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## **From "Canadians First" to "Workers Unite": Evolving Union Narratives of Migrant Workers**

### **Abstract**

The rapid influx of temporary foreign workers (TFWs) into Canada in the early 2000s posed significant challenges to Canadian unions. Using narrative analysis this paper examines how union leaders constructed narratives about TFWs in the period 2006 to 2012. It finds three temporally sequential narrative arcs: prioritizing of Canadian workers' interests and portrayal of TFWs as employer pawns; TFWs as vulnerable workers needing union advocacy for their employment and human rights; and post-economic crisis conflicted efforts to integrate Canadian and TFW interests. The narrative arcs are shaped by tensions between internal pressures on union leaders and their external contexts. The analysis reveals that union leaders' responsibility to represent members can clash with their broader values of social justice and equality. By linking the contemporary reaction to TFWs to labour's historical approach to immigration and race, the paper also reveals important continuities and interruptions in labour's relationship with migrants.

### **Summary**

Federal government policy changes in the early 2000s led to the rapid expansion of Canada's Temporary Foreign Worker (TFW) Program by increasing the number of eligible occupations. Before the expansion few trade unions in Canada had interaction with TFWs, but with the new rules, and the high profile political debate that ensued, unions were forced to confront the issue of migrant workers directly for the first time. Using narrative analysis, the paper examines media statements from union officials between 2006 to 2012 to track the narratives constructed by unions regarding TFWs. It finds three temporally sequential narrative arcs: prioritizing of Canadian workers' interests and portrayal of TFWs as employer pawns; TFWs as vulnerable workers needing union advocacy for their employment and human rights; and post-economic crisis conflicted efforts to integrate Canadian and TFW interests. The changing narratives reflect evolving union reaction to the issue of growing use of TFWs, as well as interaction with external political and economic contexts shaping the issue.

The study examines how unions understand challenging new issues. The results suggest union discourses are shaped by the tension between internal pressures and external contexts. They also suggest that leaders' responsibility to represent members can sometimes clash with unions' broader values of social justice. Unions build internal value structures that inform their understanding of an issue, but they must also reflect members' demands and concerns, even if those concerns may not reflect social justice values. The case study reveals the line between "business union" and "social union" philosophy is fluid, contested and context dependent. The

paper also links union narratives of TFWs in this contemporary setting to labour's historical attitude toward immigration and race, finding elements of both continuity and disruption.

**Keywords:**

Temporary foreign workers, union diversity, racism, narrative analysis

## **Introduction**

Migrant workers have been a feature of global labour markets for decades (Castles and Miller 2009). In 2006, there were an estimated 200 million migrant workers worldwide (Crowley and Hickman 2008). In many regions, migrant workers have become a permanent feature of local labour markets, with many industries and employers becoming dependent upon a pool of flexible international labour (Ruhs and Anderson 2010).

Canada's experience with an extensive flow of migrant workers is more recent. Until the early 2000s, migrant workers were a minor component of the Canadian labour market, mostly employed in higher skill occupations with international labour pools (e.g., film and music, scientists) (Fudge and McPhail 2009). Policy changes in the early 2000s greatly expanded the use of migrant workers. The number of migrant workers in Canada nearly tripled in less than a decade, reaching 300,000 in 2011 (Citizenship and Immigration Canada 2011).

This history means that, until the last few years, most Canadian unions have not had to grapple with the challenges posed by migrant workers, and therefore paid little attention to the issue (an exception being United Food and Commercial Workers and agricultural workers). That has changed dramatically since 2006, with an influx of migrant workers into Canada. Studying how unions react can provide important insights into how union discourses are shaped by the tension between internal pressures and external contexts, and how responsibility to represent members can clash with broader values of social justice.

This paper examines how unions have framed migrant workers over the past six years. Using narrative analysis, it finds union leaders in English Canada have constructed a narrative about migrant workers that contains three temporal story arcs. The narratives are constructed partly in response to internal pressures, such as members' worries, and evolve due to changing

external contexts, including the onset of the 2008 economic crisis. The paper is also a case study into union responses to race and immigration.

### **Migrant Workers in Canada**

Migrant workers, broadly defined, are a part of Canada's historical fabric, with multiple waves of immigrants arriving for work or to farm (Whitaker 1987). Canada's contemporary structuring of temporary migrant workers has its origins in the 1973 Non-Immigrant Employment Authorization Program (NIEAP), established in response to growing political controversy over increased immigration of non-white foreigners (Sharma 2007). The program was designed around non-permanent employment-based residency, similar to European guest worker programs. Permits were tied to specific employment, thus restricting their labour mobility rights. They were prohibited from applying for permanent residency while in Canada, foreclosing permanent immigration. Sharma has argued that the NIEAP effectively "legalized the re-subordination of many nonwhites entering the country by re-categorizing them as temporary and permanently foreign workers" (2007, 175). Vosko (2010) highlights that migrant worker programs entrench a legal status hierarchy with migrant workers afforded a form of "partial citizenship" less protective than full citizenship rights, thus marginalizing large groups of racialized and gendered workers. The NIEAP's restrictions continue to inform key characteristics of Canada's migrant worker programs, including limited access to permanent residency, and curtailment of labour mobility rights (Trumper and Wong 2010).

