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Chair: Mrs. Salma Zahid



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• (1530)

[English]

The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)): I call the meeting to order.

Welcome to meeting number 26 of the House of Commons Standing Committee on Citizenship and Immigration.

The Board of Internal Economy requires that the committee adheres to the following health protocols. Maintain a physical distance of at least two metres from others. Wear a non-medical mask unless seated, and preferably wear a mask at all times, including when seated. Maintain proper hand hygiene by using the hand sanitizer provided in the committee room, and regularly wash your hands well with soap. As chair, I will enforce these measures. I thank you all for your co-operation.

Today's meeting is taking place in a hybrid format pursuant to the House order of January 25. I would like to outline a few rules to follow. Interpretation services are available for this meeting. You may speak in the official language of your choice. At the bottom of your screen you may choose to hear floor audio in English or French. With the latest Zoom version, you do not need to select a corresponding language channel before speaking. The "raise hand" feature is on the main toolbar, should you wish to speak. As a reminder, all comments should be addressed through the chair. When you are not speaking your microphone should be muted. The committee clerk and I will maintain a speaking list for all the members.

Today, for the first hour, we will continue our study on labour market impact assessments under the temporary foreign worker program. We will be hearing from the witnesses.

We have, today, as an individual, Faye Arellano, law clerk and community advocate-volunteer.

We also have the Canadian Federation of Agriculture, represented by Scott Ross, assistant executive director; and Chris van den Heuvel, second vice-president.

We will also be hearing from the Atlantic Region Association of Immigrant Serving Agencies, represented by Myriam Mekni, executive director; and Craig Mackie, co-chair, board of directors.

I would like to take this opportunity to welcome all the witnesses. Witnesses will be given five minutes for their opening remarks.

Ms. Kwan.

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Madam Chair.

Before we begin hearing from our witnesses, at the last committee meeting I asked about the Hong Kong study and when the draft report would be provided to committee members, to which we were advised that it would be provided at the end of May, May 26.

The Chair: May 14.

Ms. Jenny Kwan: Is there any possibility that report could be provided to us by May 7? Was that deadline set by the chair, or is it a capacity issue? If it's not a capacity issue, could we receive it by May 7? I see on the calendar we actually have May 10 and 12 not slotted for witnesses yet. I wonder if we would be able to slot the work on the report on May 10 and 12 for the Hong Kong study.

The Chair: Thank you, Ms. Kwan, for raising that question before we start. I just want to clarify that that date was not set by the chair. That was the date given based on the input that I was provided by the clerk and the analyst. They had to compile the report, get the translation done, and that was the earliest, I was told, the report could be sent to the members. I can ask the analyst to please clarify whether there is any possibility of providing it earlier.

Ms. Madalina Chesoi (Committee Researcher): The report is currently with translation. We were told there were a number of reports in translation, so it's a question more of resources from the translation bureau. We can follow up with them and see if we can have a new date, but I cannot promise at this point. It's been with translation for a while now. We're waiting on them.

• (1535)

Ms. Jenny Kwan: Thank you.

If we could check, that would be great, because before witnesses are slotted in, I think we have an opportunity if we can get it by the 7th. Then we'd be able to actually go through the materials on the 10th and the 12th.

Also, of course, with the Hong Kong study, there is quite an urgent situation. Things are escalating quite a lot in Hong Kong right now. The sooner we can get this report with the recommendations to the government, I think, the better.

Ms. Madalina Chesoi: We'll check with translation whether there's a possibility of changing the date.

Ms. Jenny Kwan: Thank you so much.

Thank you, Madam Chair.

The Chair: I will follow up with the clerk and the analyst and see if there is any possibility of getting that from the translation bureau, and I will accordingly then update the members.

Ms. Jenny Kwan: I would really appreciate it.

The Chair: Thank you, Ms. Kwan.

With that, we will now go to our witnesses.

Welcome again. We will start with Ms. Arellano, who is a law clerk and community advocate-volunteer, appearing before us as an individual.

Welcome, Ms. Arellano. Thanks for appearing before the committee. You will have five minutes for your opening remarks. Please proceed.

Ms. Faye N. Arellano (Law Clerk and Community Advocate-Volunteer, As an Individual): Thank you, Madam Chair.

Good afternoon, everyone. Thanks for inviting me to participate in this important and timely hearing in your study on temporary foreign workers.

I am a former lead person of the ministry of social justice and the caregivers ministry under the Archdiocesan Filipino Catholic Mission in Toronto. That's where I learned so much about caregivers. I will speak about my observations and recommendations for possible solutions and remedies to shortages of temporary foreign workers, particularly caregivers.

It is a fact that Canada has relied on foreign caregivers for vital services to Canadian families with regard to their young children, elderly and loved ones with disabilities. By employing caregivers, working families leave for work with peace of mind and confidence that their young children are being taken care of by reliable caregivers in the privacy of their homes. With Canada's aging population, the need for care at home, long-term facilities and hospitals will only continue to grow, and Canadians with disabilities also benefit from the care and support of a dedicated caregiver.

