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Chair: Mr. John Williamson



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• (1100)

[English]

The Chair (Mr. John Williamson (New Brunswick South-west, CPC)): I call this meeting to order.

Welcome to meeting number 12 of the House of Commons Standing Committee on Public Accounts.

Pursuant to Standing Order 108, the committee is meeting today on “Report 13: Health and Safety of Agricultural Temporary Foreign Workers in Canada During the COVID-19 Pandemic”.

Today's meeting is taking place in a hybrid format, pursuant to the order of November 25, 2021. Members are attending in person in the room and remotely using the Zoom application.

[Translation]

Given the directive of the Board of Internal Economy on March 10, 2022, all those attending the meeting in person must wear a mask, except when the member is seated at their place during parliamentary proceedings.

To ensure an orderly meeting, I would like to outline a few rules to follow.

Before speaking, please wait until I recognize you by name. If you are on the video conference, please click on the microphone icon to unmute yourself. When you are not speaking, your mike should be on mute.

[English]

Interpretation is available. For those on Zoom, you have the choice, at the bottom of your screen, of floor, English or French. For those in the room, you can use the earpiece and select the desired channel. As a reminder, all comments should be addressed through the chair.

[Translation]

Honourable members, if you are participating in person and would like to speak, please raise your hand. If you are participating remotely using the Zoom application, please use the “raise hand” feature. With regard to a speaking list, the committee clerk and I will do the best we can to maintain consolidated order of speaking for all members, whether they are participating virtually or in person. Thank you for your patience and understanding.

[English]

In accordance with our routine motion, I'm informing the committee that all witnesses have completed the required connection tests in advance of the meeting.

I would now like to welcome our witnesses.

From the Office of the Auditor General, we have Karen Hogan, Auditor General of Canada, and David Normand, principal.

From the Department of Agriculture and Agri-Food, we have Chris Forbes, deputy minister.

From the Department of Employment and Social Development, we have Jean-François Tremblay, deputy minister; Lori MacDonald, senior associate deputy minister of employment and social development, and chief operating officer for Service Canada; Mary Crescenzi, associate assistant deputy minister, integrity services branch, Service Canada; Nisa Tummon, assistant deputy minister, program operations branch, Service Canada; and Brian Hickey, director general, temporary foreign worker program, skills and employment branch, ESDC.

Witnesses will have five minutes to make their opening statements.

Before I proceed, I'm going to recognize Mr. Lawrence. I see that he has his hand up.

• (1105)

Mr. Philip Lawrence (Northumberland—Peterborough South, CPC): Thank you.

I apologize to the witnesses. I am hopeful that this won't take long.

I would like to put three motions on notice. Prior to tabling, they will be available in both official languages.

I'll just read them into the record, if that's okay, Mr. Chair.

Mr. Han Dong (Don Valley North, Lib.): I have a point of order, Mr. Chair.

With respect to the witnesses we have right now on the floor, I'm not aware that committee business or motions are part of that agenda. I wonder if we can have the witnesses and ask our questions first, and then have this at the end as committee business.

The Chair: Let me confer with the clerk. My belief is that Mr. Lawrence is going to be very brief here.

I'm going to allow Mr. Lawrence to simply read his three motions into the record. Then we're going to move right away to the witnesses. He's not moving them today. There's no debate on them. We're going to get right to the witnesses and we'll address the motions at a later date.

Mr. Lawrence has the floor.

Mr. Peter Fragiskatos (London North Centre, Lib.): I have a point of order, Mr. Chair.

Could I make a friendly suggestion that we leave that to the end of the meeting? Could we carve out some time? I know that colleagues want to hear this testimony. Certainly he would have the right to give notice, but I think it would be best, in my view at least, to do that at the end. It's just a humble suggestion.

The Chair: I appreciate that.

Because I know he is going to be quick, I'm going to let Mr. Lawrence read it in, just to get it done.

Mr. Philip Lawrence: I'll be very quick.

The Chair: I always try to get to the four rounds, and I believe that if I get through this I can do that, so I'm going to give Mr. Lawrence the floor to just read these in and get it done.

Mr. Lawrence, the floor is yours.

Mr. Philip Lawrence: I promise that I'll be less than two minutes, Mr. Chair.

Motion number one is this:

Whereas Immigration, Refugees and Citizenship Canada (IRCC) has failed to provide newcomers to Canada with timely responses to:

- Permanent residency applications and renewals
- Afghan Special Immigration Measure applications
- Work permits (Temporary Foreign Workers programs)
- Citizenship applications
- Proof of citizenship
- Visitor's visas and electronic travel authorizations
- Refugee sponsorships

We call upon the Auditor General to commence a study on processing times within the IRCC.

Motion number two is this:

Whereas the government has continually failed to meet long-term drinking water advisory targets; and

Whereas the government has extended their initial target to eliminate all long-term drinking water advisories from March 2021 to March 2026,

We call upon the Auditor General and officials from Indigenous Services Canada to appear at the Standing Committee on Public Accounts within 60 calendar days to provide an update on the status of the lifting of long-term drinking water advisories in First Nations Communities.

Motion number three is this:

That the committee invites the Auditor General and officials from Public Services and Procurement to provide an update on the National Shipbuilding Strategy in Canada given the international crisis in Ukraine, and the associated impacts on Canada's arctic sovereignty.

I have just a quick note, and then I'll pass it back to you, Mr. Chair.

I'd prefer not to table these motions, and I would like to go by unanimity. I look forward to talking to the chairs of the various parties and hopefully getting this done through unanimous consent.

Thank you.

The Chair: Thank you very much, Mr. Lawrence. That is all for another day.

I'm now going to turn to Ms. Hogan.

You have the floor for five minutes. Thank you very much for your patience.

To all our witnesses, thank you very much.

Ms. Karen Hogan (Auditor General of Canada, Office of the Auditor General): Thank you, Mr. Chair.

Thank you for this opportunity to discuss our report on the health and safety of agricultural temporary foreign workers in Canada during the COVID-19 pandemic. The report was tabled in the House of Commons on December 9, 2021.

I would like to acknowledge that this hearing is taking place on the traditional unceded territory of the Algonquin Anishinabe people.

Joining me today is David Normand, who is the principal responsible for the audit.

As part of the response to the COVID-19 pandemic, Canada amended the immigration and refugee protection regulations in April 2020 to place additional responsibilities on employers of temporary foreign workers to help prevent the spread of COVID-19 and to help protect workers' health and safety. The audit focused primarily on whether Employment and Social Development Canada conducted inspections to verify whether employers followed these new requirements.

Canada's agricultural sector relies heavily on temporary foreign workers, who are an integral part of the workforce that supports our nation's food system. From the start of the pandemic in March 2020 to June 2021, more than 79,000 of these workers came to Canada.

Overall, we found that Employment and Social Development Canada's inspections, whether they targeted quarantines, outbreaks or basic accommodation requirements, did not show that employers were meeting requirements to protect the health and safety of agricultural temporary foreign workers.

In 2020, 73% of the quarantine inspections we examined had significant problems with quality and rigour. Inspectors determined, without gathering sufficient evidence, that almost all employers were complying with COVID-19 requirements, or inspectors accepted information that flagged possible non-compliance, but they did not follow up.

In December 2020, we informed the department of these alarming findings. We expected the department to take concrete action to improve its inspections, and we continued our audit through the 2021 growing season. Unfortunately, in 2021, the situation worsened. The rate of poor inspections rose to 88%. Timeliness was also a concern, with many quarantine inspections remaining incomplete and inactive long after workers' mandatory 14-day quarantines had ended.

- (1110)

[*Translation*]

Our audit of the department's inspections of outbreaks found similar delays and gaps in evidence gathering. The department could not show that employers provided sick or symptomatic workers with accommodations that allowed them to properly isolate. We found that about 60% of the outbreak inspections we examined lacked even the most fundamental supporting information, such as photos of workers' isolation spaces.

This was also the case with the department's inspections of basic accommodation requirements, such as running water and occupancy levels. We found that 93% of these inspections had little to no information on workers' accommodations. Many temporary foreign workers depend on the accommodations provided by employers. This responsibility takes on even more importance in the pandemic context of social distancing and disinfection protocols, as accommodations are often shared.

Before and during the pandemic, the department had committed to improving the living conditions for workers by developing minimum accommodation requirements in its temporary foreign worker program. However, we found that the department had done little to meet these commitments.

Concerns about the living conditions of temporary foreign workers in the agricultural sector are not new. The COVID-19 pandemic has again underscored that Employment and Social Development Canada needs to prioritize the health and safety of temporary foreign workers and deal with accommodations that are overcrowded or otherwise inadequate. It is long past time to fix the situation for temporary foreign workers who come to Canada.

Mr. Chair, this concludes my opening remarks. We would be pleased to answer any questions the committee may have.

[*English*]

The Chair: Thank you, Ms. Hogan.

We'll now turn to Mr. Forbes, deputy minister from the Department of Agriculture and Agri-Food.

You have five minutes, as well.

[*Translation*]

Mr. Chris Forbes (Deputy Minister, Department of Agriculture and Agri-Food): Thank you, Mr. Chair, for the invitation to appear before the committee today to discuss the Auditor General's report on the health and safety of agricultural temporary foreign workers in Canada during the COVID-19 pandemic.

As you all know, labour is a vital resource for Canadian farmers and food processors. Some 60% of all those in the temporary for-

eign worker program are employed in the agriculture and food sector.

In the early days of the pandemic, Agriculture and Agri-Food Canada launched two programs to provide financial support to employers to comply with the new federal health and safety measures for temporary foreign workers.

The mandatory isolation support for temporary foreign workers program provided over \$130 million to help farm employers, food processors and fish harvesters across Canada to cover costs of compliance with the isolation protocols under the Quarantine Act.

- (1115)

[*English*]

Employers faced a number of increased costs related to entry requirements of temporary foreign workers, and the program helped them offset some of those costs, including wages and benefits, accommodations, and transportation.

Due to high demand and ongoing border measures, we increased funding to the program twice, and we added provisions for employers to cover hotel stays for workers who were unable to travel directly to their place of employment due to quarantine requirements. The program successfully assisted employers, as they brought foreign workers to Canada to enable agriculture and food production to continue at a time when that was a great worry to all of us.

The second program, the emergency on-farm support fund, provided federal-provincial support of over \$40 million to help more than 1,700 farm employers prevent and respond to the spread of COVID-19 within their workforce, including temporary foreign workers. This investment helped fund improvements to living quarters and workstations, PPE, sanitary stations, and other key measures. These upgrades helped to ensure that farm employers were better prepared to protect workers and reduce the risk of transmission. Last year, these programs helped to facilitate the arrival of a record number of temporary foreign workers to farms across Canada.