In the ensuing decades, the NIEAP evolved into the Temporary Foreign Worker Program (TFWP) and workers arriving through the program have become known as "temporary foreign workers" (TFWs) in Canada<sup>1</sup>. The TFWP has multiple streams to address the needs of specific

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<sup>1</sup> This paper will refer to migrant workers under the TFWP as "temporary foreign workers" (TFWs), for that term is predominant in media and common parlance in Canada.

industries and occupations with differing rules and employer obligations (Fudge and McPhail 2009). Streams for live-in caregivers and farm workers have long been a key feature of labour markets in those sectors, with employers relying heavily on the use of migrant workers in these areas (Fudge and McPhail 2009). As these two sectors have been extensively studied (see, for example, Bakan and Stasiulis 1997; Preibisch 2010; Pratt 2012), and during the period under examination their numbers remained relatively stable (Citizenship and Immigration Canada 2011), this study will restrict its focus to other, less-studied streams of the program.

In most streams Employers must apply to the federal government for permission to recruit internationally (called a “Labour Market Opinion” - LMO), demonstrating an inability to find suitable Canadians. A recruited TFW must apply for a work permit, providing proof of job offer and its validation by the government. The permit stipulates the employer, location of work and occupation in which the TFW is permitted to work and is granted for a period of one or two years. Most TFWs are prohibited from applying for permanent residency while in Canada, and those who are eligible are in exclusively high-skilled occupations.

For most of its existence, the TFWP was a small program dominated by high-skill occupations and industries with international labour pools, such as entertainment and science and technology. For more than two decades, the number of TFWs residing in Canada ranged between 40,000 and 70,000, climbing to about 90,000 in the late 1990s (Citizenship and Immigration Canada 2011) . The majority of TFWs in this period came from developed, English-speaking nations. The relatively small numbers and the selective occupational make-up of the program meant few unions had any regular contact with TFWs or the TFWP. Further, given the program’s low profile, the issue did not become a priority for Canada’s labour movement.

*Low-Skilled Expansion*

Two policy decisions in the early 2000s fundamentally altered the nature of the TFWP. First, in 2002 the federal Liberal government authorized the low-skill pilot project, which opened the TFWP to lower-skill occupations, defined as NOC C (requiring secondary schooling and some training) and D (no education required) levels. This announcement greatly increased the pool of eligible industries and occupations. The timing of the change paralleled the early stages of a substantial economic boom, particularly in western Canada. In 2006, the Conservative government established rules that fast-tracked LMO approval for select “occupations under pressure”, reducing employer obligations for domestic job searches.

The combination of the two policies led to a rapid expansion of the program. Within a few years, the number of TFWs residing in Canada rose to 300,000 (Citizenship and Immigration Canada 2011). The bulk of the growth occurred in lower-skilled occupations such as retail, hospitality and food services. Country of origin also shifted, with large influxes of workers coming from Philippines, India, Mexico and China.

The program’s public profile also increased. By 2006, TFWs had become a hot political issue. Media stories surfaced of poor working conditions, employment-rights violations, excessive and illegal recruitment fees, substandard housing and other exploitation of TFWs by employers and recruiters. An active debate developed about the desirability and appropriateness of the TFWP.

The TFWP has become a permanent feature of Canada’s labour market. Data since the 2008 economic crash shows that employer demand for TFWs did not ebb as unemployment climbed (Foster 2012a), and that certain sectors, such as construction, have developed a reliance on TFWs for addressing labour supply needs (Foster and Taylor 2011). Recent changes have

further entrenched the expanded program. In 2011, TFW residency was capped at four years. In 2012, changes permitted employers to pay TFWs up to 15% less than the market rate established for that occupation and region.

### **Unions and Migrant Workers**

Historically, unions have not been warm to immigration and migrant workers, although in the past two generations, the Canadian labour movement has developed more inclusive attitudes and policies toward immigration. In Europe, union responses to so-called guest workers have been mixed. Labour's contemporary relationship to temporary migrant workers is complex and multi-layered.

