs that regular Canadians do not want to do.

• (1620)

The Chair: Thank you, Ms. Barret.

Ms. Marcia Barrett: We need to put it in place that their permits are not tied in to their medical care. Their permits must not be tied in to how they are cared for.

The Chair: Thank you very much.

We need to move on.

Go ahead, Ms. Tassi, please.

Ms. Filomena Tassi (Hamilton West—Ancaster—Dundas, Lib.): Thank you, Mr. Chair.

As well, thank you to all the witnesses for your input today.

Ms. Barret, if I could follow up with your comments, I will start by saying I am sorry for your personal tragedy. I listened to what you're saying.

If I were to ask you for two or three specific and direct recommendations to improve the temporary foreign workers system, other than what you've spoken about in terms of what you've been through, what would you offer? What would you say?

Ms. Marcia Barrett: Do not tie their permits to their medical benefits, because once their permits run out, their medical benefits are cut off. That's number one.

Number two, there is a fear of repatriation. There has to be something in place so that when they get sick on the job here or get injured on the job here, they're tapped into regular health care immediately. Whether it's compensation or something else, it's taken care of immediately. They pay into EI, and I know a lot of them do not get EI benefits. That needs to change.

The permit is also tied in to one employer, which means that if anything is awful, they cannot complain, because they have no other resource. I don't think it should be tied in. If they are facing an employer who is abusing them, they should have the right to change jobs.

• (1625)

Ms. Filomena Tassi: Okay, thank you.

In addition to that, with respect to the reporting of abuses, if temporary foreign workers are facing a situation in which they feel they are not being treated properly, is there anything you would like to say there? Do you have any advice there for us?

Ms. Marcia Barrett: Obviously, what I run into.... I can't speak of other people's experiences. I have heard of other people's experiences, but speaking from my experience, the liaison service that is in place is not working. From what I understand, they are there to make sure that the rights of the workers are protected. They are not. I have found that most of my battles, most of the injustice, and most of the fears of the workers were against the liaison workers. Many of them said that if they complain to the liaison workers, they go back to the bosses and tell them, and then they are not welcome to come back.

From my experience, I felt like the liaison workers were working for the boss more than they were working for the actual migrant workers. There needs to be a system in place so that there is safe reporting and proper investigation into.... I am sure probably each country has a liaison who works with these workers. It should not be just left up to them, because what I encountered was that they are in Canada, but they are an entity all by themselves. They were untouchable. Nothing I said, nothing I wanted for my cousin mattered. They had the power, and they could do whatever they wanted.

That should never happen here. There should be a system whereby maybe somebody in the Canadian labour market who has a separate interest has governance over this so that these workers can safely report and be protected and looked after.

Ms. Filomena Tassi: Thank you.

Mr. Watson, I will direct the next couple of questions to you. I know you gave us some numbers. Can you just clarify what percentage of workers in your industry are currently temporary foreign workers?

Mr. Robert Watson: We don't have a figure right now. The report is coming out at the end of the month.

Ms. Filomena Tassi: Do you see this as a long-term or a short-term labour need?

Mr. Robert Watson: We clearly see this is as a long-term labour need, because the need is not just for workers to do source code or develop a product, it is for workers to help a hospital or a power company convert its IT system or to help somebody to develop a new system for renewable energy, to coordinate the power coming from windmills or something like that. Every sector is going through massive changes on the IT side.

Ms. Filomena Tassi: With respect to your efforts in terms of education and trying to get Canadians educating Canadians, you don't think that making the full efforts that you are making would be sufficient to meet the needs in the future.

Mr. Robert Watson: First of all, we have to do more to help with the students coming through the system—not only to get more students to go into the IT sector, but to get more than just young guys going into the IT sector. Diversity, particularly, is what we have to do.

However, even if we had more than our fair share coming through the Canadian system, if we want to start scaling up Canadian companies or have international companies set up centres of excellence here, we have to have more workers. It is a matter of size.

It is not a matter of our industry trying to have them come here. If they don't come here, they will go elsewhere, or they can just sit here and buy fibre optics to develop the product somewhere else. You have to allow them to come here and not only train but also—osmosis—work with Canadians here to train them and teach them what is going on.

Ms. Filomena Tassi: Okay. Is your industry using the pathways to permanent residence that are already in place?

The Chair: Very briefly, please.

Mr. Robert Watson: Yes, we do.

The Chair: That was a brief answer. I will take that as the answer. Thank you.

Mr. Long, go ahead.

Mr. Wayne Long: I have a quick thing for Mr. Watson. Can we get that report? Can you send us that report you were talking about?

Mr. Robert Watson: It is not our report. It is a third party report. We will get that for you, for sure.

●(1630)

Mr. Wayne Long: Thank you.

The Chair: Seeing that we are at the bottom of the hour, I would like to thank this panel of witnesses for being here today and joining us and sharing their experiences.

Thank you, Mr. Watson, Mr. Webster, and Ms. Barret. We really appreciate all of your input. We will suspend for a very brief...three minutes, to get the next panel ready to go, and we will come back.

Thank you.

●(1630)

(Pause)

●(1635)

The Chair: First of all, thank you very much everybody for being here today.

I would like to make sure everybody is here. We're missing a few, I see.

From HyLife we have Jeremy Janzen, senior director, human resources, and Baerbel Langner, in-house legal counsel for immigration.

We also have, from the Canadian Agricultural Human Resource Council, Portia MacDonald-Dewhirst, executive director. From the Agriculture and Agri-Food Labour Task Force, we have Mark Wales. From the United Food and Commercial Workers Union Canada, we have Claudia Colocho and Naveen Mehta, general counsel and director of human rights, equity, and diversity.