Looking ahead, we continue to work with ESDC and Immigration, Refugees and Citizenship Canada on a number of improvements to the temporary foreign worker program. The goal is to improve worker health and safety, and ease the administrative burden for employers.

As the report reminds us, temporary foreign workers are essential to Canada's agriculture sector, to our supply chain, and to our food security. Their skills and labour were key to the Canadian agriculture sector's resilience during the COVID-19 pandemic. We will certainly work together with our partners to strengthen our programs, protect the health and safety of those workers, and keep our food supply chain strong.

Thank you, Mr. Chair.

[Translation]

The Chair: Thank you, Mr. Forbes.

We will now hear from Jean-François Tremblay for five minutes.

Mr. Jean-François Tremblay (Deputy Minister , Department of Employment and Social Development): Mr. Chair, I want to begin by acknowledging that I am speaking to you today from the unceded territory of the Anishinabe Algonquin nation of Canada.

Thank you for the invitation to appear before the committee today to discuss the Auditor General's report.

Please let me start by saying that Employment and Social Development Canada, or ESDC, understands the importance of this audit and agrees with its recommendations.

[English]

Before we discuss the steps taken by the department to completely rebuild the temporary foreign worker program's compliance regime, please let me briefly provide an overview of this complex program and its purpose.

Temporary foreign workers are a key source of labour, particularly in agriculture and agri-food, and ensuring their reliable entry and safe working conditions is key to continuing the food security of Canadians and Canada's economic recovery.

A critical aspect of the program is that it seeks to address labour and skills shortages while balancing the interests of Canadian workers and employers and the protection of the foreign workers. To that end, we have measures in place to mitigate potential impacts of the program on Canadian workers, such as downward pressure on wages and displacement of Canadians by temporary foreign workers.

[Translation]

Mr. Chair, the challenges brought on by COVID-19 have been unprecedented—and its impact on the temporary foreign worker program cannot be overstated.

As the pandemic hit, thousands of temporary foreign workers were scheduled to arrive in Canada. At a time of global uncertainty, the department was essentially put in a position of having to build and fly the plane at the same time. ESDC acted quickly to introduce new regulations and build a completely new virtual inspection regime, which evolved amid changing public health directives and

crisis conditions throughout the pandemic. The department also implemented new inspection operations to verify employer compliance with quarantine conditions. We issued permanent bans in the most egregious cases of non-compliance.

Despite our best efforts, the Auditor General's report made it apparent that there were fundamental flaws in a number of areas in ESDC's management of the program, and in the design of the program itself. Chiefly, as the department rolled out its new inspection regime in 2020—and doubled its inspection workforce from about 100 to 200 inspectors, and continued to hire and train inspectors in preparation for the 2021 season—there was an undesired impact on workload. Simply put, the quality of the documentation of inspections was not satisfactory to support the department's final decisions.

ESDC owns these shortcomings, but with the delivery of any program, particularly during an unprecedented crisis, there are going to be risks. People were doing their jobs, but because of the situation and the challenges of the pandemic, the program came up short in some areas.

• (1120)

[English]

This is not to say that we have not learned from our experience during the pandemic. Though there continued to be challenges in 2021, in July the department reviewed its strategies, and measures such as training, guidance and enhancements to inspection tools were put into effect. Additionally, ESDC's internal audit team conducted a review of 60 compliant inspection files completed in September through December 2021, and concluded that there had been a 45% increase in files that met departmental inspection requirements since June 2021.

We continue to make positive progress as we prepare for the 2022 agricultural season. By the end of February 2022, the pre-pandemic inventory of inspection cases, active at the onset of COVID-19, had been reduced by 92%. As part of our plan to ensure timely inspections, we have streamlined inspections and balanced inspection workload with departmental capacity. We are aiming for a rate of 90% of inspection files without substantive errors by no later than September.

[Translation]

The department also recognizes the importance of well-trained inspection staff, and all staff responsible for inspections took supplementary training in February 2022.

Finally, we are working with the provinces, territories and key stakeholders to develop program changes that address the most immediate health and safety concerns in employer-provided accommodations. Our goal is to communicate these changes by the end of this year.

Mr. Chair, ESDC agrees with each of the Auditor General's recommendations. We are committed to completely rebuilding the temporary foreign worker program compliance regime.

Thank you for the opportunity to appear before you today. We are happy to now take your questions.

The Chair: Thank you, Mr. Tremblay.

[*English*]

I now turn to MP Epp.

You have six minutes, sir.

Mr. Dave Epp (Chatham-Kent—Leamington, CPC): Thank you, Mr. Chair.

Thank you to the Auditor General for her work and to the officials for their attendance today.

I'm appreciative that the report reinforces that agricultural temporary foreign workers are an integral part of the workforce that supports Canada's food system.

Of course, the report documents growers' concerns about delays in the audit process, and those delays have affected the grower compensation support programs. The report also validates growers' concerns about the unmanageable volume of new guidance that they were expected to stay on top of and, indeed, it provided a challenge for the inspectors as well.

I wish the report would more strongly acknowledge the existing oversight by municipal and provincial agencies, but overall, it is scathing in its evaluation of the performance of the department.

To the Auditor General, in numerous places, such as paragraphs 13.24 to 13.29, evidence of poor documentation of audits is reported. In December 2020, you took the rather unusual step of meeting with the deputy minister and senior department officials to discuss the seriousness of these early audit findings regarding the quality. Is that correct?

Ms. Karen Hogan: That is absolutely correct.

I wanted to impress the urgency and the seriousness of the findings that we found, and I asked the department to take immediate action to prioritize the health and safety of temporary foreign workers.

Mr. Dave Epp: Thank you.

To ESDC, you appear to have put a new quality control process in for completed audits since February 2021. This new process required a second review of inspection records, including quarantine records, to confirm the suspicious evidence that had been gathered. You did that before informing the employer of an inspection result.

I have several questions.

What share of files go through this quality process? What is the service standard for completing it? What are the timelines for advising the original inspector and ultimately the employer? Of course, the most important question is, why did the quality drop in 2021?

• (1125)

Mr. Jean-François Tremblay: If you would allow me, I will ask Mary to answer the question.

Ms. Mary Crescenzi (Senior Associate Deputy Minister, Integrity Services Branch, Service Canada, Department of Employment and Social Development): Thank you so much, Mr. Chair.

I am pleased to answer the questions.

I could perhaps say that, yes, we introduced a national quality regime in February that provided the national standards. Subsequently, in July, we moved that quality standard regime to the service delivery network so that it could be closest to the inspectors and could get just-in-time feedback in a much more timely way.

This has been showing tremendous progress to date. In some of the reviews we have had, we are seeing, as our deputy indicated, a 45% increase. As for our substantive errors, since introducing a system enhancement this January, we are seeing higher than 90% without substantive errors. And so—

Mr. Dave Epp: Excuse me for interrupting, but when are you reporting that back to the employers?

Ms. Mary Crescenzi: In terms of the employers, we proceed through a notice of preliminary findings, and then a notice of final determination before those pieces go forward and the quality review, if conducted.

When we first introduced the national framework, we started at 100% review. We have since taken advice from quality experts and reduced that to the most pressing and priority areas, 60% of our files.

Mr. Dave Epp: Thank you.

In response to the Auditor General's recommendation to re-examine your inspection systems and the training and support for inspectors, etc., you responded with a national steering committee plan in May 2021 to develop an action plan to address those concerns.

Industry has not seen it. Can you describe the plan and table a copy of that plan with this committee?

Mr. Jean-François Tremblay: Go ahead, Mary.

Ms. Mary Crescenzi: Thank you, Deputy.

I would be pleased to share a copy of the plan.

The plan looked at four or five major elements. One was in regard to training. The others were in regard to tools and procedures, system enhancements, communication and, of course, the quality and timeliness regimes.

Mr. Dave Epp: Thank you.

In response to the assessment of the backlogged inspections, the direction from the Auditor General was to balance those inspections with new ones taking place. You responded with a national workload strategy, in paragraph 13.72, which would be a key to holding the balance of these two workloads.

Is this strategy different from the action plan? If so, can you also provide a copy and an update to this committee?

Ms. Mary Crescenzi: The national workload strategy is a supplemental document that was tied to the work of the national steering committee and the action plan. The national workload strategy was developed in July. What it looked at was the data and information that we had, as well as the capacity of our workforce, taking into account the recommendations from the OAG that we needed to look at our capacity and the areas of priority.

With regard to the pre-COVID backlog, we are pleased to indicate that our workload strategy reduced the pre-COVID backlog by 92%—

Mr. Dave Epp: Thank you. My time is limited, so I will take your assurance of tabling the plan.

The report references three kinds of quarantine and post-quarantine audits, but ESDC also does audits that are not pandemic-related. These are risk-based audits and audits that preceded the pandemic.

Were these inspection audits, particularly following COVID outbreaks, around housing standards—we will get to that shortly—coordinated with local health authorities and local provincial authorities?

The Chair: I'm afraid I'm going to have to end it there, Mr. Epp. We will have to come back to that.

I turn now to MP Shanahan. You have the floor for six minutes.

Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.): Thank you very much, Chair.

[*Translation*]

I'd like to thank all the witnesses who are with us today.

Although this is the first time we have examined this problem since the pandemic began, it is not only a pandemic problem. It is a long-standing problem.

I have some questions, and I think Mr. Tremblay will be able to answer them. If he doesn't have the answers now, he can get back to the committee with the information.

First, I'd like to know how many temporary foreign workers come to Canada every year, how many of them are farm workers, and of those, how many work in Quebec.

Second, I'd like some employer statistics so that I can compare the situation in Quebec with the situation in the rest of Canada.

How many employer are currently not in compliance with the inspection rules?

Are you able to answer those questions?

• (1130)

Mr. Jean-François Tremblay: In 2020-21, we had 129,000 foreign workers, and in 2021-22, we had approximately 120,000. The number of employers across all sectors was 27,000 in 2020-21 and around 24,000 in 2021-22.

In the farming sector, we had 5,000 employers in 2020-21, and the number was roughly the same in 2021-22. As for agricultural temporary foreign workers, we had 77,000 in 2020-21, which accounts for 59% of all foreign workers. In 2021-22, we had about 70,000.

I'm looking for the figures for Quebec. I don't know the numbers for every province off the top of my head. I'm not sure whether anyone from my team is able to answer that right now.

No matter, we can get back to you with the information, and if we find it before the end of the meeting, we will let you know.

The Chair: Thank you, Mr. Tremblay.

You can continue, Mrs. Shanahan.

Mrs. Brenda Shanahan: Thank you for those figures.

In my riding of Châteauguay—Lacolle, which could soon become Châteauguay—Les Jardins-de-Napierville, we host at least 6,000 temporary foreign workers every year. You can appreciate, then, how important this issue is to my region. I know that employers are just as concerned about the safety of workers as all of us here today are. In fact, I have some important questions to ask on behalf of farmers in my region.