However, the current pandemic has obviously put a strain on the immigration department's ability to process applications. Immigration officers who are working remotely simply would not be able to process applications in the usual manner and could not be expected to provide accurate processing times to most applicants.

I will highlight some of my findings in the course of my research.

Regarding the home care provider pilot and support worker pilot, I personally do not know of any successful applicant who has made it to Canada under the current program. I also inquired of lawyers, immigration consultants, social workers and settlement coordinators about successful applicants but was told the same thing, that they were also not aware of participants who had been admitted to Canada through those two pilots. Finally, there was a Toronto Star report on April 15 that said there were only five applications processed under the current programs since their inception in 2019, and one of these five was even withdrawn.

Regarding the labour market impact assessment, LMIA, it's still a requirement prior to issuance of work permits to temporary workers under the 2014 changes to the LCP. The LMIA is not only causing delay, but also undue hardships to caregivers applying for extension or renewal of their work permits.

The processing fee of \$1,000 is exorbitant for employers, who are mostly Canadian families wanting to hire caregivers. It takes longer to process and there is always a risk that the caregivers will lose their status before the process is even completed.

Under eligibility criteria, the education requirement proves to be a systemic obstacle to many caregivers. This is despite the fact that those caregivers have already worked the job that they applied for in the first place, they were functional and successful in what they did in caregiving and they paid taxes while working. The additional education requirement will likely lead to a caregiver working temporarily until such time as he or she is ordered to leave Canada.

Many caregivers are failing the language test. One caregiver describes the stressful experience of taking the four-part test as this: "All questions have to be answered under time pressure. At times, my mind just went blank because I was very nervous." She passed the benchmark of level 5 in listening, speaking and writing. However, she failed the reading part, which means she has to retake all four parts of the test again and pay the fee of \$339 plus taxes. Some caregivers are asking why they can't just retake the one part that they failed instead of redoing the four parts again.

Now I have recommendations for caregivers trying to meet requirements for work permits or PR who are already in Canada.

With the fact that an LMIA is no longer a requirement under the current two pilots, it will be consistent and will make more sense in streamlining the process if LMIAs are also waived under the 2014 pathway programs.

• (1540)

Allow these caregivers cumulative scores for language tests, which will result in higher chances of passing the exams. Combined test scores for many of them may mean more caregivers—

The Chair: I'm sorry for interrupting, Ms. Arellano. Your time is up. You will get an opportunity to talk further when we go into our round of questioning.

Ms. Faye N. Arellano: Sure.

The Chair: We will now move to our next witness.

We will hear from the Canadian Federation of Agriculture.

Mr. Ross, you will have five minutes for your opening remarks. You can share your time with your colleague if you wish to.

Mr. Scott Ross (Assistant Executive Director, Canadian Federation of Agriculture): Thank you.

Mr. van den Heuvel will be speaking on behalf of the CFA today.

The Chair: Thank you.

Mr. Chris van den Heuvel (Second Vice-President, Canadian Federation of Agriculture): Thank you, Madam Chair and committee members, for the opportunity to speak to you here today.

My name is Chris van den Heuvel. I'm the second vice-president for the Canadian Federation of Agriculture. We're Canada's largest general farm organization, representing 200,000 Canadian farm families from coast to coast to coast. I run a mixed dairy and beef operation in Cape Breton, Nova Scotia. As mentioned, I'm also joined by Scott Ross, assistant executive director at CFA.

I'd like to start by thanking the committee for inviting farm organizations to speak on the temporary foreign worker program and to thank the officials and policy-makers who have taken the critical steps to ensure continued access to essential international farm and food workers throughout this COVID-19 pandemic.

In 2017 the Canadian Agricultural Human Resource Council found 16,500 on-farm vacancies costing the sector \$2.9 billion in lost sales. These vacancies existed despite 60,000 foreign workers entering Canada. By 2029, they forecast 123,000 more jobs than the domestic labour force is expected to fill. For an agri-food sector otherwise primed to drive Canada's economic recovery, already providing 12% of Canada's employment and \$143 billion in GDP, these labour constraints require a holistic agri-food labour and automation strategy.

While we see some opportunity through immigration pilots and access to permanent residencies, a lack of awareness on issues relating to educational criteria continue to limit access for farm and food workers alike. At the same time, the pandemic has emphasized the immediate importance of foreign workers to Canadian agriculture, with nearly two in five agricultural employers experiencing labour shortages at a time when millions of Canadians were displaced from their employment.

When it comes to LMIAs, we have seen significant improvements in processing over the past few years, and forums for dialogue between the departments involved and employer associations such as the service delivery working group co-chaired by CFA and Service Canada have been critical in identifying opportunities to reduce administrative burden while enhancing program rigour. However, the efforts of organizations like FARMS, WALL, UPA and FERME have also been critical in developing the standards, arranging logistics and communicating with employers and governments.

Throughout COVID-19, the importance of these organizations cannot be overstated. These groups work with thousands of employers to keep them on top of rapidly changing program realities that often differ from region to region. They have taken on immense challenges while dealing with constant uncertainty, frustrated employers and lack of information.