Welcome to each of you.

I will start our seven-minute presentations.

Jeremy, are you going to speak? Excellent. You have seven minutes. The floor is yours, sir.

Mr. Jeremy Janzen (Senior Director, Human Resources, HyLife): Thank you very much.

Thank you to the HUMA committee for having us out here, and thank you especially for looking at this very important issue and this very important program.

I'm here with my colleague. For our company, Baerbel is our legal counsel for immigration. She has lots of great things to say. I think we're sharing seven minutes. If someone can cut me off so that I have four minutes and she has three, that would be great. Just give me the indication, please.

The Chair: I'll just raise my hand at four.

Mr. Jeremy Janzen: Excellent. Sounds good.

Thanks again.

We've provided some submissions for you. There are some PowerPoint slides, but I'm not going to follow the PowerPoint. There's a letter there from a former mayor, from the community where we're operating, and some other documents, so please do take the time. They're good documents. They support what I'm going to be sharing and what Baerbel and the other folks here are going to be sharing.

I want to talk a little about our organization. I'll start by saying that I was at my son's baseball game the other day. He's a young guy. The president of our organization was there, so we sat beside each other. He said he was at a meeting. We're in Manitoba. We're based out of rural Manitoba, and he was at a meeting in Calgary. He was also presenting before a government group. They followed up with him after that meeting and asked what our number one thing right now is at HyLife. He said the number one thing is that we can continue to access workers from overseas—that we have a lot of number one things, but that's the number one of the number ones. That is just to say that this is our number one issue, as an organization, in terms of government programs that help us operate. Let me get to that.

We started in 1994. A bunch of farmers in southeast Manitoba got together and said, "Let's build a hog barn." They built that hog barn and employed about 10 people. Fast-forward to today, and we're at about 1,850 people throughout Manitoba, Saskatchewan, and North Dakota.

We didn't rely significantly on the temporary foreign worker program until about 2008. It was 2008 when we moved from being farmers to being people who make food. We raised the pigs, but we sold our hogs to companies like Maple Leaf and other food processors, and they processed our pigs for us. Then we decided we wanted to be fully integrated. Our vision statement is to be the best Canadian food company in the world. To be the best Canadian food company, you have to be a food company, so we needed to buy a food processing plant, or build one.

We bought one. There was a food processing plant in Neepawa, Manitoba. We bought the plant. At the time that plant had 300 employees. We needed that plant to process all of the hogs that we produce. We produce about 1.7 million hogs a year.

With the footprint of the plant and the numbers of people at the plant, they could not process all of those hogs. We needed to essentially add about 800 folks to that plant. The town of Neepawa was 3,000 people at the time. We did scour all of Neepawa for skilled meat cutters and folks to work in our plant. The primary processing position that we needed to fill at the plant was the meat cutter. We scoured the east coast of Canada. We hired some lobster farmers. We hired mushroom farmers from Ontario. We hired construction workers from Alberta. We hired all kinds of folks from all kinds of places. Did we find 800 people? No, we did not. We needed to go overseas to find folks, and we looked for skilled people with a minimum of two years of experience, and preferably three or more.

At the time, this was pre-middle of 2014, so it was before all the changes that happened to the temporary foreign worker program. It was called the LMO process, which I'm sure you're familiar with. We had to go through that. We were fine to go through that.

I'll pass it on to Baerbel, but I'm going to quickly finish my story here. If we would go back in time, if I took you in a DeLorean time machine from *Back to the Future* and we went back to 2008, with the changes that have happened now, limiting us with the cap calculation, with the one-year duration, we would not exist as an organization today. That's not being melodramatic. There are other hog producers in the prairies that have closed their doors, and we were able to continue to operate because of great people and being able to access those folks locally and overseas.

● (1640)

Ms. Baerbel Langner (In House Legal Counsel, Immigration, HyLife): What you have is a company that now employs 1,800 people in rural parts of Manitoba and Saskatchewan. It's a good-news story. This is a company that is continuing to look at opportunities to expand, and primarily into the Asian market, which is also on the mandate of our current government in terms of increasing exports of food products.

The request we have here today is that if we'd like to fulfill that mandate of the government to continue to expand exports of food products into the Asian market, as an example, and we need the workers to be able to do that. What Jeremy didn't get a chance to talk about is the initiatives that we are involved in with Sandy Bay, a first nations community that is about an hour and 15 minutes from the plant in Neepawa that we're working on with Minister Mihychuk, and a meat cutting school that's being planned for that.

I know we don't have a lot of time, and that's a challenge. We'd love to sit down with each and every one of you, and I know we've had the opportunity to do so with MP Cuzner. He was very gracious to listen to our story in more detail, and if any of you would like more information, just call us.

As for the one-year work permits, change them back to two-year work permits. If there's any thought of permanency for any of these programs, we need to go back to the two-year work permit. Even in Manitoba, where we have a wonderful PNP, a provincial nominee program that is processing workers who are there for six months and have worked successfully for six months, there's the situation of putting pressure on the PNP to process them quickly enough to get them through in that year that they're there, because once they're nominated, they're out of the cap and they can extend their work permits.

First and foremost, as you'll see in our PowerPoint slides, it's back to two years as a starting point. The other thing is that the 10%, 20%, 30% cap doesn't work for most industries, but we're here to speak right now about the meat processing industry. The cap calculation is nonsense. In the materials we've provided to you—I won't say it's nonsense; it's complicated. It's discretionary. It's not clear. You may not want to click through and look for schedule E, which does the calculation, so I've provided it to you. If you have a look, you'll see quickly that the cap calculation has challenges because it purports to count the workers on the floor as well as the ones you're asking for in the LMIA, as well as the folks you might have waiting to be deployed in a former LMIA.