What type of training do inspectors receive? Since 60% of temporary foreign workers are employed in farming, do inspectors receive training on agricultural sector workplaces and related issues?

Mr. Jean-François Tremblay: I'm going to ask Ms. Crescenzi to tell you more about the training inspectors receive. You raise a very important point.

Keep in mind that, when we hire inspectors, we train them internally. During the pandemic, on one hand, we doubled the number of inspectors, but on the other, we were losing 30% of our inspectors and employees annually. That was our attrition rate. That is why I said we were building and flying the plane at the same time. Much of the training is delivered in house.

[*English*]

Mary, do you want to maybe be more specific on the training?

Ms. Mary Crescenzi: In regard to training our new inspectors, it is initially a four- to six-week program. It covers what is involved in the inspection process, steps that need to be taken to ensure that the proper information is collected, the interconnections and working collaboratively with folks on the ground from other provinces—our provincial colleagues—as well as migrant worker associations and employer associations—

Mrs. Brenda Shanahan: I hate to interrupt witnesses, but I want to know if there is specific training for those inspectors who will be working in the agricultural sector.

Ms. Mary Crescenzi: Yes.

Mrs. Brenda Shanahan: I'll give you some examples. Whether it's a lack of training, confusion or lack of understanding of the mandates, there are inspectors who are asking for documents that are no longer up to date. There are inspectors who are asking for documents that are found in other information that the farmer has already provided. There's incoherence in the response depending on whom the employer is dealing with.

Yes, we have to deal with the challenge between federal and provincial, but apparently, over and above what we can understand due to the urgency of the COVID situation, there is not always a clear collaboration in providing directives.

Is there training, or are there any plans for training, specifically for the agricultural sector?

• (1135)

[Translation]

Not in Quebec, but in other parts of Canada, we saw cases of abuse and deaths.

[English]

The Chair: You have time for just a very short answer, please.

Ms. Mary Crescenzi: Yes, there is specific training for the agricultural sector. Each stream has specific training.

In regard to the conditions that are associated with the agricultural employers, every effort is made to work collaboratively across jurisdictions, but that's an area we are strengthening as part of the rebuild strategy.

We've also introduced supplemental training in regard to collecting information on documentation. It has been in regard to agriculture specifically, as well as on the accommodation aspects.

[Translation]

The Chair: Thank you.

We now go to Ms. Sinclair-Desgagné for six minutes.

Ms. Nathalie Sinclair-Desgagné (Terrebonne, BQ): Thank you, Mr. Chair.

I want to say a special hello to Ms. Hogan. I'm very happy to have her with us today.

Welcome back to the committee, Ms. Hogan. I hope it will be as positive of an experience as possible, despite the circumstances, obviously.

As Ms. Shanahan and other members have pointed out, temporary foreign workers account for a crucial part of our economy. Political stripes aside, I think we can all agree that we are facing a labour shortage and that temporary foreign workers make an essential contribution to our economy. They are also human beings, and even though they are not Canadian citizens, they have the same basic rights as everyone else. I think we can all agree on that as well.

It's clear from certain reports that inspections were carried out in a bit of a slapdash manner, if I can put it that way. We knew problems existed before, but things got even worse in 2020-21, despite the additional funding the federal government gave ESDC and Agriculture and Agri-Food Canada. In light of all that, the situation calls for constructive criticism and feedback, and that is what we hope to provide.

It's a fact that nearly a quarter of the temporary foreign workers who come to Canada work in Quebec, and statistics show that about 73% of agricultural temporary workers in Quebec are employed in the agri-food sector. It's clear, then, that we are talking about key sectors.

Now I'm looking to better understand something, so my questions are for Ms. Hogan.

Does Ms. Hogan know whether virtual inspections are common practice in other departments? If so, I'd like to know why inspections are done virtually. After all, these are workers who are deemed essential to the economy, so they should be able to work on site.

I'd like the Auditor General to talk more about that and about the effectiveness of virtual inspections.

Ms. Karen Hogan: Thank you for the question.

The first thing I would say is that the regulations can be very clear. That's what we see here. The rule changes that were introduced to protect the health and safety of temporary workers were very clear. The next thing is instructions that are very clear. In this case, the department had set out very clear instructions for virtual inspections; they were quite detailed, actually. What makes an inspection regime effective, however, is the way in which it is implemented, and that's where we identified gaps.

Have I seen inspections being carried out virtually in other sectors? Yes, but I do know that in-person inspections continued in other sectors.

I want to come back to the basics of an inspection. Inspection decisions must be supported by sufficient and appropriate information, and that was lacking in what we saw. I would also say that the department disregarded the fact that technology could have been leveraged to support virtual inspections.

• (1140)

Ms. Nathalie Sinclair-Desgagné: I see.

Can you describe some of the examples you talk about in your report?

Ms. Karen Hogan: It's hard to assess the situation when information is lacking. For example, in order to conclude that accommodations allow for proper physical distancing, the inspector has to be able to show that beds are at least six feet apart. However, if a photo shows only one bed in a room, when the room actually has other beds in it, it is very difficult to determine whether the accommodations meet the requirements.

Ms. Nathalie Sinclair-Desgagné: That happened.

Ms. Karen Hogan: Yes, that's right. Without concrete evidence, it's difficult, if not impossible, to determine whether employers protected the health and safety of workers and whether the department was right in concluding that employers had taken the necessary steps.

Ms. Nathalie Sinclair-Desgagné: Firstly, you found cases where worker health and safety had not been protected. Second, what I understand from your audit is that the department was claiming that employers were compliant with the requirements without any evidence to support that.

Ms. Karen Hogan: Yes, that's exactly right.

Ms. Nathalie Sinclair-Desgagné: Thank you.

The Chair: You have another minute, Ms. Sinclair-Desgagné.

Ms. Nathalie Sinclair-Desgagné: Perfect. That works out well. I can continue with my line of questioning.

Your report is very well written and quite detailed, and in it, you provide many examples of how the health and safety of workers was not always protected and how, in some cases, the department incorrectly determined that employers were compliant. Owing to the pandemic, in-person inspections were replaced by virtual inspections, and in some of the cases in which employers were found to be compliant, the photos relied upon did not show that to be true.

Are those the facts of the situation?

Ms. Karen Hogan: Yes, those are the facts of the situation.

I would like to add, though, that it is possible to conduct virtual interviews. We found, however, that in many cases, a virtual interview had not taken place, or that if it had, the information provided was not taken into account. That type of information should not be omitted from the file, whether the inspection is done virtually or in person.

The Chair: Thank you, Ms. Sinclair-Desgagné.

Ms. Nathalie Sinclair-Desgagné: Thank you.

[English]

The Chair: MP Desjarlais, you have the floor for six minutes, please.

Mr. Blake Desjarlais (Edmonton Griesbach, NDP): Thank you very much, Mr. Chair.

I want to thank all of the witnesses for being present with us today. It's nice to see the Auditor General here.

Of course, this is a report about labour. I'd be remiss if I didn't mention how ironic it is that we have an Office of the Auditor General where there's a strike happening right now, and we're talking about the conditions of labour here today. I wanted to point that out.

This report is deeply disappointing. It's another sad chapter in our history. We have to level with this. This is extreme. This report is damning. I want to make sure that we understand how we talk about these issues. These are people's lives. We are talking about people—fathers, mothers, children who don't get to see their parents, and they come back sick or sometimes dead. That's what we're talking about here.

This is deeply troubling for me. I have a very difficult time understanding how we can continue after so long.... This report states that these conditions were reported before the pandemic. There were investigations back in 2020: "In December 2020, we notified the Deputy Minister and senior officials at Employment and Social Development Canada that our audit had identified significant concerns with the quarantine inspections".

How do we expect this accountability framework that we have in our country to actually yield results when we've been doing this...for how long? There were public accounts meetings on this previously. We have to find a way to resolve this. This is a serious issue.

I'm encouraged by Mr. Tremblay's comments related to massive reform. I think that's encouraging. I think we need massive reform. We need to understand that protection for labour is critical. If we're going to be a country that understands how labour works well, that values people, we have to understand that these folks deserve basic protections, basic-level protections—something that this report clearly identifies as not being sufficient for the workers.

I want to ask a question related to the OAG's report. I have a question on the consequences for employers who did not comply with the immigration and refugee protection regulations, including monetary penalties ranging from \$1,000 to \$1 million. How many employers were fined in 2020 and 2021, and in what amount?

• (1145)

The Chair: Who is the question going to?

Mr. Blake Desjarlais: Maybe ESDC. Who's the one handing out these fines?

Mr. Jean-François Tremblay: I would ask if you would allow Mary to answer. She has the details in terms of the amount of money and the number of employers.

Ms. Mary Crescenzi: Thank you so much, Mr. Chair, and thank you, Deputy, for the referral of the question.

I'm pleased to report that every effort has been made to address the non-compliance of employers in this regard. Over the two-year period, we identified more than 330 employers who were in contravention. It could range anywhere from receiving a warning letter to a monetary penalty or a permanent ban.

In total, there was more than \$2 million of administrative monetary penalties that were administered, and the list of non-compliant employers can be found on the IRCC website.

I'd also like to underscore at this time that part of the impact of wanting to ensure the health and safety of our temporary foreign workers is measured by how many employers we bring into compliance. That is one area that our system, unfortunately, doesn't outline and isn't quick to underscore.

However, we have improved and increased the percentage by 10%, up to 30% of employers we worked with during the course of the inspection. Because of the interaction with the inspector and our staff in saying that they were not meeting the requirements, they made adjustments and provided proof that they did. We were pleased to see that 30% of employers were brought into compliance and therefore did not need to go through the monetary penalty or the consideration of a ban.

Mr. Blake Desjarlais: My second question is this. The OAG found issues with the department's 2020 assessment of wage paid to quarantined temporary foreign workers: "32% of quarantine inspections...contained insufficient information to assess wages".

Does the department plan to verify the wages that were actually paid during quarantine in 2020 and 2021, and what does it plan to do better to verify this in 2022?

Mr. Jean-François Tremblay: Mary, go ahead.

Ms. Mary Crescenzi: Of course, that example is not an example that we're proud of. This is an area where we have introduced a number of steps in order to address it: supplemental training, system enhancements to track those types of things, as well as ensuring that the system itself provides prompts and ensures that the documentation is there.

As I said before, the moving into compliance.... Some of the examples I have are examples where the employer at first did not pay the worker during quarantine because they did not have a social insurance number. The inspector immediately told them that was not a valid reason not to pay. The employer, the day after, paid the worker and demonstrated that they were brought into compliance.