I would like to express our gratitude for their ongoing efforts, and we would recommend empowering them as partners through advance notice on program changes and travel restrictions. This would avoid significant confusion, delays and added cost as employers try to make sense of this ever-evolving program.

More generally, I would note that the online LMIA application portal is working well, but needs to ensure that those same organizations can continue to provide producers with support in getting the right documentation and streamlining processing for all involved. At this time, producers find far more delays in work permit approval and renewal processing than the LMIAs themselves, with undue delays also arising where communication is required between government departments.

We recommend clear work permit processing service standards and more robust information sharing between IRCC and Service Canada to avoid costly and undue delays.

Similarly, producers are also facing new stress and confusion due to overlapping inspections across multiple orders of government. Integrity audits can halt LMIA processing, which isn't always communicated clearly to employers, who at this point are not always clear on who was inspecting them or why. This leaves them in limbo as the production season approaches, and they're waiting on approval of what are truly essential workers. We support a strong inspection regime, but it must be founded on greater coordination and communication between all involved.

Under COVID-19, farmers continue to see increased costs for transportation, housing and PPE, which can be far greater for those without a nearby port of entry. The mandatory isolation support program certainly helps, but as it stands, farmers are bearing significant added costs for their efforts. The Switch Health system for day 10 testing is exacerbating this situation, causing delays that leave workers in mandatory quarantine isolation for extended periods, posing mental health challenges and adding costs. The system appears to be overwhelmed, and urgent reforms are needed to allow farmers to send results to third-party labs.

In conclusion, I would draw your attention to—

• (1545)

The Chair: Mr. van den Heuvel, I'm sorry for interrupting, but your time is up. You will get an opportunity when we go into the round of questioning.

Mr. Chris van den Heuvel: Thank you very much.

The Chair: We will now hear from Atlantic Region Association of Immigrant Serving Agencies, represented by Ms. Mekni, who is the executive director; and Mr. Mackie, the co-chair of the board of directors.

Ms. Mekni, you will have five minutes for your opening remarks and you can share your time with your colleague if you wish.

Ms. Myriam Mekni (Executive Director, Atlantic Region Association of Immigrant Serving Agencies): Thank you. Craig will start and we will share our time.

The Chair: Thank you.

Mr. Craig Mackie (Co-Chair, Board of Directors, Atlantic Region Association of Immigrant Serving Agencies): Thank you, Madam Chair.

I'm Craig Mackie, the co-president of ARAISA and also executive director of the P.E.I. Association for Newcomers to Canada.

The Atlantic Region Association of Immigrant Serving Agencies is an umbrella group for organizations providing immigrant settlement services in New Brunswick, Newfoundland and Labrador, Nova Scotia and P.E.I.

ARAISA serves as a collective voice and a forum for the 22 member agencies across all four provinces that are all committed to the successful settlement and integration of immigrants and refugees in our region. Member organizations have become more effective as a result of ARAISA's initiatives to support the sector and its contributions to regional and federal national forums such as this.

ARAISA members have been involved with and very supportive of the Atlantic immigration pilot. The program is very successful. It's employer driven, and its success can be measured by the fact that it will become a permanent stream in 2022.

Temporary foreign workers are an integral and essential part of the economy of Atlantic Canada. The COVID pandemic made this even more obvious when most everything else was shut down last spring and parts of last fall. It was the TFWs who were on the farms, in the fields, at fish plants, driving trucks to deliver food, in long-term care facilities looking after our elders, stocking shelves at the grocery stores, and much more. Without these TFWs risking themselves to do these jobs, we would be in even greater difficulties.

Canada needs low-skilled labour. There are not enough Canadians to do the work, yet we make it difficult and sometimes impossible for employers to get the labour they need to operate their businesses successfully and profitably.

A farmer in eastern P.E.I. brings in dozens of TFWs every summer. He told me point-blank that he would not be in business without TFWs.

My colleague from New Brunswick will take it from here.

Ms. Myriam Mekni: Thank you, Craig.

I'm Myriam Mekni. I'm a board member on ARAISA and executive director of the Multicultural Association of the Greater Moncton Area, which is also a settlement agency.

We want to emphasize the key roles settlement agencies play in adapting and developing programs that respond to local labour markets. We innovate. We support bridging programs, English in the workplace, programs for racially visible immigrant women, and a lot more. We have strong relationships with employers throughout Atlantic Canada.

Some of the challenges we see with the LMIA are summarized in three points.

One is processing times, which are the longest for lower-paid jobs. The processing times are different, and the lower-paid jobs that are needed here are the longest and COVID restrictions have made them even longer.

The cost attached to the program, \$1,000 per employee, is a non-refundable cost, but it's also not an affordable option for small business owners, who represent the majority of the employers who choose this stream.

The last point is the closed work permit that comes attached to this stream. It's a closed work permit to a single employer, which can be very risky when circumstances change in the workplace, even with the new laws and legislation put in place against employer abuse.