You're triple-counting, arguably. There's a bit of discretion in the calculation, but that's what it boils down to. If we're going to go to 10%, guess what? We may be at 3%. That's a whole discussion I'm happy to have with any of you. I do want to give kudos to the department because they've been working with me on this point. I met with Janet Goulding again this morning, and I know she and Jacque Manchevsky are further reviewing it, and that's good news.

I will be quick to finish up. The cap should not exist, especially in the meat industry. A simple solution might be to have the meat cutters have the same exemptions as the swine techs do, so they would be out of the cap if there is still a desire to continue with a cap calculation.

The other option, of course, is to move it out of this department, put it under Minister McCallum's mandate, and have an LMIA exemption for those industries that are found to be suitable, which, based on the research, we would submit the meat processing industry is.

• (1645)

The Chair: Thank you very much.

Ms. Baerbel Langner: Thank you.

The Chair: We'll move on to Portia MacDonald-Dewhirst for seven minutes, please.

Ms. Portia MacDonald-Dewhirst (Executive Director, Canadian Agricultural Human Resource Council): I am the executive director of the Canadian Agricultural Human Resource Council. Thanks for inviting the council to speak with you today about the importance of temporary foreign workers working within the agriculture and agri-food industry. Our testimony as part of this review is important, as over 40% of all temporary foreign workers who come into Canada work within this industry. We're a huge industry and a huge user of the program.

The agriculture and agri-food industry, including the seafood sector, is a very large and important contributor to Canada's economy and its success. It encompasses several industries, including primary agriculture, aquaculture, food and beverage processing, etc. The sector employs over two million Canadians and accounts for one in eight jobs in Canada, or 12% of total employment. Regionally, the industry is an important source of economic activity in many provinces and contributes over \$108 billion to Canada's GDP. It is a huge driver of our Canadian economy as well as our provincial economies. It's a high-impact sector, with incredible growth potential as demand for Canadian

food and agriculture products increases worldwide. That's a really important point.

Although the industry is in high demand, industry stakeholders like HyLife have expressed significant concern about the immediate labour challenges facing the industry and businesses within the industry, and the risks to their viability and growth into the future. The industry needs workers in order to remain globally competitive, to take advantage of export opportunities, and to ensure the security, safety, and sustainability of food for all Canadians.

Based on extensive labour market information research with industry, the Canadian Agricultural Human Resource Council has clarified the labour shortage situation and its impacts for the primary agriculture side of the industry. Ten years ago, the gap between the demand for workers and worker supply was approximately 30,000 workers. Today that gap is 59,000 workers, which means it has nearly doubled in 10 years. Based on increasing demand both domestically and internationally for Canada's food and agriculture products, the gap is expected to double again in the next 10 years, to 114,000 workers by 2025.

Although employers are expending extensive efforts to recruit and hire workers, Canadians are less available in rural areas and less interested in agriculture-related occupations. The industry currently mitigates this large worker shortage by hiring temporary foreign workers. The agriculture industry today is supported by 45,600 temporary foreign workers. These workers are accessed through the seasonal agricultural worker program, as well as the agricultural and regular streams of the temporary foreign worker program. Without these workers, businesses would struggle and Canadian businesses and jobs would be at risk.

The use of temporary foreign workers helps alleviate the gap between available agricultural jobs and available workers, but it doesn't eliminate the problem. Even with the use of temporary foreign workers, there are still significant unfilled vacancies within the industry. There are 26,400 positions that are required to support businesses, yet they are going unfilled by either Canadians or temporary foreign workers. Currently the agriculture industry has the highest job vacancy rate of any industry in Canada, with an unfilled job vacancy rate of 7%, the national average being 1.8%. The council's research clarifies that Canadian producers are losing \$1.5 billion annually, or 3% of the industry's total farm cash receipts, due to unfilled job vacancies. The research clarifies that worker shortages are critical today, with dire consequences for business viability, industry sustainability, and future growth.

When Canadians are not available, temporary foreign workers play a critically important role in meeting the needs of agricultural employers. Temporary foreign workers allow the sector to reduce the labour gap, particularly at seasonal peaks. Given the projected future labour gap, the need for foreign workers will grow. The council, along with 75 other industry associations, including HyLife, supports the implementation of the Canadian agriculture and agri-food workforce action plan, a recommendations report developed by the industry that is designed to address the immediate and pervasive issues of the inadequate supply of workers currently impeding businesses in Canada.

• (1650)

The effort is guided by a national labour task force, and includes recommendations that are practical and essential to ensuring the safety, sustainability, and affordability of food for all Canadians and that support Canada's continued position as a leader and significant contributor to food production for the whole world.

Mark Wales, the council chair, will now present further information about the important role that temporary foreign workers play within the sector, especially at this time when the industry is facing such significant job vacancies. He is also the co-chair of Canada's agriculture and agri-food national labour task force.

The Chair: Thank you.

Go ahead, Mr. Wales.

Mr. Mark Wales (Labour Task Force, Agriculture, Agriculture and Agri-Food Labour Task Force): Thank you.

Thank you, Mr. Chair and members, for inviting the Agriculture and Agri-Food Labour Task Force to participate in your temporary foreign worker program review.

I am a farmer from Elgin County, Ontario. I'm the chair of the Canadian Agricultural Human Resource Council and the co-chair of Canada's Agriculture and Agri-Food Labour Task Force.

The agriculture industry is a high-impact industry that is facing very critical workforce shortages, as Portia has mentioned. Currently the industry relies on international workers through the temporary foreign worker program to fill a portion of its vacant positions. Based on extensive research and industry consultation, improvements to accessing international workers are required for the agriculture and agri-food industry to succeed and grow.