These are also some examples that unfortunately didn't show up in the report. It's not to say there isn't significant work and progress that needs to be made in order to get to a better place, but we are seeing improvements in the last six months, both by way of documentation quality and the timeliness of our inspections. We hope this will continue into the new season.

Mr. Jean-François Tremblay: I would add, Mr. Chair, if you will allow me, that this is not just about the inspections. It's also about making sure that the workers know what their rights are and about making sure that they have organizations they can work with. You will notice that in the 2021 budget we also got funding to actually work more with community organizations that provide services to workers as soon as they arrive at the airport, as well as in the communities. We also opened up multilingual lines, I think in March of last year, that people can call directly about work and mention what the issues are and what they're facing.

Inspections are an important part of the compliance, but we need more than that. We need prevention too. We also have a lot of sessions with the private sector, with the employers. More than 1,100 participated over the last year, which represented more than

200,000 employers, because some of these were, of course, organizations. We also work—

● (1150)

[*Translation*]

The Chair: Thank you, Mr. Tremblay. I have to stop you there, I'm afraid.

[*English*]

I'm sure Mr. Desjarlais will come back to this theme. I want to make sure we get our fourth round in so that everyone has adequate time.

Mr. Duncan, it's over to you.

Mr. Eric Duncan (Stormont—Dundas—South Glengarry, CPC): Thank you, Mr. Chair, and thank you to our witnesses for being here today.

I want to echo what Mr. Epp said in his opening comments. This program is instrumental for our agri-food industry, and it's important to get this right to protect vulnerable populations like temporary foreign workers.

I want to focus on the accommodations for temporary foreign workers. Given multiple media reports and public outcries, and even a commitment by the department back in 2018 to address the lacking minimum standards for housing accommodations nationally, two years later, during the midst of the pandemic, there were still multiple reports of troubling conditions. It's now been four years.

Mr. Tremblay, can the department name one single national standard that has now been established for this program, when it comes to accommodation standards for temporary foreign workers?

Mr. Jean-François Tremblay: As I said before, and as we've said before, we are working now with the provinces. There's a report on what we have heard through engagement and consultation. We are trying to make sure that we actually have a solution to the accommodation situation.

You should not forget that—it's true, but I know people don't like to hear it sometimes—it is an area of provincial responsibility. The provinces develop the standards on accommodation.

Mr. Eric Duncan: In the interest of time, maybe I'll just illustrate my point on this. I understand the need to partner with provinces and jurisdictions, but in four years.... Can you name the province that would be objecting to running drinking water or electricity in accommodations? I say this from a public accounts perspective. There's literally zero that's been done. There must be agreement on three or four bullet points that items like these should be a guarantee.

Where I'm going with this, and sometimes I'm bad with analogies.... Is the department trying to bite off more than it can chew, producing nothing over four years? Is there not some basic minimum standard at a national level? Who's pushing back on basic things like that, from actually putting them in place after four years?

Mr. Jean-François Tremblay: What you see as a challenge... It's not necessarily that we would not agree on some key elements. That's a very fair point. What you see as an issue.... If we go to inspect, we don't have the capacity to enforce. We can tell the provinces what's going on, then they have to check if the information is true, and after that, it's going on.

How do we react faster? One thing we've done, for example, over the last few months—weeks, actually—is to make sure that we have an escalation process of 24 to 48 hours, so that when we know workers are at risk from a health and safety perspective, we take action immediately. We don't wait to hear what's going to come out of those discussions.

Mr. Eric Duncan: As a supplemental to that, on the conversations with provinces and partners and the jurisdictional issues, what is your time frame for producing a standard? Is there something that...? Can you come back to our committee and say that by *x* date we will have this? Where are you at in terms of those conversations? Are you nearly there, something imminent, or are you still months or years away from having something?

Mr. Jean-François Tremblay: We're months away. We're aiming for the end of the year.

Mr. Eric Duncan: Mr. Chair, perhaps I'll ask, for our conversation and recommendations, that we have that report tabled with us as soon as possible, for that reason.

There is another thing I want to go to, at a higher level. Again, from a public accounts perspective and we ourselves learning about the enforcement of this, as the Auditor General mentioned.... It's rare, from my limited experience here on the committee, for her office to raise preliminary flags regarding the urgency of this. It did at the end of 2020, and the situation actually got worse in 2021.

If a Canadian or an advocate for the temporary foreign worker program, an advocate for the dignity of temporary foreign workers and the conditions they live or work in.... You were told at the end of 2020 that there was a problem. You said you were going to address it. It actually got worse in 2021, and here you are in 2022, telling us it's going to get better.

Perhaps it's a reflective question, but some specific details.... What confidence can you give to the people watching this and following this file that 2022 is actually going to produce something different—after, respectfully, in the midst of the pandemic, and at the height of when it was needed, it actually got worse instead of getting better?

Mr. Jean-François Tremblay: When you look at what happened in 2021, it's not that there was no action. It's the time it takes to actually implement those actions. In February, as it was mentioned before, we launched a national internal quality review. We got two proposals in the budget, which were funded, to improve the capacity of the workers to work with community organizations, and also to actually have accountability and have more inspections.

We doubled the number of inspectors. We doubled the size of the team that was actually providing, helping, and working with the inspectors to make sure they were doing their job appropriately. We actually introduced pre-reading regulations early last summer, pre-

cisely to enforce the accountability of the employers when things are not going well.

A series of measures were put in place, and if you look at the results, our results actually changed over the year 2021. When we say there was an improvement, because our internal audit looked at it, it's real. We said we would aim at 80% for the end of February or the end of March, and we are actually at more than 80%.

• (1155)

[*Translation*]

The Chair: Thank you, Mr. Tremblay.

I'm sure that we'll come back to this topic.

I'll now give the floor to Ms. Bradford for five minutes.

[*English*]

Ms. Valerie Bradford (Kitchener South—Hespeler, Lib.): Thank you, Mr. Chair.

Thank you, Auditor General, for this very important work and for being here with us today in order to speak to it. Thank you to all our witnesses.

Obviously, there are a number of items of concern in this report. One thing that stands out is that a lot of the problems result from these virtual inspections. All of us can appreciate that cameras do lie, contrary to popular belief. The Internet is full of all kinds of images that misconstrue things.

As I understand, it was up to the employers to provide your inspectors with photos that would demonstrate that they were meeting the requirements, yet we find that in 93% of the cases, there were no photos of the general accommodation. In 60% of the cases, there were no photographs of the isolation spaces.

I would like to know why it was decided to do virtual inspections. Is that going to happen this year as well, given that there are a lot of obvious shortcomings with this particular process?

Mr. Jean-François Tremblay: I will start, and then ask Mary to talk about this year.

We followed the public health measures, so we didn't send people when there was a risk from a pandemic perspective. We also have to understand that bringing people into an organization that is quarantined is not a good way either. We could have been at risk of contamination on our side.

The decision to proceed with virtual was not because we decided that we prefer virtual. It's because we needed to respond to the context of the pandemic and the fact that it was in the middle of waves. Even in 2021, for example, if you think about February to April, we were back in a big wave in terms of the pandemic, with record hospitalizations in April.

I may turn to Mary for what we're doing this year.

Ms. Valerie Bradford: Would it not have been possible to physically inspect these accommodations with the workers not present and maybe do interviews outside with the workers safely distanced?

I'm thinking that during the pandemic, all kinds of workers, like health care workers and grocery store workers, were still providing face-to-face service. I feel that you should have been able to inspect these facilities safely in person.

My concern is now.... When will these temporary foreign workers be arriving? I would think very soon. Is that correct?

Mr. Jean-François Tremblay: Some are already in Canada. There's an annual cycle of temporary foreign workers, as you know.

To your questions on this issue, you have to remember that in 2020, when the pandemic arrived, it arrived quickly. Having the authority to go inspect for quarantine.... This program was not a health program. It was not built to do inspections for quarantine. While developing that, people were coming in, so there was no luxury of thinking in advance whether it was better to do it like that. It was reacting to a crisis and trying to manage it the best we could.

Ms. Valerie Bradford: I understand that. In 2020, that was the thing, but then in 2021, you were still doing the virtual inspections, even though they clearly didn't work well in 2020. They did not protect the workers, and people died.

Now I'm concerned that's going to be the case this year. My big concern is that COVID-19, as we all know, is in our communities and it's widespread. It's much more contagious. We're bringing these workers in at a time when a lot of it is in the community, and I'm very concerned.

Maybe it would be helpful if someone could describe for us what these bunkies are like, so we know what we're bringing people into and how we can protect them safely. How many people are in a typical dwelling? How close together are they? Is there indoor plumbing?

I'm not sure who can answer that for me.

• (1200)

Mr. Jean-François Tremblay: I can answer.

The Chair: I'll need a short response, Mr. Tremblay.

Mr. Jean-François Tremblay: Mary, you'll be briefer than me. Go ahead.

Ms. Mary Crescenzi: Thank you.

I'll be quick. The inspectors are not allowed to go on site until the workers have arrived in Canada. That is part of the authorities and the ways in which we can do this work.

The pre-inspection prior to arrival is conducted at the provincial jurisdictional level and is called a housing inspection report. They need to demonstrate that they have a pass on the housing inspection report by provincial authority even before they apply for a labour market impact assessment, in order for the employer to receive an approval to have temporary foreign workers come into Canada.

That housing inspection report looks at all of those things that you're speaking about—the bunkers, water, access to functioning

kitchens and so on. We must rely on our provincial authorities, and whom they delegate to, to demonstrate meeting those expectations.

[Translation]

The Chair: Thank you.

Ms. Sinclair-Desgagné, you have the floor for two and a half minutes.

Ms. Nathalie Sinclair-Desgagné: Thank you, Mr. Chair.

I'd like to follow up with a question that I'm sure Mr. Tremblay can answer.

How does the hierarchy work at ESDC? Several things were discussed earlier, such as the internal audit and the need to train inspectors. I understand all this. However, does anyone check the work of the inspectors?

Mr. Jean-François Tremblay: As I said earlier, a committee and an organization help and support the inspectors. The work done by the inspectors is certainly checked.

As I pointed out, in this case, the measures were developed as people were implementing them.

After hearing the Auditor General's comments, we set up our own internal audit service. This service is responsible for continuing to conduct audits in the department. This enabled us to follow up and to ensure that the measures were being implemented and that they were working.

Ms. Nathalie Sinclair-Desgagné: Thank you, but that wasn't exactly my point. I was wondering about how far these people go with their checks.

According to the inspectors' findings in their reports, in 2020, quarantine requirements were met 99.6% of the time. In 2021, the figure was 100%. Didn't that sound fishy to anyone? Wasn't that enough to suggest that something was wrong?

Mr. Jean-François Tremblay: As I said earlier, we kept trying to improve things throughout 2020. After that, in 2021, we took many steps. We're starting to see results. Things don't change in a day. We were in a crisis. Granted, things could have gone better. Everyone agrees on that.