We strongly urge this parliamentary committee to examine a recently released report by the Royal Society of Canada, titled "Supporting Canada's COVID-19 Resilience and Recovery Through Robust Immigration Policy and Programs". Some of the recommendations include the following: coordinate FPT planning around levels of temporary foreign workers that responds to current and short-term future labour market needs; as soon as possible, develop more pathways to permanent residency for TFWs; provide targeted settlement funding for supporting TFWs who transition to permanent residence, because currently IRCC only funds settlement agencies to support permanent residents; issue a sector-specific, rather than employer-specific, work permit that allows temporary foreign workers to work for any employer within the sector; incorporate adherence to national standards of safe conditions and fair compensation into the labour market impact assessment; and finally, pilot an expansion of universal health care coverage to include temporary foreign workers.

The report to which we are referring was released last month and contains excellent research and a number of high-quality recommendations.

In summary, not only will greater support for temporary foreign workers help the Canadian economy, but giving these hard-working individuals a pathway to permanent residency will enhance our diversity and make us culturally richer.

Thank you.

• (1550)

The Chair: Thank you for that.

We will now proceed to our round of questioning. We will start our six-minute round of questioning with Mr. Seeback.

Mr. Kyle Seeback (Dufferin—Caledon, CPC): Thanks very much.

I want to pick up quickly where Chris was talking about agriculture. I have a large agricultural community in my riding. Agriculture is the number one employer, and it is the number one contributor to economic growth. I've heard from farmers in my riding many times about how difficult the process is, some of the things that you've outlined, the challenges with deadlines.

We've talked a little bit about a trusted-employer model. I'd like to know what your thoughts would be on that, whether you think that would make a lot of sense in the farming sector.

Also, how do you develop a system to deal with the bad apples—to use an agricultural term? We do have some of those who are bringing in temporary foreign workers.

Mr. Chris van den Heuvel: There are two things.

Yes, I think the notion of a trusted-farmer model would go a long way to helping alleviate some of the issues that we've seen in processing delays. Some of these farms have been bringing workers in—oftentimes the same workers—for years, if not decades. Streamlining that process and not requiring them to renew their applications year after year and to go through the same delays.... Especially as we've seen during these pandemic times, there are oftentimes program changes on the fly. We understand the reasoning for it. We certainly respect and know that we have to keep Canada healthy and safe. However, at the same time, we have to keep Canadians fed, as well, so I think that would go a long way.

As far as the comment on the bad apples, unfortunately, you're correct. There's no doubt; no matter what industry or sector you're in, there are going to be some of those that try to undermine the process and whatnot. We do support fully an audit system.

We have multiple levels of government that come in, whether they're federal, provincial, local municipal, or public health authorities. Oftentimes, farmers don't understand who's coming in and why, so we need more clarity on that. We need to understand, I think, from a holistic approach. That is the reason for our comment that a national labour strategy is going to be so important: so that we understand the full ramifications of what's going to be expected from us as an industry in the years and decades ahead.

• (1555)

Mr. Kyle Seeback: I'm going to follow up. Sorry to put you on the spot with that.

What would the metrics be, or how would you design the trusted-employer model with respect to farming? What would you want to see in place? Have you turned your mind to that as an organization?

I want to figure out how we can design these things that are actually going to work and that the government will accept.

Mr. Chris van den Heuvel: I think that consulting—like you're doing—with the industry is certainly a first step.

I'll defer to Scott Ross, our assistant executive director, who might have some more knowledge on any details.

Mr. Scott Ross: I think that, on the notion of a trusted-employer model, we've seen the program evolve over the last few years, and with that, our understanding of what that model might look like has sort of changed.

We've seen LMIA processing for agricultural employers, for example, speed up a fair bit, and it's working quite well.

Where we do see a need for some more focus, as Chris said, is in some areas where there are just chronic labour shortages with the same employers year after year. We need to find ways to streamline that labour market assessment and make it a little tighter so that that component of the LMIA process is a little smoother.

Then, when it comes to the inspection regime, I think what we would like to see is more of a risk-based lens applied more generally to focus resources where they're most needed. When you see a long history of compliance, multiple overlapping inspections across areas of government, coordinate those so that you're not having as many disparate engagements that are putting a lot of burden on the employer, and do this while targeting your own limited resources to where they're best served on those that might not have that same line of sight all the time.

Those are a couple of what we see as really critical elements of that trusted-employer model.

Mr. Kyle Seeback: If you think about it later and have some submissions that you'd like to make to the committee on that, to please send them in. When we write our report, I'd love to have some very specific recommendations.

I want to just turn back to the actual application process. We're talking about how we can simplify the process. It's one of the top three complaints that I hear from farmers, who are busy. It's a challenging environment for them, and they find the whole process very complicated. Sometimes they're at their wits' end trying to figure out exactly what the government wants in these applications. Do you have an idea of how we should simplify these applications so that they're a little more user-friendly for the average farmer?

Mr. Chris van den Heuvel: Scott, do you want to take that?

Mr. Scott Ross: Yes, I can speak to that as well.

When we hear concerns coming from farmers about the application process, one reality is they can't just always discern what's the LMIA process and what's the work permit process. There's not a lot of transparency, necessarily, there, and understanding of what is holding up the process.