The current mechanisms of the temporary foreign worker program are restrictive and difficult to use. Industry recommends that the agriculture and agri-food industry be removed from the existing temporary foreign worker program and a new, dedicated Canadian agriculture and agri-food workforce program be created to address the unique aspects of our industry. I am pleased to share the industry's concerns and recommendations with you today to inform you on your review.

The agricultural and agri-food industry is a large and very impactful sector of the Canadian economy, contributing almost 7% to our country's GDP. It is also the key driver of most provincial economies, producing food and agricultural products that support ever-increasing demand in Canada and around the world. Unfortunately, at this time the industry is struggling to address a both

protracted and extensive labour shortage. Businesses are unable to find Canadians to work on their farms and in their processing facilities.

The industry, as Portia has mentioned, has tens of thousands of vacant positions that remain unfilled, vacancies that cost the industry billions of dollars in lost sales. As a farmer, there is nothing more discouraging than planting a crop and not having enough people available at key harvest times. That leads you to make decisions to not grow certain things.

Industry stakeholders have expressed significant concern about the immediate labour challenges facing Canadian agriculture and agri-food businesses and the risks to their viability and their growth in the future. This issue is critical and is affecting all aspects of the industry, including all commodities across the value chain. These shortages mean significant risks to the sector.

This issue has been well researched and documented in the Canadian agriculture and agri-food workforce action plan and is supported by the new agriculture labour market information research that the Canadian Agricultural Human Resource Council has recently released, which Portia spoke to.

The agriculture and agri-food industry has many unique workforce challenges that contribute to the current shortage. The industry, as mentioned, operates mainly in rural locations with limited availability to Canada's workforce. Jobs involve handling live animals and plants, which will perish without dedicated attention. There are seasonal aspects to the work because of Canada's climate, and the work is sometimes physical and strenuous. For these reasons, the industry struggles to meet its labour demands.

Hiring Canadian workers is the first priority of our industry. Employers expend extensive efforts to recruit and retain Canadians. However, when Canadian workers are not available to meet the workforce requirements for the industry, international workers are sought as needed to fill vacant positions.

The agriculture and agri-food industry uses various streams of the temporary foreign worker program, including the seasonal agricultural worker program, otherwise known as SAWP. Commodities not on the national commodities list and processors use the main part of the temporary foreign worker program.

The seasonal agricultural worker program is celebrating its 50th anniversary this year. SAWP is one of the longest-standing and most successful labour mobility programs in North America. Authorities from Canada and each participating country in the Caribbean and Mexico co-operate to run the program, in close coordination with employers, all the while safeguarding the labour rights of employees. Current research clarifies the value of the program to Canadian businesses and to the workers who participate in the program and bring their earnings back to their home countries. Both the SAWP and the agricultural stream programs have regulated wages, regulated housing, and a serious compliance regime. The labour task force recommends no changes to SAWP.

Not all agriculture and agri-food businesses can access the SAWP program, so other streams of the temporary foreign worker program are also used to fill vacant positions. The streams and rules are cumbersome and complex, yet access to international workers is essential to Canada's farmers and processors. Without foreign workers, agriculture and agri-food businesses would have too many unfilled positions and would close.

Research clarifies that international workers secure Canadian jobs: every foreign worker in the seasonal agricultural program creates two additional Canadian jobs, every beef sector worker creates 4.2 additional Canadian jobs, and every butcher creates six additional Canadian trimmer jobs in meat processing plants.

• (1655)

These are important statistics.

When Canadian workers are not available, access to international workers is vital to meet Canada's food and agricultural production. The need to improve access to international workers is clear. Recent changes to the temporary foreign worker program have made things worse and have resulted in extensive challenges for the industry that are constraining the ability of Canadian agriculture businesses to succeed.

The industry struggles with the cumulative duration rule, which blocks Canadian-trained, uniquely skilled seasonal workers, such as beekeepers and grain farmers, from returning to their jobs after four years. These are positions that businesses depend on and for which they are unable to find Canadians.

Additionally, the 30-20-10 cap on the number of temporary foreign workers within a business is restricting operations such as meat processing plants, which are already facing excessive shortages.

Furthermore, there is a need to improve pathways to permanency to allow successful foreign employees access to viable ways to become permanent residents in Canada. Businesses want to keep their workers, and they are supporting them in various ways, including extensive language training. They are unable to retain their workers when pathways to permanency are limited or non-existent for some agricultural commodities.

When farms and processing plants are unable to fill positions, their ability to continue to operate is jeopardized. This is bad for business and bad for Canada.

Canada's Agriculture and Agri-Food Labour Task Force has expended extensive effort reviewing and analyzing workforce issues facing all aspects of the industry. The task force is composed of industry representatives from every aspect of the agriculture and agri-food value chain. This group has documented a solutions-oriented action plan that includes clear recommendations on much-needed improvements in securing workers for the industry. The agriculture and agri-food workforce action plan is backed by over 75 agriculture industry associations.

I'm going to conclude because time is limited.

Canada depends on the agriculture and agri-food industry in terms of economic activity and the valuable food and products it produces. Currently the ability of the industry to thrive is being thwarted because there are extensive job vacancies. The labour task force recommends that government partner with industry to fix the labour situation and deliver on the Canadian agriculture and agri-food workforce action plan to allow Canada to expand its market share and become the food supplier of choice to the world.

Thank you.

The Chair: Thank you very much, sir.

We're moving on now to representatives from the United Food and Commercial Workers Union of Canada.

You have seven minutes.