Ms. Nathalie Sinclair-Desgagné: Thank you.

Ms. Nathalie Sinclair-Desgagné: You say that things improved between 2020 and 2021. I see that, in 2020, 73% of quarantine inspections had issues, meaning that they were incomplete or of poor quality. In 2021, the figure was 88%. I don't see an improvement, but a decline.

Mr. Jean-François Tremblay: The year 2021 continued until December. Starting in July 2021, the results started to get better and better.

[English]

The Chair: Thank you very much.

Next we have Mr. Desjarlais.

You have the floor for two and a half minutes.

Mr. Blake Desjarlais: Thank you, Mr. Chair.

I want to first thank my colleagues from across this committee for ensuring that we have a serious and I think well-questioned discussion about the seriousness of this. It's just so troubling. In my opinion, this is truly one of the greatest failures of our present time in this country—that we let folks die. We take this position on the international stage as if we want to protect folks, and then we send back bodies. That's unacceptable. I don't want to see this committee face this issue again. This report, this work, I encourage the ministry to take seriously.

I want to read a few facts that are concerning, in a vein similar to the one followed by my colleague Nathalie Sinclair-Desgagné. They're related to the red flags that I think the ministry should certainly have been aware of.

These come from exhibit 13.6, and are as follows:

In a 2020 inspection, quarantine accommodations for 26 temporary foreign workers were being assessed. The only evidence collected to demonstrate that these 26 workers could physically distance as required was 2 photos of a table and photos of 2 bedrooms that showed the sleeping arrangements for only a small number of workers.

This was supposed to be on behalf of 26.

No follow-up occurred, and the employer was found compliant.

Why?

In a 2020 inspection, quarantine accommodations for 3 temporary foreign workers were being assessed. The photos obtained from the employer clearly demonstrated that the distance between workers' beds in their shared bedroom was far less than the required 2 metres. No follow-up occurred, and the employer was found compliant.

In a 2021 inspection that had been inactive for more than 2 months at the time of our review, quarantine accommodations for 10 workers were being assessed. Only 1 photo of 1 bedroom was obtained from the employer. Information on the number of accommodations being used to quarantine these workers and how these accommodations allowed for required physical distancing was not collected.

Why are these employers getting compliancy approvals when it's very clear...especially after my colleague Valerie Bradford's comments related to these conditions and the issues related to photos? Why were they found compliant?

● (1205)

Mr. Jean-François Tremblay: First, I want to really thank you for these questions. We share your concerns. There's nothing more important than people's lives. People who come to Canada expect to be treated like other Canadians and other workers, and should be treated that way. The failure that happened with this program is something that clearly needs to be addressed. I can tell you that it is a preoccupation for all the people who work on this program inside the department.

Now I will turn to Mary, who may want to give you more specifics about what happened in 2020.

The Chair: I would ask you to be very brief, please.

Ms. Mary Crescenzi: Of course. I'll concentrate on the supplemental training that we have already put in place to address those pieces.

These are examples that we do not wish to replicate, and we're making every effort not to do so—

Mr. Blake Desjarlais: I'm sorry. The question was about why they were approved as compliant.

The Chair: I'm actually going to have to cut it there. We're going to get back to you in another round, I'm afraid.

Mr. Epp, you have the floor for five minutes.

Mr. Dave Epp: Thank you, Mr. Chair.

I come from a part of the country that has over 12,000 temporary foreign workers. We have a growing greenhouse industry and other sectors that are vital to our economy. I have employers who are constantly building new housing—just following up on my colleague Mr. Duncan's questions—and they're really looking forward to meeting those new standards. They're guessing at what the future standards will be. We're looking forward to the end of the year for those reports.

I want to go back to the questions I asked ESDC earlier. There wasn't enough time for an answer regarding the coordination of inspection processes with the local authorities. In one of your answers most recently, you alluded to the fact that it's a provincial and local authority, and that happens before the workers come.

What is the coordination? This is particularly because those same organizations do post-outbreak audits, and I know growers who are facing audit after audit, trying to comply, but it's one after another. What's the coordination between ESDC follow-up audits and the local inspections?

Mr. Jean-François Tremblay: We have agreements with most provinces, and we try to develop more agreements with local authorities to make sure we have a capacity to share information as it happens—live, basically—because, you're right, that is one of the issues we need to address. We have to make sure there is actually not just a coordination but also a capacity so that, when something happens, the person who can act does act at that moment. That's clearly an issue for us.

I would ask Mary to complete the answer with what is done on the compliance side to increase the work with local authorities.

Ms. Mary Crescenzi: We have introduced an escalation process that identifies the provincial touchpoints whenever there is an issue that needs escalation where the health and safety of the TFW is of concern. We have done system enhancements and provided training to ensure that this is introduced as part of the ministerial commitments.

On the ground, we work very closely with public health officials. They are in fact one of the first responders to an outbreak, as you were indicating. We have established very strong relationships in the governance tables across the country with provincial and local public health authorities so that we can work in lockstep with them.

• (1210)

Mr. Dave Epp: Thank you. My time is limited.

I'm going back to the Auditor General.

In paragraph 13.21, you found that, in conducting a number of inspections of compliance with respect to the regularly mandated requirements on the basic living conditions, there wasn't sufficient documentation in the files.

Are you inferring that the employers are not compliant, generally speaking, despite having this housing as a condition of program participation inspected by local authorities?

Ms. Karen Hogan: That's a bit of a complex question to answer, because it is the employer's responsibility to comply with basic housing requirements that are set either provincially or municipally. The temporary foreign worker program inspection regime is one that's supposed to ensure that the employer continues to meet the minimum standards pre-pandemic and even in those post-quarantine inspections.

What we saw was that the inspectors were not gathering any evidence to demonstrate that they were still meeting those basic requirements. They weren't asking questions about standard living conditions and occupancy limits. In the absence of having evidence, you can't conclude that those questions were asked. That's not a question of virtual or in person. That's a question of quality and rigour in an inspection.

Mr. Dave Epp: Thank you.

The point I'm making is that it's in the process of inspection far more, from my experience, than it is on the actual compliance on the ground.

I'd like to go to 13.30, where the Auditor General acknowledges that the department stated that the temporary foreign worker population in a pandemic situation was a vulnerable population. We know this. This has been a vulnerable population since 2017, it's been acknowledged, particularly in congregate living situations.

Given the focus of all us that vaccines are a major tool in addressing COVID-19, did the Auditor General examine ESDC's policies on vaccination of temporary foreign workers as a condition of the program?

Ms. Karen Hogan: The scope of our audit did not look at vaccination policies. We looked at the changes to the immigration and refugee protection regulations. Any traveller coming into Canada has to comply with vaccination rules, and that would have been handled by another party, but it wasn't part of the inspection regime.

Mr. Dave Epp: Thank you.

This question is for ESDC, then.

Your workforce is subject to the federal vaccination mandate. Would it be fair to say that you would have the authority to make vaccination a condition of program participation and then chose not to with the 2022 season?

Mr. Jean-François Tremblay: I would ask Mary, because I'm not sure I know the answer to this question. I'm sorry about that.

Mary.

Ms. Mary Crescenzi: Mr. Chair, the way I would answer this question is to say that the order in council governs the border in regard to who can come in and out of the country. Temporary foreign workers were identified as an exemption to mandatory vaccination, but there are specific rules for what needs to take place for unvaccinated workers to come into the country.

Our department has been working with source countries to encourage and share education so that more and more vaccinated temporary foreign workers are coming into the country. Of course, there's value added in doing that for all concerned. We are seeing from some early numbers coming in that more than 80% of temporary foreign workers in the agriculture and agri-food sector are fully vaccinated.

The Chair: Thank you very much.

MP Yip, you have the floor for five minutes, please.

Ms. Jean Yip (Scarborough—Agincourt, Lib.): It's wonderful to see the Auditor General is with us today. Thank you to all the witnesses for coming.

This is a question for Mr. Forbes.

In the OAG report there was little assurance for Agriculture and Agri-Food Canada that all the funded employers met program terms and conditions. Did Agriculture and Agri-Food Canada ever recover any funds from employers who did not adhere to the program guidelines?

Mr. Chris Forbes: Mr. Chair, if I may, yes, we have. Over time, we use the public information resulting from the work of ESDC and Immigration, Refugee and Citizenship Canada.

I think the numbers I have, as of around this week, are totalling about 12 cases where we've actually taken action. That could be stopping an application, potentially stopping payment or trying to recover funds if the funds had already been paid out at the time that we discovered the non-compliance.

• (1215)

Ms. Jean Yip: Were there any monetary penalties? I seem to see that there are penalties ranging from \$1,000 to \$1 million. How many employers were fined in 2020 and 2021 and in what amount?

Mr. Chris Forbes: Mr. Chair, on that question, we would recoup, delay or stop funding from our program. The penalties would be from ESDC, so I might turn to Mary, if it's possible, to respond to that question.

Ms. Mary Crescenzi: Deputy, with your support, I'll continue and indicate that as I've shared earlier, over 330 employers were determined to be non-compliant. The administrative monetary penalties equated to more than \$2 million. The range of penalties started at a warning letter and went up to \$100,000 per TFW, up to \$1 million for each employer, depending on the size of the farm.

Ms. Jean Yip: Thank you.

Mr. Forbes, how do you plan to use the results of ESDC's inspections to evaluate whether employers meet the program terms and conditions?

Mr. Chris Forbes: I think we would continue to work with ESDC. When we understand that there are those situations of non-compliance in this or any other program, we obviously ensure that no funds are delivered to recipients who are not eligible.

We do ask that employers who are participants in the program keep any records for, I think, six or seven years. Certainly if we find new information from work done by ESDC, we can always go back and revisit the situation with those who have received a payment when they were, in fact, ineligible.

Ms. Jean Yip: I was really concerned when I saw in the report that the timelines were mismatched in that often inspections were not able to be completed or that the quarantine period had already gone by and then the inspections were not able to go through.

I'm thinking about the need to balance the completion of active inspections with the timeliness of the completion of new inspections. How does the department intend to achieve this balance?

Mr. Jean-François Tremblay: You're right. It is essential to make sure we have the capacity to deliver the inspections and the results of the inspections on time.

What happened at the time was that we doubled the number of inspections at the same time we were changing from real to virtual inspections.

Since then we have developed the workload strategy management plan, which helps us prioritize to make sure we have a good sense of what the high priorities are in terms of inspections.

We have reduced the famous backlog from before the pandemic by 92% and we have reduced by, I think, close now to 50% the existing load of the inspections. It becomes way more manageable and we will continue to make progress in that regard.

Ms. Jean Yip: Could you—

The Chair: You have time for a statement of 10 or 15 seconds.