Increasingly, as we've seen some really significant improvements on the processing side of LMIAs, it's now the work permit side of the equation that is slowing things down, everything from access to documentation from international consulates to issues where an administrative change that's quite minor in scope has to go through a number of intermediaries to be communicated between two government departments. It's not any one specific issue—

The Chair: I'm sorry for interrupting, Mr. Ross. Time is up.

We will now proceed to Ms. Dhillon.

Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.): Thank you, Madam Chair. Thank you to all of our witnesses for being here today.

I'm going to start with Ms. Arellano. My first question is regarding abusive and exploitative employers. We've heard much testimony about that. People have experienced that.

What do you think about the introduction, by our government, of an occupation-specific work permit for caregivers rather than having them tied down to one employer so they can escape these abusive and exploitative conditions of work, sometimes?

Ms. Faye N. Arellano: In the current two pilots, one of the best features that they like is it's now occupation-specific rather than employer-specific. That allows caregivers to move from one employer to another more easily. With the fact that the two new pilot projects do not require LMIAs anymore, it's easier for them to escape abusive situations. That is really a good thing.

• (1600)

Ms. Anju Dhillon: Ms. Arellano, earlier this year Minister Mendicino announced a plan to overcome the pandemic-related roadblocks that have interfered with processing applications from caregivers and their families, by announcing a plan for 2021 that includes finalizing of permanent resident applications for up to 6,000 caregivers who have completed their in-Canada work experience, and their immediate families, by December 31, 2021; making at least 1,500 first-stage decisions on applications for the home child care provider and home support worker pilots by June 30, 2021; increasing the digitization of caregiver applications; and ensuring applicants receive acknowledgement of receipt letters by May 31, 2021.

Can you please tell the committee if you feel these initiatives will have a positive impact on the backlog for processing of caregiver applications?

Ms. Faye N. Arellano: Yes, that announcement, recently, by the immigration minister was welcome news to the 6,000 caregivers who are waiting for determination of their applications, and the fact that their families are also included in that determination is really welcome news to those caregivers.

The only thing that I would like to point out at this point is that we're also aware that there are caregivers who have already lost

their status because of the long wait in LMIAs. Some of them, due to no fault of their own, have lost their status and the ability to work with legal contracts or work permits. We are concerned about those types of caregivers because those are the ones who are in need of advocacy. They need to be brought into the light so that there won't be as many precarious situations for them in terms of vulnerability, abuse and exploitation.

We would like to recognize the work that these undocumented caregivers have done in the past, prior to losing their status. Providing them with an amnesty program in which we could bring them back on track to work legally again is, I think, a step in the right direction as well.

Especially in this pandemic time, we hear of people needing essential workers or caregivers right this minute, but because of the backlog or even the bottleneck in the applications outside of Canada....

Remember, as I said earlier, we haven't really heard about those applications under the two new programs to be admitted to Canada. There really is a dire need for these caregivers to be on hand and working when they are needed. I thought that these caregivers having lost their status would mean a solution to that kind of problem that we're facing now in addressing the shortage of these foreign caregivers.

Maybe this committee would like to reconsider providing a program of amnesty for these non-status caregivers who might be a big help in continuing to grow the economy in Canada. That would mean that working families could leave for work without having to think about people looking after their children, people with disabilities or seniors who are at home. Canada can actually benefit so much from having these caregivers who have lost their status. They're still here, and they need another chance to get back on track.

I would put it before the committee to please reconsider that and just take a look at that project. There was one project like that—

• (1605)

The Chair: I'm sorry for interrupting, Ms. Arellano. Your time is up.

We will now proceed to our next member.

Madam Normandin, you will have six minutes for your round of questioning.

You can please proceed.

[*Translation*]

Ms. Christine Normandin (Saint-Jean, BQ): Thank you very much, Madam Chair.

My thanks to all the witnesses for joining us.

My questions are for Mr. van den Heuvel and Mr. Ross.

You talked about the problems with Switch Health and the financial assistance for temporary foreign workers in agriculture. We have heard from other groups, including the Union des producteurs agricoles (UPA), that the amount of \$1,500 this year may not be as sufficient as it was last year. The circumstances are different and the quarantines are longer in some cases, especially because of Switch Health.

Could you speak to that? Would it be appropriate to increase the amount, and if so, why?

[English]

Mr. Chris van den Heuvel: Yes, we definitely think that the amount should be increased. As you've mentioned, the time frames for the quarantine period have often increased, and with some of the delays that you've mentioned with Switch Health and some of the other processing delays, a lot of farm workers are being held in quarantine for even much longer than required. Those farm worker costs are being borne by the farmers themselves. If you only have one or two workers, or half a dozen workers, that's bad enough, but some of our farms are bringing in hundreds of employees, and it adds up very quickly and has a significant financial impact.

Scott, I don't know if you have anything further to add.