Mr. Naveen Mehta (General Counsel, Director of Human Rights, Equity and Diversity, United Food and Commercial Workers Union Canada): Good afternoon.

Mr. Chair, vice-chairs, and members of the standing committee, thank you for the opportunity to present our views today on behalf of UFCW Canada. We've also provided the standing committee with broader written submissions.

My name is Naveen Mehta. I'm general counsel and director of human rights for UFCW Canada. In this role I've had the privilege and honour of advocating for a sustainable and progressive immigration system for the last decade.

As you may know, UFCW Canada is one of the largest private sector unions in the country, with thousands of migrant worker members and more than any other union in Canada. We're in a unique position in that we can give you a genuine account of how our immigration system could work for the benefit of Canadians, the Canadian economy, employers, and workers.

I have the privilege of being joined by Claudia Colocho, who is a member of our union and of Maple Leaf Foods in Brandon. She's going to detail her experiences as a temporary foreign worker, or migrant worker, in a unionized workplace where both the union and the employer work together to ensure utilization of a robust provincial nominee program for almost every migrant worker member of that workplace. Claudia is here to give you a sense of what a sustainable and progressive immigration regime could look like when it comes to being aligned with labour market needs and providing a significant opportunity for permanent residency.

Given the working relationship between UFCW Canada and our employers, such as Maple Leaf meats, Olymel, HyLife, and Cargill, Claudia's story is not a sad one, as opposed to the heart-wrenching experiences of other migrant workers in non-unionized settings that you've heard over the last two weeks.

With that, I'd like to turn it over to Claudia.

• (1700)

Ms. Claudia Colocho (United Food and Commercial Workers Union Canada): Good afternoon, everyone. My name is Claudia Colocho. It's my pleasure to be here with you today to tell you my story with the temporary foreign worker program.

I am originally from El Salvador. I came to Canada in 2005 as a temporary worker with a food processing plant in Brandon, Manitoba. As with most migrant workers, our family situation back home was not financially ideal.

I lived with my mother, who took care of us as a single mother. I lived with my brother and my younger sister. My mother worked hard to take care of us. She worked as a secretary for many hours a day. My older brother worked as a customs agent in El Salvador, and my younger sister worked to pay for her education. I can tell you that for us to get an education is very difficult. We both worked and tried to go to school before I made my way to Canada.

We lived in one of the poorest areas of El Salvador. I was only able to make about \$5 in a day, and my school cost about \$60 per month. It was basically impossible for my sister and me to attend school. I had great aspirations of becoming a lawyer in El Salvador, but it was exceptionally difficult to make ends meet. That is when the opportunity to come to Canada and work for Maple Leaf Foods arose.

I came to Canada at the age of 23. I was single and I didn't have any children. I could focus on learning English and saving money to return to my country, but then I fell in love with the Canadian culture, with the Canadian people, and with Brandon. I didn't fall in love with the winter, though.

Working in a meat packing plant is not an easy job, but I worked for Maple Leaf Foods for four years, first as a meat cutter, then in sanitation, followed by quality control in the procurement department. Determined that I would make Canada my home, I studied English at night through the courses provided by my union. Once I became a permanent resident, I worked in a settlement services office. I have the privilege of helping others to make Canada their home.

I cannot imagine going through this process without the immense help of my union, UFCW Local 832, and my employer, Maple Leaf Foods. They provided me with the settlement services that are not available to the vast majority of migrant workers. I did not have gaps in my health care. I had decent wages and working conditions, and I was part of a bigger family. As a result of being fortunate enough to be hired into a unionized setting, I was able to go into the Manitoba provincial nominee program.

I feel I am an important part of the workplace in the community, as all people should be. I was treated with dignity and respect. Both my union and my employer invested in me, and I can now invest in Canada. Rather than being just a temporary visitor to this great country, I am now part of its fabric. I am a Canadian citizen now. I pay taxes, and more and more of my money stays in Canada so that I may build a life here and be part of the Canadian economy. Without the provincial nominee programs and the support of my union and employer working together, I would likely not be here speaking to you today. I wish for all workers coming to this country not to be visitors, not to be temporary workers, but to make this great country their country.

Thank you so much for the opportunity to speak to you today.

• (1705)

The Chair: Thank you.

You have about one minute, sir.

Mr. Naveen Mehta: Fantastic.

In closing, I'm going to ask you to review our written submissions, which detail what we see as a progressive immigration system.

I also want to thank the federal government for having the courage to take the step of reviewing this desperately broken program.

This submission is part of a web of submissions from industry, unionized employers such as Maple Leaf Foods and HyLife, grassroots organizations such as the Migrant Workers Alliance for Change, and UFCW Canada, which is a prominent voice for labour on migrant workers' issues. We've worked together towards what we see benefits Canadians, the Canadian economy, and workers.

For instance, what we did in 2014 was ingenious. UFCW Canada and our employers negotiated a memorandum of understanding that laid out the shared understanding of a sustainable immigration regime and what it should entail.

I'm just going to quote this one little piece:

The temporary foreign worker program has never been a coherent, strategic, or reasonable alternative to what the Canadian economy requires, an immigration regime allowing individuals with a variety of skill sets to become permanent residents and eventually citizens of Canada.

That's the union and the employer talking about those two facts together.

Thank you for your consideration and the opportunity to present today. Subject to any questions you might have, those are our comments.

The Chair: That was great. Thank you very much.

We go over to Mr. Deltell for the first questions.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Thank you so much, Mr. Chair.

Ladies and gentlemen, we welcome you to your House of Commons. We are very pleased to welcome you here.

[*Translation*]

I will say a few words in my mother tongue. Welcome.