In the 19<sup>th</sup> and early 20<sup>th</sup> century, the Canadian labour movement was strongly anti-immigrant and, often, openly racist in its views of so-called "foreigners". During this period "labour leaders insisted that a restrictive and racially discriminatory immigration policy was essential for protecting both the standards of living of Canadian workers and the social, moral, and medical vitality of Canadian communities" (Goutor 2007a, 4). Unions frequently engaged in exclusionary and racist practices, including prohibiting membership to certain ethnic groups (Calliste 1987), supporting draconian immigration policies (Heron 1996), and encouraging deportation and social exclusion (Goutor 2007a).

Immigrants, in particular those of Asian descent, were cast as threats to the economic welfare of "Canadian" workers (Goutor 2007c). Such workers were viewed as "unfair competition for Canadian workers", "tools of the capitalists" and "menaces" to living standards because of their "willingness" to work for less (Goutor 2007b, 57). The argument was, on the surface, economic. The predominantly American and British labour leaders perceived their function as protecting the wages and working conditions of their members (who, conveniently,

were predominantly Anglo-Saxon). The mistrust of immigrants was partly fueled by the reality that immigrants were often used as strike-breakers and were routinely paid less, creating downward pressure on wages (Abella 1978).

At times, especially when immigration was low or prohibited (such as in the 1930s), labour leaders might turn their attention to improving the working conditions of immigrants, in particular white immigrants (Goutor 2007b). Yet, it was a two-sided advocacy. Labour leaders “would profess sympathy for immigrants while, at the same time, complaining bitterly about the impacts of their migration on Canadian conditions” (Goutor 2007b, 59).

In the postwar period, union attitudes toward immigrants and racialized workers began to change, alongside societal values (Kelly and Cui 2012). And, while unions were slow at responding to equity issues within their unions (Hunt and Rayside 2007; Reitz and Verma 2004), they dropped official racist policies and eventually took on human rights as an active political agenda. Many elements of the Canadian labour movement can now be seen as advocates for immigrant rights, open immigration and human rights (Jackson 2010), although immigration rarely rates high as a priority issue for labour in Canada.

Much of this shift is due to shifting values in Canadian society as a whole, however, changes within the labour movement also play an important role. Many attribute shifting racial attitudes to the growing adoption of social unionism by the Canadian labour movement (Briskin 2002; Foley and Baker 2009). Social unionism advocates a more openly political role for the union in fighting for social change (Ross 2007; Schenk and Bernard 1992). While the development of social unionism is incomplete, uneven and inconsistent (Kumar and Murray 2002; Voss and Sherman 2003), there has been a growing commitment in the postwar period on the part of unions to engage in broader social change. A commitment to social change draws to

the surface explicit attitudes that value social justice, equality and human rights, which work against exclusionary policies around immigration.

The changing face of labour also plays a role in shifting attitudes. The post-war period was marked by large-scale immigration, particularly from Europe (Whitaker 1987). Those immigrants, many familiar with the notion of unionism, became active in unions and would have influenced union attitudes towards immigrants and immigration.

On the issue of migrant workers, Canadian unions had little experience given the make-up of the TFWP, and thus had been mostly silent. Domestic and agricultural workers are not unionized and few unions expressed interest in organizing them. The exception is United Food and Commercial Workers Canada's (UFCW) campaigns for agricultural workers (e.g., UFCW Canada and Agricultural Workers Alliance 2011). Canadian unions had, for the most part, ignored the issue of migrant labour.

In Europe, where the issue of migrant labour has been more prominent, unions have reacted in a complex manner. Observers of the European trade union movement have remarked that unions, in general, have been suspicious of temporary migration and opposed efforts to expand guest worker programs (Penninx and Roosblad 2000). While trade union leaders express concern for the rights and working conditions of guest workers, they also express concern about how increased migration affects standards of living (Hyman 2001). Racism and discrimination continue to mark union relations with migrant workers (Wrench 2000).

One of labour's concerns about migrant labour, both in Europe and as it emerges in Canada, is that migrant workers create downward pressure on wages and working conditions (Wrench 2004). This perception increases tension between unions and migrant workers. The actual data on this accusation is mixed. Immigration appears to not negatively affect wage levels

overall (McGovern 2007), however there is some evidence that migrant labour indirectly suppresses wage growth through the creation of pockets of industries highly dependent upon migrant workers (Fudge and McPhail 2009; Martin, Abella, and Kuptsch 2006). Further the racialized, vulnerable position of migrant workers facilitates a logic suggesting they will be paid less and treated poorly. The persistence of the perception that migrant workers threaten jobs and lower wages is best understood as a continuation of labour's historical tendency to view the use of immigrants and migrants as serving the employer's interest.

This brief discussion of the union movement's historical and contemporary responses to immigration and migrant labour highlights the complex inter-relationship between external forces and internal pressures on union responses to issues of this nature. Unions often reflect the dominant attitudes of society, and they react to outside events such as economic conditions and political contexts. Nevertheless, they also must address internal realities, which can also be contradictory. Their response to migrant workers can be shaped by how their members are affected by them. If TFWs are largely live-in caregivers and farm workers, they can safely be ignored. When TFWs are present in industries where their members work, tensions between external and internal contexts can arise. It is the outcome of those tensions which this study seeks to examine.