Mr. Scott Ross: I would add that transportation logistics under COVID-19 in particular have been a real challenge. For charter flights, particularly where a number of workers aren't able to board the flight due to pre-departure testing, the cost of individual tickets can double or triple. This is all borne by the employer without any available support. Similarly, if you are quite a distance from an approved port of entry, the cost to get your workers to your operation is also done through private means and it can be quite expensive.

We've seen a continued rise in incremental costs throughout the pandemic and have not seen that reflected in the mandatory isolation support program.

[Translation]

Ms. Christine Normandin: Thank you very much for your very thorough answer.

You also talked about the lack of information when changes are made to different programs.

Do you have any ideas or suggestions for ways to help you?

The UPA mentioned that it helps 1,500 employers. That is a lot. They process 3,000 LMIA's per year.

Do you have any ideas on how the government could help you? Perhaps it would help to have a dedicated phone line for groups like yours.

Could you speak to that?

[English]

Mr. Chris van den Heuvel: Thank you.

Scott, do you want to address that?

Mr. Scott Ross: Yes, I can speak to that.

One of the challenges under COVID-19 has been that there's quite a bit of variability in the cost, region to region. It's not a simple answer to put a dollar figure on what the increase should be.

We are aware of some employers paying up to \$3,000 per worker in incremental costs, on top of the normal costs associated with the program. These are vital, essential workers in our food system who play a fundamental role in Canadian food security.

Ultimately, we would like the flexibility of that program to significantly increase. If not in that program, we would like some additional funding programs made available to target the specific issues that continue to evolve throughout the pandemic because it really isn't a one-size-fits-all issue.

[Translation]

Ms. Christine Normandin: Thank you very much.

In terms of the flexibility of programs, what do you think about the idea of longer-term LMIA's and work permits, in addition to the trusted employer program?

Since the same workers return to the same employers year after year, there is predictability. So would having three-year LMIA's and three-year work visas be a good idea?

[English]

Mr. Scott Ross: It's not something we've discussed directly in terms of the length of time that would be appropriate. We do recognize that for those employers who are bringing the same workers back year after year for upwards of decades at a time, there is a significant administrative burden associated with that process that, in many respects, could be avoided through some amendments and flexibilities there.

It's certainly an issue that we're sensitive to and an area we would welcome discussion on.

• (1610)

[Translation]

Ms. Christine Normandin: At the moment, the permits are often closed permits. The worker is only allowed to work for one employer.

Would it be a good idea to have more flexible permits so that they are a little more open, and employers can share the workforce to better respond to a crisis?

[English]

Mr. Scott Ross: On that front, we do see that the seasonal ag worker program has a transfer mechanism that has incorporated quite a bit of flexibility that allows for workers to more easily move between different farm operations. More than anything—in Quebec, for example—they tend to use the agricultural stream, which does not have that same mechanism in place.

We would welcome that flexibility and the introduction of more flexibility and the ability to have a structured transfer between employers to assist with that very issue.

[Translation]

Ms. Christine Normandin: Thank you very much.

Madam Chair, I believe I have 15 seconds left. I will not have enough time to ask a question, have it translated and answered.

[English]

The Chair: Thank you, Ms. Normandin.

Bells have started ringing for our vote. These are the 30-minute bells. Do I have the unanimous consent of the committee to proceed until 4:30?

We will continue, then.

Ms. Kwan, you will have six minutes for your round of questioning.

Ms. Jenny Kwan: Thank you very much, Madam Chair. Thank you to all the witnesses.

My first question goes to Ms. Arellano.

As we were talking about the caregiver situation, the government's announcement, frankly, shortchanges the number of caregivers who could receive PR into Canada by over 10,000, if you account for the numbers based on 2019 and the loss numbers between then and now as a result of COVID.

Given that this is the case, we know that the numbers are going to be oversubscribed in what the government has announced with the 6,000 spots. What do you think the government should do to address the situation?

Ms. Faye N. Arellano: Obviously, there needs to be a higher number for the government to process and complete the applications of those caregivers in the queue. That would mean they need more people or more staff to attend to those applicants. I cannot speak to that, but as far as we are concerned, it is only by expediting applications that are already there and needing determination that they can provide more of these caregivers with permanent status.

Also, whatever it is that's keeping the government or the IRCC, the applicants under the new programs need to get into Canada. I understand there are constraints due to COVID, but it seems the only way we can get to more of the people in the backlog is to hire more staff so the IRCC can do the determinations.

Ms. Jenny Kwan: Thank you.

One of the calls from the caregivers and from the migrant workers, broadly speaking, is for landed status on arrival. That is to say they will get permanent resident status when they arrive.

Is that something you would support?

Ms. Faye N. Arellano: Actually, if you would look at the two new pilots, it's more or less a conditional PR for participants. All they have to do is the two-year requirement because the assessment happens before they come in. I thought that was one of those recommendations in the past that was already met by the two new programs, the two new pilots. However, because of COVID, nothing has really come out of it.

Ms. Jenny Kwan: Yes. Related to that, as you indicated, part of the problem is that the program requirements are so onerous that people cannot meet them. The language requirements and the educational requirements actually block them. Aside from COVID, there's a real question in terms of the structure of the program that prevents people from entering. That is a critical issue that I think the government needs to address, as well.