The topic we are discussing is a current issue in your provinces. However, I can tell you that, in Quebec, we are facing exactly the same reality. We have production companies that need workers.

Temporary workers are hired to harvest crops, including fruit and vegetables, but also in many pork processing plants. In Quebec, we joke that we have more hogs than people. The annual hog production is around 7 million and the province has about 7 million people.

[*English*]

I can repeat that. There are more pigs in Quebec than citizens. My colleague, Mr. Cuzner, is always accurate on that issue.

But seriously, we face exactly the same challenges. There are two points here: those who work on the farms and those who work in the processing plants.

I want to get some information from you.

First of all, Madame Langner and Mr. Janzen, I would like to hear you explain why we have to hire people from outside Canada. I know that in your city there is no unemployment. We all recognize that 2%, so everybody works there, I suppose. In your province it is 6.4%, or 6.1% in Winnipeg, so there is a good situation, but how can you explain that in Canada, where not everyone is working, we have to attract people from other countries? How can you explain that in your specific area?

Mr. Jeremy Janzen: You're agreeing that in our areas, where we operate, it's explainable why we would need to go outside.

Mr. Gérard Deltell: Yes. Why would we need people from outside? How come? How could you explain that?

Mr. Jeremy Janzen: For us, for our industry, for our area, you did mention our low local population, so that's one factor. If the town of Neepawa has 3,000 people and we need 1,000 people at the plant...

As well, they need to have a certain skill level in cutting up the meat, because our customers demand it in Japan. We're in the highest-end market in the world. HyLife exports the largest number of kilograms to Japan of any hog producer, so we need skilled meat cutters, people who know how to cut that meat, and not just numbers of people. We need people who are maybe from the Philippines and are from AA or AAA plants, not just people who did some butchering in their backyard. Those people, unfortunately, are not available, so that's one factor.

There's low unemployment, and you mentioned the 2.4%, so there are just not a lot of local people available. That's a factor.

Then there's the simple fact of turnover rates, even if you're not growing your plant. I told the story of how we were growing our plant from 300 to 1,200, but even just to maintain turnover... We have the industry-low turnover rate of 10%. The industry average is

25%. Let's say that we went to 25%. We'd need 250 folks per year. We wouldn't get that locally in that area, or even throughout Canada.

• (1710)

Mr. Gérard Deltell: But why don't you think of attracting people from Alberta? There are a lot of people who are losing their jobs, so why is it that you cannot attract people from Alberta and have to go offshore to attract people?

Mr. Jeremy Janzen: We also go to Alberta for job fairs every year. We were there this year in the last few months. We aggressively look for folks who are willing to move and transfer over and we open our doors up, but we don't get applicants.

Mr. Gérard Deltell: And the results of what you are doing are not good?

Mr. Jeremy Janzen: No. In the last couple of years we hired some construction workers from Alberta back when we were double-shifting our plant. We managed to hire a few, but it's interesting that we hired construction workers from Alberta rather than people from our industry. Again, they didn't have the skills we were looking for, but we needed folks, so we did so.

We had a job fair this last weekend in Winnipeg, which is two hours away from our plant, and met with an organization that's facilitating the movement of permanent resident immigrants from different parts of the world who are already here in Canada. We said, "Come work for us." We're ready for this. We have connected with the provincial nominee program and their various settlement offices throughout Manitoba to say that if there are Syrian folks who eventually get to rural parts of Manitoba, please meet with us. We're opening our doors to that as well.

Mr. Gérard Deltell: I will get back to my first question. How can you explain that Canadians don't want to work in your plant?

Ms. Baerbel Langner: I think you had a similar answer from one of the witnesses on Monday, which maybe I'll give you today.

The challenge that we have is that folks are not moving from other parts of Canada to rural parts of Manitoba to process meat and to cut up pigs. We invite you to come to our plant and have a look—we'll give you a tour—and you can see the reality of the work. That's it. There is no other answer. The answer is very simple. People are not coming to rural Manitoba to process pigs. There you have it. It's not an attractive, sexy thing to do, unfortunately.

Mr. Jeremy Janzen: The short answer is that the work is tough, but there are a lot of tough jobs, and I don't always believe that's the full answer. There are a lot of different things you can do on the floor. There's sanitation. There's quality. There's cutting meat, putting boxes together. However, is it the coolest thing for our parents to encourage our kids to get into meat processing?

I think that if you came to the plant, you'd see that there are great jobs there, but that mindset isn't pervasive in the typical youth of today. They aren't saying they want to grow up to be a meat cutter, even though you can make 21 bucks an hour in our collective bargaining agreement, plus \$1 attendance, plus great benefits and all this stuff. It's just not in people's mindset to come and do that kind of work, for the most part.

The Chair: Thank you very much.

Sorry, but we do have to move on. I believe we are going to Mr. Long.

Mr. Wayne Long: Thank you, Mr. Chair, and thank you to the presenters.

I too used to work in a meat processing plant as a meat cutter. I used to work for Canada Packers, and I also was in the aquaculture industry, in processing and marketing. There's no question that you all are speaking with one voice, and as I said to the witnesses before, there are certainly examples of atrocities and abuses of the system. Then there are examples of what is needed, and the potential downside, I guess, to not having temporary foreign workers.

I think I'll start with Ms. MacDonald-Dewhirst.

Can you give me an overview of what will happen to the industry, in your opinion, over the next five years, if you don't get what you need for temporary foreign workers?

Ms. Portia MacDonald-Dewhirst: What the industry is experiencing today is a contraction. We know that the industry and agriculture have lost \$1.5 billion in sales. That's the agriculture side of the agri-food industry, this huge driver of our economy.