## **Method**

This paper aims to analyze union reactions to the growing issue of TFWs in Canada. It does so by focusing on public statements made by union leaders in print media that relate directly to TFWs and the TFWP. The author adopts the method of narrative analysis to analyze the data (Boje 2010). Given the nature of the data, this paper conducts a thematic form of

narrative analysis, which emphasizes the content of the story and how it serves specific interests (Riessman 2012).

### *Narrative Analysis*

Narrative analysis is a sub-set of content analysis that focuses on the ways in which people order and relay information in the form of a story (Prasad 2005). Narratives form an integral part of how humans understand the world around them; we construct stories to create meaning for ourselves and others. Narrative analysis probes both the meaning of the story and what interests the story serves. It also retains the narrator's context. "Narrative analysis permits a holistic approach to discourse that preserves context and particularity" (Smith 2000, 327). The term narrative, as Riessman suggests, is "illusive, carrying many meanings" (2012, 539), but can be understood as an ordered, temporally sequenced account of events with an intention to communicate (or construct) a particular meaning for the audience (Bryman et al. 2011). To this end the narrator, the audience and the context all become an important component of the analysis (Czarniawska-Joerges 2004). By context, we mean the spatial-temporal realities in which the narrator is embedded. They, and their story, are both shaped by context and contribute to shaping context. Narrative analysis recognizes that story and context cannot be artificially separated and must be analyzed as a conceptual whole.

This study approaches media statements as snippets of narrative construction. The speaker is not simply recounting factual occurrences, but attempting insert particular meanings about characters and events. The event, in this case, is the influx of TFWs into the Canadian labour market. The speaker is a storyteller, embedded within multiple contexts, attempting to create meaning about TFWs to the audience. There are two relevant contexts to consider. First, the narrator is a union leader existing within a specific union environment, answerable to

members and possessing a particular set of responsibilities, values and perspectives. Second, the narrator is also a part of the broader political climate that surrounds the events. Similarly the narrator has two audiences: the general public and their union members. Recognizing context also means we must take care when generalizing about “union leaders”. Labour is not monolithic. Elements of a union leader’s context will shift based upon industry, membership demographics, union history and so forth.

Narrative analysis studies words, not actions. Thus this paper examines only part of what could be called the union “response” to TFWs. Many unions also took action around the issue, sometimes to defend TFWs, other times to exclude them. However, the line between narrative and action is malleable; actions are partly narrative and narrative gives meaning to action. The analysis conducted here does not reveal the acts taken by unions in response to TFWs. It does, though, draw out insights into how they reacted rhetorically. It reveals how they interacted with their contextual realities through story construction, which can inform that actions they take.

#### *Data Collection and Analysis*

Through a database service, 21 Canadian print media outlets (16 major dailies, 3 national papers/magazines, 2 wire services) were searched for items containing a direct quote or statement from a union official on the issue of TFWs and the TFWP. Items found included news articles, letters to the editor and guest columns. Only direct quotes attributed to a specific person were used.

The search was conducted in two steps. First, items related to TFWP/TFWs were identified through a Boolean search. Second, selected items were manually reviewed for quotes and statements from union officials (people in official union capacity, including staff and elected leadership). Items that were largely duplicates (e.g., copied wire stories) were removed. The date

range was from January 1, 2006 to July 31, 2012. In total, 182 items were identified as quoting union officials.

As is essential to narrative analysis, the found quotes were not severed from the item for analysis, but instead were analyzed within the item they were found to ensure the quote would be understood within the context of the broader story. A thematic narrative analysis was conducted in three parts. First, an initial reading of all the statements surfaced three thematic, temporal arcs. Second, each arc was analyzed in more detail to develop its specific features. Finally the narratives were situated in their specific contexts, such as the broader political debate and specific incidents (e.g., media coverage of TFW working conditions, the death of two Chinese TFWs in Alberta), to draw out additional insights.

### **Three Narrative Arcs**

The narrative analysis reveals an evolving narrative told by union leaders regarding TFWs. The narrative consists of three temporally organized story arcs. The narratives become increasingly complex and nuanced, suggesting union spokespeople were responding to changing contexts and pressures. The three periods can roughly be divided into: initial responses, reaction to growing concern over exploitation, and response to the economic downturn. Each arc is discussed in turn.