Ms. Jean Yip: All right. When is this national workload strategy going to be implemented?

Mr. Jean-François Tremblay: The workload management plan was actually issued last summer, and we committed to send it to the committee.

The Chair: Thank you, Ms. Yip. That was perfect.

We are now in the third round, beginning with MP Lawrence. MP Lawrence is appearing virtually today.

It's over to you, sir.

Mr. Philip Lawrence: Thank you, Mr. Chair.

First, I want to get some context here and find out how much is spent on the temporary foreign workers program. Any one of the civil servants is more than welcome to answer this.

What is the total cost—

Mr. Peter Fragiskatos: Chair, on a point of order, I'm very sorry to interrupt our colleague, and maybe it's just me, but I can hardly hear him.

The Chair: Is anyone else having difficulty?

I'll suspend for a few seconds.

Please continue, Mr. Lawrence.

• (1220)

Mr. Philip Lawrence: Thank you.

What was the total cost of the temporary foreign worker program in 2020-21 and can you forecast what it will be for 2022? If you don't have the answer right now, I'll take an undertaking to give this information to the committee.

Mr. Jean-François Tremblay: I will ask Lori if she has the number for the full amount of money. Otherwise, as you know, it also includes funding for other departments, so I'm not sure we're going to have all of this.

Lori.

Ms. Lori MacDonald (Senior Associate Deputy Minister, Employment and Social Development and Chief Operating Officer for Service Canada, Department of Employment and Social Development): Yes, we can table for sure the full funding breakdown, but I would add that in budget 2021 we got \$49.5 million over three years to support community-based organizations. Then we also got \$54.9 million over three years starting in 2021-22 to increase inspections of employers. Of course, we also have our broader departmental budget that we can table along with these numbers.

Mr. Philip Lawrence: Thank you. I would appreciate that.

Clearly, this is an essential program, but if I do the math quickly, and it's hundreds of millions of dollars and 70,000 employees, we're going to have up to \$3,000 or \$4,000 per employee that the taxpayer is responsible for, which is a significant amount of money.

We have heard that our agriculture producers were held responsible, as they should be, for not following the regulations that were put in place by the government, but we haven't heard if there has been any discipline for the inspectors or the management. It wasn't just one inspector; it was clearly most if not all of them when we've had failure rates at 80% or 90%.

Were any civil servants or bureaucrats fined, disciplined or demoted?

Mr. Jean-François Tremblay: I would say the issue that has been faced by the department during that crisis was a systemic one. It was a system that was not working well. It was the fact that we were doubling the number of inspections. We had to double the number of people. We also had to go virtual, and the guides were developed at the last minute.

It's really hard to actually say, "It's this person who made the mistake," when the person didn't necessarily get the training, and the person who developed the training didn't have the time to develop the training.

We have been like that over the last year. This is really a case—

Mr. Philip Lawrence: With respect, sir, our producers had the same COVID, and they were held responsible, as they should be, for failures.

You were tagged by the Auditor General halfway through the pandemic, who said that you had to do better. You did worse. Someone needs to be held responsible.

Was anyone in your department, including yourself, paid a bonus during this time?

Mr. Jean-François Tremblay: I don't have that information here. I was not in the department during that time, so I can tell you that I was not paid a bonus for this work.

The work we have done is about addressing the situation and the accountability in the right way. What we have done is redirect the team to focus their attention on what was key and what we were learning through the crisis.

As you can see, and as we have said today, during the year 2021, people made the progress that they had to make. It's a failure in the context of the pandemic, where we think we're under crisis, where people had to go outside of their comfort zone, where people had to take risks that normally they would not take. It's not a situation where some employees decided not to do their job.

Mr. Philip Lawrence: Clearly, sir, the Auditor General called for you to improve the verification of the audits that your inspectors were conducting. They got worse. In fact, we're not talking about a 20% or 30% problem. We're talking about an 80% or 90% problem.

Everyone realizes the challenges. We were all underneath COVID-19, but our agriculture producers were held to that standard and were fined, and you're telling me that not one civil servant had any type of responsibility whatsoever for the failures that are fully disclosed in this report, which put our temporary foreign workers at risk.

Mr. Jean-François Tremblay: With all due respect, as I mentioned before, when the Auditor General advised Parliament of the

situation in late 2020, actions were taken in 2021 from the get-go. Actions were taken, but it takes time to build up and to have results with actions. It doesn't happen in a day.

The fact that you have two proposals in the budget means that people were working on this from the get-go. The fact that we already put in place some measures in February, the fact that we opened up those lines, the fact that we worked with the countries and consulates to make sure that the information was shared are all things that prove the department was taking action immediately.

When you look at the results after June—

Mr. Philip Lawrence: With all respect, sir, they weren't effective.

• (1225)

Mr. Jean-François Tremblay: They were effective after June. The year 2021 is actually 12 months long. If you look at the results we had with our internal audit, after June you see there is progress. If you look at the results today, for the month of February we were at 95%.

The Chair: Thank you very much.

MP Fragiskatos, you have the floor for five minutes, please.

Mr. Peter Fragiskatos: Thank you very much, Chair, and thank you to the witnesses for appearing.

I want to ask questions from the perspective of looking forward and of what can be done to rectify some of the problems we have been talking about today.

In December 2021, we know that Minister Qualtrough, the minister responsible for ESDC, issued instructions for you, Deputy Minister Tremblay. I want to go through each of those instructions and see where progress currently lies, recognizing that, yes, December 2021 was only a few months ago, but it would still be good to get an update for the committee, to have it on the record.

The first instruction is: "Ensure all staff responsible for inspections have received supplementary training by no later than March 2022."

Where are we on that?

Mr. Jean-François Tremblay: It's done. They all received the training.

Mr. Peter Fragiskatos: The second point is: "Implement renewed guidance to ensure that if ever a worker's health and safety is at risk, necessary action is taken within 24 hours and no later than 48 hours, including the notification of appropriate stakeholders, authorities and jurisdictions."

Where are we on that?

Mr. Jean-François Tremblay: It's done. That's what Mary mentioned. We now have a system that allows for actions to be taken when we know there is a risk or potential risk.

Mr. Peter Fragiskatos: Fair enough. I'd like to make sure that it's on the record all in one spot.

The third point is: "Develop a plan to target higher risk areas to reduce backlogs and ensure inspections are timely."

Where are we on that?

Mr. Jean-François Tremblay: It's done.

Mr. Peter Fragiskatos: Finally, the fourth point is: "Reach a rate of 80% of inspection files without substantive errors by March 2022, and reach 90% by no later than September 2022."

Where are we on that?

Mr. Jean-François Tremblay: We are above 80%. As I mentioned, in February we were at potentially 95%. We hope that it's going to continue, and we are on track for sure to get to 90% by September.

Mr. Peter Fragiskatos: Thank you very much for that.

I want to delve into and understand the relations between ESDC on the one hand and other levels of government, because clearly other levels of government have jurisdiction here, have a stake here. Can you tell me where we are on that as far as the way forward goes?

Mr. Jean-François Tremblay: We have agreements, as I mentioned, with a lot of provinces, and we will continue to do that. We also have engaged with people, including provinces, on the issue of accommodations. I think we all share the same objective to make sure it is done appropriately.

The issue that we have continues to be how we coordinate and make sure that we have actions taken in real time. This is something that we're working on. We expect and we hope that by the end of this year we will have a plan to implement on that side.

Mr. Peter Fragiskatos: When we look back at the pandemic—well, we're still in the pandemic—especially during the peaks of the pandemic, we see that ESDC is one of those departments—CRA as well—that is extremely busy, extremely occupied with helping Canadians. That obviously presented a very heavy workload. The focus was on the pandemic and offering and ensuring supports for Canadians.

One might pivot from there to ask a question related to where the focus on temporary foreign workers is considering the fact that ESDC has placed so much attention on ensuring Canadians are supported through the pandemic.

Insofar as being able to deal with this issue of temporary foreign workers, is there a greater space available now in terms of, not a reduced workload, but things being not as grave as they were in the early waves of the pandemic? Is there a greater space now for this issue to be dealt with within the department and for it to be given the attention it deserves?

Mr. Jean-François Tremblay: All those issues were important. I was not in the department at the time, but I looked at the files. You're right. This is a department that has been working on benefits night and day since the pandemic.

Temporary foreign workers were an important problem and an important issue to address. We have increased the resources signifi-

cantly to make sure that we are able to tackle some of those issues. We will continue to give a significant importance to the actual program, because we want this program to be successful. We want us, the employers, Canadians, to benefit from this, but we also want the workers who are coming here to actually enjoy and have positive outcomes from their stay in Canada.

• (1230)

The Chair: You have time for a very brief comment.

Mr. Peter Fragiskatos: I'll simply say that, yes, we have seen a challenge here, but it's good to know and heartening to know that steps are being taken to address the matter. Through the pandemic, ESDC was there; you continued to be there, and we will see the progress that's made on this issue. I'm sure this committee will revisit the matter in the coming months.

The Chair: Thank you.

[*Translation*]

I'll now turn the floor over to Ms. Sinclair-Desgagné for two and a half minutes.

Ms. Nathalie Sinclair-Desgagné: Thank you, Mr. Chair.

I'd like to keep talking about outbreak inspections.

According to the report, at the start of the pandemic, there were few or no quarantine inspections. However, as the pandemic progressed, our knowledge improved and provinces were quicker to share information when outbreaks occurred.

Why did it take so long to conduct outbreak inspections?

Mr. Jean-François Tremblay: As I said earlier, it isn't that we wanted to take our time to conduct the inspections. It's that the workload doubled during that period. Even though we tried to hire more inspectors and train them as quickly as possible, 30% of our employees were leaving each year. As a result, we weren't able to keep up with the demand in a reasonable time frame.

That's why, since then, we've put in place a strategic management of these inspections and strengthened the implementation aspect. We now have enough inspectors to address the issue. If you look at our figures, you'll see that we've significantly reduced the backlog of inspection cases that were active before the pandemic and the backlog of inspection cases that were active during the pandemic.

Ms. Nathalie Sinclair-Desgagné: Mr. Tremblay, could you provide these figures?

Mr. Jean-François Tremblay: I can ask Ms. Crescenzi to provide more details. I believe that over 3,000 inspection cases were active before the pandemic. We reduced the backlog of inspection cases that were active before the pandemic by 92%. During the pandemic, I believe that the reduction was about 50%.

[English]

Mary could probably provide more detail.

The Chair: Do you have anything to add, Ms. Crescenzi?

Ms. Mary Crescenzi: I'm sorry. My system was freezing.

I think our deputy has covered it well. We have introduced also system enhancement and administrative—

[Translation]

Ms. Nathalie Sinclair-Desgagné: Sorry to interrupt you. My question specifically concerned the number of current inspections in the event of a quarantine or an outbreak in temporary foreign worker housing, and not the system in place.