On the language testing, it's just heartbreaking. There are so many caregivers who are here who cannot pass the language test. Some of them will lose their status as a result of that. Having worked the years and waited this long, they will never be able to bring their loved ones here to Canada.

Aside from the idea of allowing caregivers to take tests separately, given that they are already meeting the language requirements with the employer, should the government even have the language test at all? Should they not get rid of it altogether?

• (1615)

Ms. Faye N. Arellano: I fully agree with you. I think it's one of those things that caregivers are clamouring for. The government should consider eliminating the education and language requirements because those are the huge stumbling blocks. Their care work is successful because they are able to render the work itself, but the language and education trip them up and keep them from getting permanent residence.

Ms. Jenny Kwan: Thank you.

I'm going to turn to Ms. Mekni.

I want to ask a question about TFWs generally and around the issue of giving them status and recognition.

Can you comment on that?

Ms. Myriam Mekni: Before we get to the permanent residency pathways, I think step one would be to find them eligible for settlement services and to have enough support to know what pathway would be adequate for them to start their permanent residency process.

Right now, as settlement agencies, our funding doesn't allow us to provide any help to the temporary foreign workers. They are not allowed to go to language classes, receive orientations, get employment counselling or any of that.

I think that's step number one. If they manage to get those services, we would be the first people to guide them to the pathway they should take, even though we don't do consultancy or fill out paperwork.

Ms. Jenny Kwan: The government made the announcement for TFWs and they did not include those without status. You have to have status. That means the people who are here and are contributing and supporting us during this pandemic period would not be eligible to access permanent resident status streams.

Do you think the government should change that?

Ms. Myriam Mekni: I believe so. We realize that our economy needs more participation from immigrants to help fill the gaps in the labour market, whether in low- or high-paid jobs.

The Chair: Sorry for interrupting, Ms. Mekni, but the time is up for Ms. Kwan.

We will now proceed to our second round of questioning.

Mr. Hallan you will have four minutes for your round of questions, and you may please proceed.

Mr. Jasraj Singh Hallan (Calgary Forest Lawn, CPC): Thank you, Madam Chair, and thank you to all the witnesses.

Ms. Arellano, in your opening statement you had some recommendations, but you were short on time. Do you want to tell us some of the recommendations you wanted to give?

Ms. Faye N. Arellano: One of the other recommendations that I have written down is that I would like to call on the IRCC to remove the caregiver program under its current economic immigration programs. The federal caregiver program has been around for the last three decades. The LCP, which ran from 1992 to 2014, was an important source for those families needing caregivers. The program may be flawed, but it gave more caregivers a chance to become permanent residents. However, in 2014, participants lost their automatic path to permanence, and caregivers, despite having toiled for many years in Canadian households, were refused PR.

I also recommend the removal of the language and education requirements, which did not exist prior to the 2014 changes that prevent these caregivers from obtaining PR.

Finally, I really would like to push for that amnesty program for caregivers who have lost their status. I have listed in my material a few of the reasons why they lost their status. Usually, it's beyond their control. There were even those caregivers who lost their status because their employers did not pay their taxes or because their employers did not get their LMIA's in on time. Therefore, they were found to be violating the IRPA. There were other reasons they lost their status, and it was usually beyond their control. For us to actually give them—

• (1620)

The Chair: I'm sorry to interrupt, Ms. Arellano, but I think there is an interpretation issue. I'll stop the clock.

It is working now.

Please continue.

Ms. Faye N. Arellano: Okay. As I was saying, I respectfully request that the committee support, and that Minister Mendicino implement, an amnesty program to regularize out-of-status caregivers. These potential workers are already here. Bringing them into the light and regularizing their contributions, be it in terms of taxes, filling shortages of essential workers or as caregivers needed in homes, could only mean benefits for Canada to continue to grow its economy post pandemic. The caregiver amnesty program may be—

[Translation]

Ms. Christine Normandin: Madam Chair—

[English]

The Chair: Sorry for interrupting. I'll stop the clock.

[Translation]

Ms. Christine Normandin: —there is still an interpretation problem.

[English]

The Chair: Okay, I'll stop the clock again.

Mr. Clerk, please look into it.

Please continue.

Ms. Faye N. Arellano: On the caregiver amnesty program that I was talking about, I would ask that it be patterned after the temporary policy used in 2020 for the out-of-status construction workers.

Can you hear me better?

The Chair: There is no interpretation.

[Translation]

Ms. Christine Normandin: Madam Chair, we heard the interpretation of Ms. Arellano's comments quickly. I'm not sure whether it was fixed, but we heard the interpretation of her last sentence.

[English]

The Chair: Can you please say another two sentences, Ms. Arellano? We will try again.

Ms. Faye N. Arellano: The minimum requirements and qualifications may mean more caregivers will have a second chance to work legally and have a shot at PR in Canada.

The Chair: There is no interpretation. I think they cannot get your audio.

Ms. Faye N. Arellano: I have hard copies of my notes. If Ms. Christine Normandin would like a copy of my notes, I would certainly send it to you as soon as we're done.