#### *The First Arc: Canadians First*

- “We're not talking about supplementing numbers here. We're talking about replacing Canadian construction workers. This is not a union issue anymore. This is a Canadian issue.” (Paul Walzack, Alberta Building Trades Council, Calgary Herald, April 16, 2006)
- “The efforts of these companies to drive down wages and benefits for front line health care workers has created an artificial labour shortage. Now, they are trying to exploit

foreign workers to solve their recruitment problem. It's inappropriate and entirely unacceptable that Canadian employers are using federal and provincial immigration programs to gut living standards for Canadian workers.” (George Heyman, President B.C. Government Employees Union, Canadian Press, August 31, 2006)

- "There is no shortage of Canadian workers. There is, however a shortage of workers who want to work cheap and that's what this is about." (Paul Walzack, Alberta Building Trades Council, Edmonton Journal, May 5, 2006)

The above quotes exemplify the first narrative arc. As the growing pool of TFWs became a hot-button issue in 2006, union leaders initially took a highly negative and reactive stance to the TFWP. Their response was a direct counter to the dominant narratives of labour shortages and unavailability of Canadian workers. The essence of the first narrative arc consists of greedy employers using TFWs as a tool to drive down wages and avoid unions. In their story, union leaders are defenders of Canadian workers’ interests against these employers, while TFWs are passive pawns.

Four interlocking components give the narrative internal coherence. First is the denial of a labour shortage. At the time employers were citing a lack of available workers to justify hiring TFWs. The union narrative aims to counter that rationale by claiming workers existed but pay and working conditions were insufficient to persuade them to take available jobs. Denying the existence of a shortage allows union leaders to posit an alternative motive for the increased use of TFWs: a desire by employers to suppress wages and avoid the costs of unionization. It also allows union leaders to assert that TFWs were unnecessary. Union leaders, and by extension Canadian workers, become the aggrieved party: “I've been reading and reading about all this skilled shortage, and I'm sick and tired of hearing about all this drivel. All it is is squawking from

your non-union sector.” (Perley Holmes, Business Manager, Ironworkers Local 97, Vancouver Sun, September 1, 2006).

A second component flows from the first: a focus on consequences for Canadians. It does this in two ways. First, union leaders portray employers as villains by claiming the use of TFWs hurts Canadians in general. “They want to undercut Canadian contractors, Canadian workers, and pay less” (Jim Sinclair, British Columbia Federation of Labour, Vancouver Sun, September 1, 2006). Second, they position themselves as defenders of Canadian interests. “We welcome foreign-trained workers provided that British Columbians and Canadians have been offered the work first, and that foreign workers are not used as a source of cheap labour” (Wayne Peppard, B.C. & Yukon Building Trades Council, Victoria Times-Colonist, March 20, 2006). The focal point for concern is “Canadians”. An expression of concern for social justice can be found in the narrative – the union leaders seek to improve workers’ lives – but it is a narrowly applied to those permanently residing in Canada. In this sense, “Canadians first” takes on the dual meaning that policy-makers should prioritize the interests of permanent residents and that the labour movement’s job is to advocate for “Canadian” workers.

Third, TFWs are depicted in an impersonal, distant fashion. They are a secondary character in the story - passive and homogeneous. They enter the story only through their function as a tool of the employer. One leader calls TFWs a “cheap labour strategy for employers” (Jim Sinclair, B.C. Federation of Labour, Canwest News Service, February 25, 2007), reducing their existence to an employer manipulation. The narrative urges the audience to offer their empathy for Canadians, not the foreign workers replacing them.

Fourth, the depiction of TFWs takes on a second quality. While leaders are careful to avoid overtly racist or anti-immigrant sentiment, their narrative does attempt to raise questions

about TFWs. They express concern that increased use of TFWs may “end up compromising safety” (Wayne Peppard, B.C. & Yukon Building Trades Council, Canadian Press, June 1, 2006), and that language, cultural and educational barriers may pose problems in workplace. The narrative hints that TFWs are partly to blame for the situation because of their willingness to work for less money. For example, in one guest column, an Alberta official vehemently proclaims unions’ anti-racist values: “Alberta unions are pro-immigration and vehemently opposed to racism. Like most other Canadians, we value diversity and actively promote tolerance in the workplace and the broader community”. Yet this clear statement is followed a few paragraphs later by the charge that TFWs and government policy are “actively helping CNRL [a large oil sands company] bypass unionized Alberta contractors. In a sense, they are aiding and abetting in a campaign to bust unions” (Gil McGowan, Alberta Federation of Labour, Calgary Herald, May 7, 2006). Sharma (2007; 2008) has argued the TFWP serves to racialize migrant workers through differential status, perpetuating a perception of foreign workers as “other”. Union leaders, while not directly mentioning race, draw upon widespread perceptions that TFWs are racially and culturally different than so-called Canadians (despite Canada’s racial diversity) (Nakache and Kinoshita 2010), and thus contribute to framing TFWs as “other”.