Mr. Wayne Long: I'm just going to jump in quickly, if you don't mind—

Ms. Portia MacDonald-Dewhirst: It's already contracted.

Mr. Wayne Long: Is the industry limited by a market mechanism? Is it availability, or is it simply as easy as...?

I'm good friends with Scott McCain. I wasn't in the Brandon plant, but we drove by it on the way to the Memorial Cup. Is it just that if you have more temporary foreign workers, you can process more hogs? Is it that simple?

Ms. Portia MacDonald-Dewhirst: It's that simple. The industry is poised for growth. There's great potential in this industry. It can be as big as we want it to be, but right now it is being constrained. It is the number one risk to business success, never mind expansion.

The number one risk to business success is this labour shortage, the unfilled vacancies. If you go to the meat processing plants, you will see hundreds of stations that sit empty. They cannot find people to work in those positions. These plants and farms across Canada are in rural settings. Where does our population live? It's in the urban centres.

• (1715)

Mr. Wayne Long: Can you put a number on what you think would be lost in jobs and in dollars?

Ms. Portia MacDonald-Dewhirst: Right now, we know there is \$1.5 billion in lost sales on the agriculture side alone.

Mr. Wayne Long: You said \$1.5 billion?

Ms. Portia MacDonald-Dewhirst: Yes, \$1.5 billion

Mr. Wayne Long: Annually.

Ms. Portia MacDonald-Dewhirst: That's annually in lost revenues, for the agriculture side of the agriculture and agri-food industry. That is an incredible contraction of the industry. The industry is at critical risk at this point in time.

Mr. Wayne Long: We really appreciate your coming in and we're here for your opinions, so I'm going to focus back to you, Ms. MacDonald-Dewhirst.

Knowing that it's not one size fits all and that you can't just cookie-cutter a solution across the country, if you were the minister of employment and labour, what would you do to fix this situation? Just give me your opinion. What would you do?

Ms. Portia MacDonald-Dewhirst: I'm glad you asked that question, because the industry has come together to sort that answer out. They've done the research, and it's called the Canadian agriculture and agri-food workforce action plan. It lists two overarching recommendations: this industry needs to fix the supply of labour, and it needs to invest in skills training for this industry. With those two components—fixing the supply of labour and ensuring the workforce is well skilled—this industry would really be poised for growth and success.

The workforce action plan has done the work, has done the research. It's led by Canada's national labour task force. This industry has its act together. It's really put some effort into coming together with one voice for all commodities across Canada.

The Chair: I beg your pardon. I have paused your time. I notice that the bells are ringing. I need to ask for unanimous consent to continue. I suggest we continue for approximately 15 minutes—actually, less than that. We will leave right at half past. Do I have unanimous consent?

Some hon. members: Agreed.

The Chair: Thank you.

Continue, please.

Ms. Portia MacDonald-Dewhirst: I just want to close by saying that we have prepared some binders for you. Everybody is leaving you with good information and good research. That workforce action plan is in front of you. You have our clear recommendations, including the recommendation that Mark Wales spoke about for this very complex industry. The industry is hoping for a centre of specialization and some special attention to its needs, as laid out in the workforce action plan.

Mr. Wayne Long: In that report, you also talk about expanding and improving pathways to permanent residency, and I think another recommendation is a central office for LMIA's. Can you elaborate on those?

Ms. Portia MacDonald-Dewhirst: Improving pathways to permanency is really critical for the issues that were described. We want to ensure that those workers who come in through a temporary foreign worker program of some sort have an opportunity to continue to be skilled workers in the industry and grow with their jobs into real careers. There are limited pathways to permanency within different provinces and within different skill sets, and that is really constricting the ability of Canadian-trained workers who come to our country to stay with the businesses that have supported them.

The Chair: Excellent. Thank you.

I'm sorry; you don't have enough time for another question, I'm afraid.

We will move on to Ms. Ashton, please.

Ms. Niki Ashton: Thank you, and thank you to all our witnesses for being here today for this important study.

Based on the testimony we have heard over the last few weeks, it is clear that what we are talking about here is the concept of immigration to our country. As the daughter of immigrants—both my parents immigrated to Canada—I know, through my family, what it means to come here for a better future for their children. Unfortunately, that is not something afforded to temporary foreign workers, certainly not those who will never have access to permanent residency. It has been made known to us that since 2006, Canada has accepted more temporary foreign workers than immigrants, and that is a problem.

I am heartened to hear—and we have heard it over the last few weeks—a constant reference to access to citizenship. I think we have to be clear as to how that is central to the solution, but there is a lot more here that we need to be dealing with.

I want to direct my questions to UFCW, and particularly to a number of points you alluded to.

First, I want to acknowledge—and it was touched on by HyLife as well—that in Manitoba workers do have access to PNP, the provincial nominee program. I would acknowledge that this has everything to do with the kind of leadership we saw at the provincial government level from the NDP government and that it is not available in other provinces to the extent that it is in our province. I think that needs to be acknowledged. There must be political will so that workers can have access to citizenship. Just talking about it in theory is not going to cut it.

I want to bring it back to how the lack of access to status is connected to the potential abuse that workers might face. We just heard from the cousin of Sheldon McKenzie, a man from Jamaica who was picking vegetables in Leamington who was hurt on the job and eventually died from his head injuries. He was at threat of being deported on a regular basis. It was his cousin, who is a Canadian citizen, who was able to stop him from being deported. She talked about the ability to stay here and what it means to have access to citizenship. Could you talk to us a bit about what is at risk when people don't have access to citizenship?