• (1625)

The Chair: Yes, Ms. Arellano. If you don't mind, you can send that to the clerk of the committee and then we will circulate it to all the members.

We are left with a few minutes, Mr. Hallan. Would you like to have the rest of your time with another witness?

You have one minute and 15 seconds.

Mr. Jasraj Singh Hallan: Ms. Arellano, I was going to ask you about what you think about the processing time of 12 months. It seems like it's a little long, especially for people with disabilities living in the house. Could you please submit that as well?

I'll move on to the CFA, and anyone can answer this.

We're talking about the issues about testing, how it's affected employers and how much it costs, especially when the testing centres or where they fly in from is kind of far away. What are some of your suggestions, from beginning to end, on how we change this process? How do we make it more streamlined?

Mr. Scott Ross: I can take a start, Chris, if you'd like.

When it comes to the testing regime under Switch Health in particular, one of the issues we've seen is that often results are either being lost in courier or in translation to the end laboratory. As a result, there are a number of workers left in quarantine simply because they don't have the results of their day 10 test.

One of the options we've proposed is more leveraging of other private sector health practitioners and third-party laboratories that are out there. There's a sense, generally, that the system is just overwhelmed at the moment. Trying to take advantage of other resources that exist and leveraging those to make sure that we don't see that happen—

The Chair: Sorry for interrupting, Mr. Ross.

The time is up for Mr. Hallan. We will now proceed to Mr. Regan.

Mr. Regan, you will have four minutes for your round of questioning, and then we will end this panel. Thank you.

Hon. Geoff Regan (Halifax West, Lib.): Thank you very much, Madam Chair.

I'd like to start with the Canadian Federation of Agriculture, perhaps Mr. van den Heuvel. How difficult is it, in farming generally, to get and keep qualified workers?

Also, we've heard from you today about the challenge of organizing charter flights during the pandemic. How has the pandemic impacted the level of reliance that agriculture has on temporary foreign workers? Will your labour needs change in some way, do you think, when the pandemic ends?

Mr. Chris van den Heuvel: There's no doubt that this industry is one that's very difficult, with a lot of hard, back-breaking labour, but it's not what we'd consider low-skilled labour. That's one clarification we would like to put forth. These workers who are coming in are often very highly skilled, and they're extremely good at what they do. It makes it very difficult to backfill these positions with Canadians, who are often a couple of generations removed from their farms. There's no doubt that we do rely on these workers coming in.

As far as labour changing, perhaps after the pandemic, I think the issue is only going to become worse. The Canadian Agricultural Human Resource Council has pointed out in its studies that the labour shortfall is projected to double in the next 10 years, so I think we're going to be inundated with requests for positions, and not being able to fulfill those is only going to put us in a worse situation.

Hon. Geoff Regan: What's your view of open work permits?

Also, have you had any experience with the vulnerable workers pilot program? I think Mr. Ross might have mentioned it. I'm not sure.

• (1630)

Mr. Chris van den Heuvel: Yes. I'll let Scott address that.

Mr. Scott Ross: I'm not sure what you're speaking to on the last initiative. I know the Migrant Worker Support Network is centralized out of British Columbia. I know some of our members have been involved in that, but I can't speak to that necessarily myself.

When it comes to the issue of open work permits, the concerns our members have, very much, are the time, energy and resources it takes to bring a worker into Canada, and the extensive relationship and investment that exist there, with predictability of labour being a big question.

I don't think there's outright opposition to the notion of occupational work permits, but there would have to be some sort of system in place to ensure that farmers who are facing a harvest are not suddenly without critical labour at that time, seeing food go to waste and facing lost opportunities.

When you look at the time it takes to turn around an application, which is four to six months at a minimum, it's just not realistic for farmers to be able to find another worker. The pandemic has really highlighted that. Even when Canadians were significantly displaced from their other employment, we did not see a drive of a lot of Canadians workers coming to farming. The solution, likely, in many respects, still resides internationally. We just need to have a means of ensuring predictability and availability of labour, at critical harvest windows and seeding, as examples.

Hon. Geoff Regan: Mr. Mackie and Ms. Mekni, do either of you have a view on how to deal with this issue?

Ms. Myriam Mekni: Craig, I'll let you take that.

Mr. Craig Mackie: Thanks, Myriam.

I would echo what Mr. Ross just said. I think there's consistency across a lot of sectors that it's the approach to take. Rather than taking up more time, I'll echo that.

The Chair: Sorry for interrupting, Mr. Regan, your time is up.

We are now left with eight minutes left to go and vote, so this panel comes to an end. I want to take this opportunity to thank all of our witnesses for appearing before the committee and providing important input as we continue this study. If, for lack of time, you were not able to bring some of the recommendations or information forward, you can always send a written submission to the clerk of the committee. That information will be circulated to the members, and we will take it into consideration as we go through this study. Thank you once again.

For all the members, we will log in immediately after the vote and have our second hour considering the draft report. Please log into the in camera meeting immediately after the vote.

Thank you once again. We'll see you in a few minutes.

[Proceedings continue in camera]

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