The first narrative arc is a tale of a threat to Canadians perpetrated by employers drawing in TFWs as their useful dupes. TFWs are not made to be villains in this story – the employers are the clear “bad guy” – instead they are a plot device to achieve another goal.

The narrative emerges consistently across region, union level (e.g., union locals and federations) and industry sector. Leaders from building trades unions were more vocal early on and blunter in their articulation of the narrative. Their early vociferousness can be understood as arising from their specific contexts. Given the structure of the construction industry, with its lack

of job security, TFWs were seen as posing a direct threat to members' employment. However, that leaders from public sector unions and provincial labour federations told a very similar story suggests a more generalized set of dynamics was at play, affecting all leaders who spoke publicly. This will be discussed further below.

*The Second Arc: Vulnerable TFWs*

- “The program, as it now stands, marginalizes temporary workers and creates a precarious workforce without the full rights of other workers in this country and opens them up for abuse by their employers. These workers should have the rights for fair wages and safe workplaces, the right to join a union and the right to remain in Canada and apply for citizenship” (Rick Clarke, N.S. Federation of Labour, Canadian Press, April 16, 2008)
- “In a nutshell, they're trying to hide behind the law rather than do the right thing and ensure that migrant workers are treated with the same rights as Canadian workers. They're trying to prevent these workers from having the right to join a union. We're not at all impressed by this. There's a systemic problem with abuse and intolerable working conditions.” (Andy Neufeld, UFCW Local 1518, Vancouver Sun, October 9, 2008)
- “The program ensures no responsibility for the treatment of the workers once they arrive in Canada and are put to work. ... they don't know what their rights and responsibilities are and they're completely vulnerable to their employers.” (Wayne Peppard, B.C. & Yukon Building Trades Council, Vancouver Sun, February 24, 2007)

Mid-way through 2007 the narrative shifts rather dramatically, as demonstrated by the quotes above. Almost overnight the focus of the story and characterization of the actors shifts. The reasons for the shift are not immediately clear, but it is plausible to suggest union leaders were responding to growing media coverage in the early part of 2007 of TFWs' poor working

conditions, substandard housing, rights violations and excessive broker fees. This will be discussed further below.

The second narrative arc becomes about the TFWs. Employers retain their black hat, but the cast is expanded to add government as a second villain. TFWs are now a central character, depicted as vulnerable victims requiring protection. Unions, who before were heroes of Canadians' interests, become defenders of TFWs' employment and human rights. The broader narrative retains a thoroughgoing critique of the TFWP and increasing reliance on TFWs. Now, however, it is articulated via concern for TFWs themselves, as in these illustrative examples:

Union leaders were no longer questioning the labour shortage, in part because it was growing increasingly difficult, especially in Alberta and B.C., to credibly make the claim during the boom. While they still raised concerns about wage suppression and union avoidance, those issues became secondary to the issue of TFW exploitation. Rather, they turn their attention to issues of rights violations and mistreatment at the hands of employers and recruiters. "The stories they come to us with would make your hair stand on end and they run the gamut from employers who simply refuse to pay wages to employers who promise a certain wage and then when the worker gets here they unilaterally cut it" (Gil McGowan, Alberta Federation of Labour, Calgary Sun, July 8, 2007). They also criticize government for not enforcing employment legislation for TFWs.

Also new to the storyline is an explicit critique of the TFWP itself. The problem becomes not just one of greedy employers, but of wrong-headed government policy. "These workers are the canary in the coal mine. This is not an issue that only affects Rol-land [a factory employer]. This is a warning sign that the federal government needs to seriously re-evaluate the temporary foreign worker program" (Sima Sahar Zerehi, UFCW Canada, Toronto Star, December 24,

2008). The narrative emphasizes structural problems with the TFWP itself that create an underclass of workers with fewer rights. “By expanding the temporary foreign worker program, Canada is creating a pool of disposable workers to do jobs at a wage that Canadians won't accept” (Karl Flecker, Canadian Labour Congress, Toronto Star, March 15, 2008).

TFWs become more than employer pawns in the second arc. Union leaders begin to point at their vulnerability and argue their right to equal treatment. “Just because they're foreigners doesn't make it excusable. The Canadian Charter guarantees fundamental rights to all people in Canada including migrants, yet Canada continues to decline signing on to the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families” (Wayne Hanley, UFCW Canada, Canadian Press, November 7, 2007). The social justice appeal of the narrative is shifted. Where before the emphasis was on Canadians' welfare, now union leaders turn their focus to TFWs' rights. Union leaders identify key features of TFWs' legal status, namely their temporary residency and limited mobility, as the culprits in their unequal status. Thus they call for TFWs to be made permanent residents. “If these people are good enough to build our factories and serve us coffee, they're good enough to be full citizens” (Gil McGowan, Alberta Federation of Labour, Winnipeg Free Press, November 25, 2007).