[English]

Mr. Jean-François Tremblay: Where are we with the backlog, Mary?

Ms. Mary Crescenzi: We have completed over 3,000 inspections by the end of the fiscal period, by last March 24. Of those, we have 1,500 in primary agriculture where there is likely an accommodation component, as many of the accommodation inspections include an accommodation component.

Under quarantine, 65% of those are quarantine inspections. Outbreak inspections are those where there is an outbreak notified and we are working with the province in order to look at compliance. About 104 have been completed to date.

[Translation]

The Chair: Thank you.

[English]

MP Desjarlais, you have the floor for two and a half minutes.

Mr. Blake Desjarlais: Thank you very much, Mr. Chair.

I want to thank the witnesses again. I'm not certain if we'll get another round, but thanks for being here. I think it's an important first step to make sure that there's accountability for this work. I'd hate to see the Auditor General's report some years from now repeat these mistakes.

I'm very worried because of the fact that this ministry has been told before by the Office of the Auditor General to do better, and we have seen things get worse, so you have to understand our concern with how the implementation of this is going to go. A commitment is one thing, but there is much more work that has to be done.

There was a mention by Deputy Minister Tremblay regarding the structure itself, the structure being a massive problem. Of course, it is very difficult for any administrator to look at the structure and try to use that vehicle when the vehicle itself is set to a destination that isn't going to work for anybody.

I understand that part, but part of the OAG report.... I have mentioned this in the past about the OAG report, in that it often is lacking the ability to have more nuanced review of these audits. Part of that is to understand some of the structure that you're talking about, Deputy Minister Tremblay. I'd like to see if you could elaborate on some of the structural problems, but in particular, the structural racism that exists within a program like this. When we're talking

about temporary foreign workers, it's not uncommon. I've spoken to temporary foreign workers about their experiences with racism, and the fact is that the Auditor General's report has nothing about it here. I've pointed that out in previous Auditor General's reports.

Would you agree that there are issues not just with the structure but with structural racism within the department?

• (1235)

Mr. Jean-François Tremblay: There is systemic racism in the public service at different levels. I think I would never deny that. I've been working on indigenous issues for years, as you probably know. It is a preoccupation for the senior management table. It is something that we are seeing also on diversity and inclusion as a very avant-garde department, and we will continue to work on this. It is a very important issue. Is there some bias that happens with foreign workers? It's a very legitimate question, which of course we take very seriously.

On your point on commitment, we're not just making commitments. We are actually coming with facts. We're coming with actions and we're—

Mr. Blake Desjarlais: To that point, Mr. Tremblay, what action will you take in order to combat structural racism?

The Chair: I'm going to stop there, but you will have another round to come back to this.

Mr. Duncan, you have the floor for five minutes.

Mr. Eric Duncan: Thank you, Mr. Chair.

Through you, Mr. Chair, I may want to let the Auditor General have an opportunity to respond.

In previous rounds, Mr. Tremblay said that the internal audits perhaps paint a bit of a different picture than the conclusion in your report.

Auditor General, on page 8, you said that you found that the “quality of the department's quarantine inspections worsened during spring and summer 2021....” The department is saying, as a matter of fact, that they believe their internal audits got better and that they stabilized.

Can we get you on record with your view on the conclusion they've drawn, please?

Ms. Karen Hogan: If I understood Mr. Tremblay's comments correctly, I think he mentioned that his internal audit work post the end of our audit period, which was in June 2021, has demonstrated that there was some improvement.

I do know that during our audit, we did look at some of the internal audits that had occurred. We found that those internal audits had identified similar issues with quality of evidence, just as we found, yet there was no improvement in any of the inspection files that we reviewed. It leads you to believe that oversight mechanisms, while there, were still somewhat ineffective at influencing change.

Mr. Eric Duncan: I appreciate that. That's helpful. Thank you.

Ms. Hogan, this was mentioned, I believe, in Ms. Bradford's thing, which I raised my eyebrows at, and I want to elaborate on that a bit further.

Somebody mentioned that there's a rule that inspectors can't pre-inspect a workplace or accommodations until temporary foreign workers have arrived.

One of the things Mr. Epp raised in his initial round, which I find interesting, is that you have a role of oversight of the federal government. I understand your scope and your jurisdiction. You have a lot on your plate.

One of the things about this file is that it goes back to the housing standard by province. All three levels of government are involved, to a certain extent, in the temporary foreign workers program and their protections.

Ms. Hogan, do you look at...? It's not your jurisdiction to audit, obviously, provinces or municipalities, but in talking about the flow or efficacy of these programs and oversights, are you concerned in any way that there are multiple layers and that it's confusing for employers? We talk about explaining the rights for temporary foreign workers, and housing is provincial, and getting here is Canadian, and then locally.... Are you concerned at all about that level in terms of efficiency? Can you weigh in on that a little bit?

Ms. Karen Hogan: That's an area that I think we've been looking at very closely lately, the coordination of jurisdictional issues between the provinces and territories and the federal government.

We didn't target it in this audit when we looked at temporary foreign workers, but it does come up about who sets standards, who has enforcement power and who has regulations. When I sit back and I look at all of this throughout the whole pandemic—and I've said it on many occasions as I've tabled pandemic reports—there is a need for better coordination across jurisdictions.

If the country can't come together in an emergency, we will struggle. It's the time between crises when we need to work at fixing how to share health information better across the country and how to coordinate jurisdictional issues like this when it comes to the health and safety of any Canadian or any person who visits Canada. I do think it's long past due that the issue of temporary foreign workers get addressed, but I do think it's an even broader issue when it comes to better coordination within the federal government and within other layers of government across the country.

• (1240)

Mr. Eric Duncan: I appreciate that. I agree on that. I'm cautious of the centralization of powers in Ottawa with the federal government, for sure, but I do think.... I'll go back to my example in my previous round of questioning about accommodations for temporary foreign workers. On a national program, somebody arriving

and going through an immigration process through ESDC and Agri-Food Canada at a national level.... I don't understand how there couldn't be an agreement on that.

I'll go back and maybe get your comment on this. It's been four years now of trying to negotiate and having conversations and discussions. I'd say to Mr. Tremblay half sarcastically here that I'd send an email around to all your provincial partners saying, "We're going to establish minimum standards next week. If anybody has a problem with running water and electricity being a minimum standard, please let me know by Friday." In all honesty, this speaks a little bit about the challenge we have of cross-jurisdictions and somebody coming in with—I hate to say—an iron fist and saying, "No, we need to make a decision. Here's a deadline, and here's what the answer is."

Ms. Hogan, in my summary here, I was talking about—

The Chair: That was an excellent statement. Thank you very much.

Mr. Dong, you're joining us virtually as well. You have the floor for five minutes.

Mr. Han Dong: Thank you very much, Chair.

I have a bit of preamble before I go into my questions.

Deputy, I want to express my empathy to you, your department and all of the public service during these very difficult past two years. I know some of the questions have been pretty blunt and hard today, but they've been asked with the best of intentions.

I completely understand. The people in the public service are human beings too. Inspectors are human beings too. At the beginning of COVID, none of us knew how severe it was and how to deal with it. All we knew was it was dangerous and it spread pretty quickly.

At the same time, Canada had to function as a country. The government has the most important role to lead and to provide that sense of security. When I say "security", that includes food security as well. That's why I think in previous reports, including the CERB report, the Auditor General wasn't as critical as she was in this one. I think some of it has to do with understanding the circumstances that you guys had to work under, with a lot of operations being done from home and with extended hours.

I wanted to put that on the record.

The second thing is that Canada is a country known to have very good rules, laws and detailed regulations, thanks to the hard work of politicians and legislators, but they're also carried out by our public service. COVID presented a rare opportunity for us to look at some ways to be more nimble and results-based in our future practices. All of today's questions—and later on, the report recommendations—are taking us to a higher level, so that we can be ready for any future crisis as big as COVID.

I know it might not be within our scope, but I keep hearing about a 73% increase to 80% later in COVID. I know this question may be out of the scope of this report, but can you give us some sense of a percentage pre-COVID under normal circumstances, from your previous practices and inspections? Do you have that number?

Mr. Jean-François Tremblay: I would turn to Mary, because it would not be the inspections for quarantine, but more the usual ones.

• (1245)

Ms. Mary Crescenzi: Pre-COVID, we had an equality assurance program that looked at the quality of our inspections. I don't have that figure in front of me. I'll see if I can find it before the end of our time here today, or I can table it with you at a later time.

Mr. Han Dong: Please do. To me, it's important to have the background number to know how bad or good the system was before.

They're like two sets of practices. One is during normal times and one is during emergency times. We can't be in the emergency mode forever, because that will draw a lot of resources. I think we should have two levels of response when it comes to inspections.

My second question is for the Auditor General.

I know it looks very bad and we—myself included—are quite concerned about this.

In your findings, was there any obvious difference between provinces? Were some provinces better and some provinces very bad? Were there any findings about that?

Ms. Karen Hogan: When we started to see the results—and they are quite negative, when you start to hit over 75% to 80% where you see issues—we started to look at whether or not we could disaggregate the information that we had to see if there were any trends by inspector, by employer or by location.

Unfortunately, we didn't see a trend. It was systemic. It was everywhere that we looked and in everything that we reviewed. The majority of inspections that were completed and that we were able to review were in three particular provinces, I believe, but not one set off a flag more than the others. It was really systemic across the entire inspection regime process.

The Chair: Thank you very much.

That is time. We're now moving into our fourth and last round.

MP Epp, you have the floor for five minutes.

Mr. Dave Epp: Thank you, Mr. Chair.

This question is for the department.

In the development of federal programs, the Auditor General states that departments “are expected to factor in and respond to systemic inequality considerations using a gender-based analysis plus lens.” I'm assuming that you will comply with the United Nations sustainable development goal number eight in the implementation and in your actions.

Can you provide this committee with an overview of what that means for the temporary foreign worker program?

Mr. Jean-François Tremblay: I can turn this over to Brian, but before I do, I have a few points that would help, I think.

First of all, we do that through education. All of the sessions we have with employers are good examples of how we make sure that people understand the rights those workers have when they come to Canada. If you look at the regulations we're working on, they precisely mention items for making sure that temporary foreign workers are told about the rights they have, and that employers are prohibited from taking reprisals against employees.

We also work with the organizations I mentioned before to make sure that we have community organizations that offer what we call wraparound services and ensure workers have people to talk to and have resources if they feel they are not treated appropriately. That's also one of the objectives of our tip lines.

Those are the kinds of measures from GBA+ and anti-racism perspectives that you try to integrate into your program as much as possible, in order to avoid those situations.