• (1720)

Mr. Naveen Mehta: The model that UFCW Canada is setting out works in an unionized setting. The success we've had with Maple

Leaf, HyLife, Olymel, Cargill works because even where there's a road to permanent residency, during those two years they're under a collective agreement and they have a union policing the collective agreement and dealing with grievances and health and safety issues. There's this huge union family working with the employer so that the outcome is that employer is able to keep those workers.

They're paid decent wages. They get benefits. Some of them are allowed to bring their families during that period. It's a night-and-day difference difference between that and the regime most migrant workers face across this country. Even in Alberta, for example, the opportunity to join a provincial nominee program in a non-unionized environment is held out like a carrot, and we have layers and layers of cases of abuse of these workers.

I know we've had this discussion from an economic perspective, which is fundamentally important to us as Canadians, but we can't just view the workers as commodities. They're human beings who have children, who pay taxes, who are part of nation-building and part of the fabric of the country. If we're going to have that dialogue, we have to ensure that the road to permanent residency can't be a long one. If anything, permanent residency upon arrival is what's preferred; the less preferred is the pathway to citizenship and permanent residency.

We know from the live-in caregiver program that there are thousands upon thousands of cases of abuse and exploitation of migrant workers in this country. About four years ago we put together an entire book called *Migrant Worker Book of Abuse*. There are four large volumes. They were too big to bring on the plane.

It's important to bear that in mind. We believe in the economics of Canada, but the key is to ensure that we have good, healthy workers. If we need workers, these jobs are obviously not temporary, so why don't we give them an opportunity to stay? If they're working towards their permanent residency, we need to make sure that they're not just left out there alone, because that's where the abuses happen. That's where people get injured. That's where people get killed.

Ms. Niki Ashton: Mr. Mehta or Ms. Colcho, can you speak to what it means for migrant workers to pay into EI without being able to access it?

Ms. Claudia Colcho: It's hard for me to understand how we can pay into EI without receiving the protection we are paying for. I have seen workers who have accessed it by mistake and then gotten penalties for doing something they didn't know they didn't have a right to. I assume that if I pay into it, I have a right to have it and I'm entitled to it. I don't understand why we don't have access. I think that's something that needs to be reviewed.

• (1725)

The Chair: We'll go over to Mr. Ruimy for the last word.

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): My thanks to everybody for coming today.

Mr. Mehta, we've heard a lot of abuse stories, and that seems to form the basis of a lot of testimony. However, you're telling us the opposite. You have a great story sitting right next to you. What's the reason that your story is so different from everybody else's?

Mr. Naveen Mehta: I'm glad you asked that question. The difference is that during the road to permanent residency, we have a whole regime of protections around the worker in this environment. It's a unionized environment.

If workers are alone, by themselves, with no unions involved, they are fully on their own, and it's not the way it would be for you or me being non-union. If I don't like my job, I can leave, but they're tied to the employer. They have no labour mobility. The employer has them by the jugular.

Mr. Dan Ruimy: A tip line currently exists for TFWs experiencing abuse. Do you think that's adequate? Do you have any ideas on how we can improve upon that for non-unionized workers?

Mr. Naveen Mehta: The tip line, like the enforcement, is nonsensical. From my understanding, the previous government put together a book of blacklisted employers. For years, there were very few names in it.

We can't rely on workers to say they're having a problem. We need proactive enforcement. That means governments going out into the fields, into workplaces, and actively monitoring employers. Without this, we will continue to have those abuses, and human beings will continue to be treated as commodities. I don't think that's the Canada that we want.

Mr. Dan Ruimy: What body would you suggest should monitor the abuses?

It's across the country, so how would we be able to monitor the situation? We couldn't just go out and send inspectors all over the place. Could we?

Mr. Naveen Mehta: Of course you could. Why couldn't you? We inspect all sorts of things in this country.

I think you can do it at the federal level where things are under the federal jurisdiction, but there has to be an honest conversation between the provinces and the federal government as to what they want that immigration regime to look like. This is under federal jurisdiction, but if we don't have that dialogue, then you have a patchwork of systems. In Alberta you might have 5,000 provincial nominee seats, whereas in Ontario, depending on your skill level, you might have none.

Mr. Dan Ruimy: Okay. Thank you.

With transferable work permits, currently it's an unfair relationship of power. While maintaining respect for LMIAAs, how can we balance workers' rights while ensuring that workers remain within the sectors and regions where they've been hired as per their LMIAAs?

Mr. Naveen Mehta: It's in our submissions, and some of the other speakers have spoken to this issue as well. If we're going to be a little ingenious—and I don't think it's an ingenious solution—you have sectoral bargaining and you have sectoral work permits as well. I think that starts to answer that question.

If you have one employer that is horribly bad, my preferred response to all of this is to join a union, but if you have a horrible employer, this way you could at least go to another employer in that sector.

Mr. Dan Ruimy: Amendments in 2014 attempted to reduce the number of temporary foreign workers, and this was with the previous government. What are your thoughts about those changes? How did they impact the situation?

The Chair: Very briefly, please.

Mr. Dan Ruimy: Very briefly.

Mr. Naveen Mehta: In a couple of words, it was a ridiculous response to political imperatives in the previous regime, which felt it was bad for industry, bad for workers, bad for Canada, and bad for the economy.

Mr. Dan Ruimy: Thank you.

The Chair: Seeing that we're at the bottom of the hour, I would like to thank all of you for your attendance and your testimony on this study. I'd like to thank all of the committee members, my stand-in clerk, and the analysts. Once again, thank you very much.

We will not be coming back. Unfortunately, we do have more than one vote, so we will be adjourning today.

There is a special thank you to Mr. Bossio for standing in for Yves. To all those involved in making us look fantastic on television, I appreciate that as well.

We are adjourned.

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