The narrative also includes trumpeting union efforts to protect TFWs, as leaders claimed they were filling a gap left by employers and governments: “The unions are basically doing what the governments should be doing” (Stan Raper, UFCW Canada, August 27, 2008). This coincides with action undertaken by some unions to advocate for TFWs at this time. Some unions signed formal letters of understanding outlining practices related to TFWs (Bouzek 2012). Others set up resources to assist TFWs with enculturation and rights protection (Alberta

Federation of Labour 2009; Foster 2012b). It is an example of how action and narrative are intertwined – the narrative is bolstered by real action, but action is interpreted by narrative.

It is important to note that while TFWs were now presented with a human face, their role in the narrative remains a passive one. In the narrative, it is the job of governments and unions to act on behalf of TFWs as they are assumed to be unable/unwilling to defend themselves. TFWs are described as “frightened” and not knowing their basic rights. TFWs are not afforded individual agency or capacity to defend their rights. The emphasis is on their vulnerability and that vulnerability has racialized undertones. TFWs’ geographic origin (namely less developed nations), serving as a proxy for race, is cited as a reason for their heightened vulnerability, along with other corollary issues as language, culture and education. While the TFW is partially humanized, union officials still play to dominant stereotypes about “foreigners”. The passive representation of TFWs builds upon the factual base of how language and cultural barriers and lack of knowledge of Canadian law made TFWs’ self-advocacy more difficult.

It is noteworthy how universally the shift to the second arc was. Spokespeople from the building trades were just as likely to articulate the second narrative arc as public sector or labour central leaders. The lack of difference between segments of the labour movement is one of the more telling findings of the second arc.

### *The Third Arc: Conflicted Stories*

- “[New TFWP rules] are an assault not just on foreign workers. They are an assault on Canada and what we stand for. There's got to be a larger conversation about whether it is right of Canada and employers to exploit workers" (Ken Lewenza, Canadian Auto Workers, Globe and Mail, May 7, 2012).

- The federal government's new rules regarding migrant workers are yet another example of Ottawa's meddling in the labour market to favour employers and drive down wages. The primary victims are migrant workers who lack access to many of the rights and protections accorded to Canadians and can be paid less. Beyond that, all workers and their communities are threatened by the government's low-wage strategy.” (Ken Georgetti, Canadian Labour Congress, Saskatoon Star-Phoenix, May 18, 2012)
- "For the average Canadian worker, the economic downturn is a crisis, but for the temporary foreign worker, it's a catastrophe." (Naveen Mehta, UFCW Canada, Toronto Star, November 1, 2009)

In the fall of 2008, Canada experienced a steep downturn as part of the global economic crisis. Within a few months, the number of unemployed jumped by 400,000 and public debate shifted away from labour shortages to job creation. With the downturn public debate regarding TFWs shifted once again. Media coverage focused on whether TFWs should be forced to return home to free up jobs for “Canadians”. In this period, the union narrative also shifts, in part in reaction to the changing context, but also as part of constructing the new context. The new story arc, however, was not as clear-cut, as union leaders struggled to construct a narrative appropriate for the new reality. Elements of the first arc return but in a more nuanced and complex manner. The narrative develops a dual focus – on Canadians and on TFWs’ exploitation – as union leaders attempt to address concerns of rising unemployment without blaming TFWs.

The new narrative arc returns to a concern that Canadians get first access to jobs, but retains a concern for the plight of TFWs. At times, execution of this tricky balancing act is indelicate: “My heart goes out to temporary workers who have lost their job and face (leaving). But as the economy slows, the fewer jobs should be made available to Canadians” (Gil

McGowan, Alberta Federation of Labour, Canwest News Service, February 25, 2009). Having portrayed TFWs as people in need of protection in the second arc, union leaders could not now credibly make them a source of the problem. However, concerns over unemployment also placed pressure on unions to return to their traditional advocacy role on behalf of “Canadian” workers.

To successfully build this dual narrative, union leaders draw on a portrayal of government as primary villain. Government policy is both destroying jobs and exploiting TFWs. Yet the relationship to TFWs is strained. While union leaders are concerned for their rights, TFWs once again become a source of wage suppression. “Harper is giving a go-ahead to employers to tap into vulnerable foreign workers to drive down Canadian wages” (Jim Stanford, Canadian Auto Workers, Canadian Press, April 26, 2012).