I can turn to Brian to provide more information on GBA+ in the context of the TFW program.

Mr. Dave Epp: Thank you, but I want to get to another section here.

At the beginning of the pandemic, back in March 2020, our riding, as I mentioned earlier, had over 12,000 temporary foreign workers. What we found to be a challenge, and it has come up.... Ms. Hogan, you commented on this dynamic of the program a few minutes ago.

I ended up chairing some meetings locally among all three levels of government. When COVID entered the bunkhouses, we were all in uncharted territory. What we also found is a great deal of trouble. The estimates locally are that we have between 2,000 and 3,000 undocumented workers in our region, as well. That brings in the federal CBSA. That brings in the provincial department of labour, and all those situations.

I'm assuming this is outside the scope of the audit. Did you run into any situations where...? We often find in the press disturbing images of housing situations. Quite often those are traced back to labour contractors. They're traced back to situations that are not under the jurisdiction of this program.

I'll start with the Auditor General.

Did you run into any such situations?

• (1250)

Ms. Karen Hogan: No, we did not.

As I said, our review was limited to looking at the inspection files and the implementation of the immigration and refugee protection regulations around COVID, so we didn't extend that far.

Now, I do want to give you some assurance that, if we had seen something that we felt was not appropriate, we would have followed up on that and inspected that, but within the work we did, we did not see any issues like those you mentioned.

Mr. Dave Epp: I'll extend that question to ESDC.

As you administer the program, have you run into similar situations?

Mr. Jean-François Tremblay: Please go ahead, Mary.

Ms. Mary Crescenzi: I will answer this question, Mr. Chair.

We have run across undocumented workers, unfortunately. You are right in saying that this is not part of our mandate. We immediately contact the enforcement officials who are required to follow up on those sets of circumstances. Of course, we would be looking at the credibility of the employer moving forward with our program, and completing the inspection against all of the conditions associated with this type of activity.

Mr. Dave Epp: You would contact the appropriate authorities. Who is that? Is that CBSA? That also crosses over into provincial labour jurisdiction. Do you have a coordinating mechanism with the proper provincial authority?

Ms. Mary Crescenzi: Yes, you are right. CBSA is one of the enforcement officials we would be working with. Also, through our escalation process in these types of situations, we would be escalating across to our provincial counterparts immediately on this. Oftentimes, they are the ones who first alert us of a situation, as well, having built those relationships on the ground.

The Chair: I'm afraid that's your time, Mr. Epp.

We'll turn now to Mrs. Shanahan.

In your first exchange, there was talk of provincial numbers. Did you want the department to present numbers province by province? It was a little unclear, so I thought I'd ask you about that.

Mrs. Brenda Shanahan: Thank you, Chair.

Actually, that would be very helpful. I was looking online at the website that looks at the non-compliant employers. It's very interesting, but of course it's employer by employer. It would be nice to have some disaggregated aggregate numbers.

The Chair: Monsieur Tremblay, could that information, province by province, be provided after this hearing?

Mr. Jean-François Tremblay: We will provide disaggregated aggregate information.

The Chair: Thank you, Monsieur.

[*Translation*]

Mrs. Brenda Shanahan: Thank you. We're really immersed in statistics.

I also noticed that the employers gave something in the order of 24 reasons. There's a whole range of reasons. In some cases, they say that a document was missing. In other cases, they say that the person was no longer eligible. I want to see a chart regarding this issue. I think that it's necessary to look at this matter. These inspections aren't just about health. They also include all the documents and the labour market analysis, meaning the initial priorities for the program 10 or 15 years ago.

My question is for Mr. Forbes from Agriculture and Agri-Food Canada.

Mr. Forbes, do you speak regularly with the organizations that represent agricultural employers, immigrant worker associations, and worker recruitment agencies? Are you familiar with this part of the labour market?

Mr. Chris Forbes: Thank you for the question.

We work with employers and the organizations that represent them. In terms of the groups that represent foreign workers, Employment and Social Development Canada is more involved with them, as Mr. Tremblay and his colleagues said earlier.

Mrs. Brenda Shanahan: What are you hearing from employers? Everyone wants a safe and secure workplace. No one wants to end up with sick people. I want to know what employers and employer associations are asking for.

• (1255)

Mr. Chris Forbes: Thank you for the question.

As noted at the start, there's a labour shortage. In order to produce food, we need these employees, these temporary foreign workers. This need exists. I think that employers, overwhelmingly, are very happy to provide a safe environment for the workers. That's their priority, especially since many foreign workers come back each year to work on the same farm. As a result, some fairly close relationships have been developing over the years between employers and their employees. Many employers supported efforts to ensure a safe and healthy workplace for workers.

Mrs. Brenda Shanahan: That's very good. This could be called a trusted employer approach. Could you give ESDC the profile of an employer or some type of certificate stating that the employer can be trusted? That way, the focus could be on the bad apples among employers, and not on the employers that comply with all the rules. They're asking for the tools needed to work more effectively with their employees.

Mr. Chris Forbes: Thank you for the question.

The general policy of the temporary foreign worker program falls under the responsibility of Mr. Tremblay and his team. However, we're in regular contact and we can share our views.

Mrs. Brenda Shanahan: Mr. Forbes, do you think that a one-stop shop for the agriculture sector would be helpful?

Mr. Chris Forbes: Perhaps a one-stop shop would help us improve our ad hoc services for producers. This matters to them. We're working closely with our colleagues here today to ensure that we're providing good services to our agriculture and agri-food sector customers.

Mrs. Brenda Shanahan: That's wonderful. Thank you.

The Chair: I'm sorry, Mrs. Shanahan, but your time is up. Things are moving quickly today.

I'll now give the floor to Ms. Sinclair-Desgagné for two and a half minutes.

Ms. Nathalie Sinclair-Desgagné: Thank you, Mr. Chair.

Earlier, when answering questions from my colleague Mr. Duncan about mutual understanding and the coordination involving the various authorities and levels of government, but also the various departments that must work together in these types of cases, Ms. Hogan described the authorities' coordination issues.

Ms. Hogan, could you elaborate on these issues?

Ms. Karen Hogan: It's always a bit complicated when multiple levels of government help manage a program for Canadians. We're seeing this here. The standards are set by provincial and municipal governments. There isn't any established national standard for improving housing conditions. However, a federal program monitors these conditions. We could see an enhancement of the minimum requirements for membership in the temporary foreign worker program or an improvement in the standards imposed by each province. Both levels could help improve living conditions.

Ms. Nathalie Sinclair-Desgagné: When speaking with partners in the agri-food sector, some companies reported that they had major issues with finding temporary foreign workers because of processing delays at IRCC. Obviously, this isn't today's topic. However, there are long waiting periods for temporary foreign workers. Your report also shows issues with inspections, isolation measures, housing and payroll. Basically, there seems to be some issues with the management of temporary foreign workers at virtually every level.

I would support the idea of a one-stop shop, as my colleague Mrs. Shanahan said. This would ensure that all the responsibilities fall under a single authority, such as Quebec's authority. That's exactly what we want.

I'll end on that note.

Thank you.

• (1300)

The Chair: Thank you.

Mr. Desjarlais, you have the floor for two and a half minutes.

[English]

You have a question on the floor.

Mr. Blake Desjarlais: Yes, that's correct. I did mention it previously, so this is just a reminder.

I'd actually like the Auditor General to respond to that question more directly.

I'm more satisfied with Deputy Minister Tremblay's statement related to his recognition of structural racism within the ministry and his commitment to do that—and I'll return to him—but I'm just surprised that our audits don't include very much information related to a gender-based analysis or a diversity inclusion analysis.

Would the Auditor General like to explain why the topics of racism and diversity inclusion are not present in this report, even though the deputy minister himself has recognized this, and the government as a whole?

Ms. Karen Hogan: I agree with you that the government as a whole, the Prime Minister himself, acknowledged that systemic racism exists in the federal public service and it exists in Canada. The issues that we saw were ones that were systemic problems across the organization that allowed our findings to happen.

All of our audits have started—and this is one of the first few—to look at gender-based analysis, diversity and inclusion, and to really hold departments to account for the actions and the commitments that have been made for many years now in order to improve how programs are delivered and how they're designed, and to ensure that no one is left behind.

Hopefully, you'll start to see that this is much more prevalent in our audits. But again, there's only so much to do when there's nothing to audit, so we—

Mr. Blake Desjarlais: My time is quite limited, so just to be clear, there isn't a diversity inclusion analysis to identify structural racism within this report, yes or no?

Ms. Karen Hogan: No, there is not.

Mr. Blake Desjarlais: Thank you very much.

To the deputy minister, can you describe what plans you have to ensure that we can understand how racism plays a role in the structures through this department? What assurances can you give Canadians that this is truly recognized? What plans do you have in place to make sure we prevent structural racism from continuing?

Mr. Jean-François Tremblay: We have, inside the department, groups of visible minorities represented. We integrate GBA+ systematically into all of our policy analysis, policy development and policy implementation.

As you know, we do have recruitment. We look at our numbers and how we perform on EE numbers, making sure that we actually meet or exceed the standards. We look at all levels of the hierarchy because, as you know, sometimes we recruit people at the bottom, but we have difficulties promoting them, so this is something we also tackle. We provide training. We provide leadership courses. We look at the numbers to see what we can actually do to improve the situation.

I'm pleased to say that we have numbers that are higher than what the labour availability is telling us, but that's not enough. We will continue on that track.

The most important thing I would add—and you know this better than I do—is that it's about changing the culture. That's something that takes more time. It takes a dedicated effort from everybody in the department.

[*Translation*]

The Chair: Thank you.

[*English*]

I want to thank all of our witnesses for appearing today. We covered a lot of questions, and I do appreciate your responses and your working with this committee to explore this.

On Tuesday, we will be meeting on “Report 15: Enforcement of Quarantine and COVID-19 Testing Orders—Public Health Agency of Canada”.

Mr. Duncan, if you have something to say, can you keep it brief, please?

Mr. Eric Duncan: Just briefly, I want to thank the witnesses for being here today.

I have several more questions. I just want to flag to the leadership of the committee that perhaps in our committee business and subsequent meetings we could consider this. I know through our list.... I know Mr. Epp has a few more as well on that. Flagging it was helpful today, but I know I have a few more, and there's a lot to go through in this report.

I just want to leave it at that. I don't want to put it on official notice or anything.

The Chair: Okay, we'll consider that at future—

Mr. Eric Duncan: While the witnesses are here, we might come back and ask.... I thought it would be fair to say that now, but I do respect—

The Chair: That is not an official invitation.

Mr. Eric Duncan: Exactly.

The Chair: We will consider this.

With your consent, I will adjourn the meeting.

Again, thank you to the witnesses today.

I see no objection, so the meeting is adjourned.

Thank you very much.

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