While the previous arcs possessed a remarkable consistency in union leaders’ framing, in the most recent period there is less consensus. Some leaders maintain a strong focus on the rights of TFWs and their exploitation, such as this example:

*We are creating a category of people who are tethered to their employer and cannot work for anyone else, unless they apply for a new work permit. If they are fired or laid off, they have to go home and find a new employer who will go through the process of hiring a temporary foreign worker. It is serfdom for the modern age (Alex Shevalier, Calgary District & Labour Council, Calgary Herald, September 20, 2011)*

Others adopted a stricter anti-TFW stance due to the loss of jobs: “We have probably 150 guys on the out-of-work list. Temporary foreign worker is a bad word to me.” (Ian MacIsaac, Carpenters Local 1178, Globe & Mail, May 23, 2011). Building trades union officials were more likely to adopt an anti-TFW position during this period than industrial and public sector unions, likely reflecting particular internal pressures from construction workers. While labour central officials were more likely to adopt a nuanced narrative, no other significant divisions were found in how different levels and sectors of the labour movement morphed their narrative.

The third narrative arc reveals conflicted attitudes about TFWs and their place in the labour market. The Canadian-focused story and the TFW-focused story existed side-by-side, each taking precedence depending on the specific circumstances in which the narrator was situated. Union leaders attempted to weave together both strands of their narrative by adopting a meta-level explanation of government policy hurting workers of all types.

## **Discussion**

If looked at in isolation, public comments from union officials over the past six years may appear inconsistent and lacking coherent framing. At one moment Canadians are the victims, the next TFWs. Yet examining the context of the political debate and the pressures felt by union leaders reveals that the apparent surface contradictions and vacillations of the three-part narrative reflect an important underlying dynamic: labour leaders are interacting with the conflicting forces placed upon union leadership related to a new and complex issue.

When the issue surfaced in early 2006, few union leaders had experience with the issue. The first rumblings arose out of the building trades sectors in western Canada, due to the more cyclical and precarious nature of construction work. The first narrative arc can be seen as a response to members' complaints about TFWs dislocating "Canadians" for available construction jobs. It is also an understandable initial reaction of union leaders to cast suspicion on the motives of employers, especially around issues that could negatively affect wages and working conditions.

The initial reaction is also reflective of historic union responses to immigration: to prioritize and privilege "Canadians". By couching their concerns in the lack of need for TFWs and employer antagonism, they attempt to sidestep the issue of race. However, race cannot be avoided in such a circumstance. By focusing on citizenship and employer wrongdoing, union

leaders initially collaborate with the state in hiding racist elements of the TFWP (Sharma 2008) and entrenching TFWs' position as "other". The initial arc possesses many of the features of unions' historical responses to immigrants.

However, when it became increasingly evident that the rights of TFWs were being compromised, sometimes in egregious ways, and the public debate moved toward questions of exploitation and abuse, union officials shifted focus. Unions and union leaders strongly value social justice and defence of worker rights (Jackson 2010). The shifting public debate brought out more strongly leaders' concern for TFWs' rights and working conditions. This shift is intertwined with a change in strategy as well. In 2007 many unions, recognizing TFWs were inevitable at least in the short term, shifted from fighting the use of TFWs in their workplaces to attempting to protect their rights (both through policy and direct advocacy) and include them in union activity (e.g. Foster and Barnetson 2012). Collective agreement protection, the creation of union-sponsored advocates and partnerships with community groups were some of the actions taken by unions on behalf of TFWs (Bouzek 2012; Foster 2012b). These concrete actions and the narrative that emerges have a symbiotic relationship, as they infuse each other with meaning and credibility.

The growing economic boom eased members concerns about job loss, which permitted space for an expanded social justice narrative that included TFWs, and was met by a receptive audience (both union members and the public). In this respect, the second arc has some parallels with historic advocacy on behalf of immigrants during periods when immigration was closed (Goutor 2007b), in that concerns about TFWs "replacing" Canadians were tempered by the ongoing economic boom, creating more freedom for union officials to advocate on behalf of TFWs. However, this parallel should not be extended too far. In the second arc, union officials

pointed to race as a significant component of TFWs' vulnerability, and adopted a more openly anti-racist position.

The context shifted again when the economic crisis hit. Job losses mounted. Government leaders had argued the TFWP was a response to short-term labour shortages; a promise that proved empty as the economic slump deepened. Total numbers of TFWs in Canada did not drop significantly, despite rising unemployment (Citizenship and Immigration Canada 2011). The shift in public sentiment, calling now for TFWs to be sent home, put union leaders in a conflicted position. A large portion of their responsibility (and accountability) was to their members' interests and their members were fearful of job loss. Yet, they had expended a great deal of energy in defending the rights of TFWs. The third arc reflects this conflicted position. It is an effort to bridge both narrative elements into one storyline. How successful it is remains to be seen. The third arc also demonstrates that the three arcs should be viewed as chapters of an evolving narrative, rather than three separate narratives in themselves.

### *Significance*

The significance of this study is three-fold. First, it is a rare opportunity to observe, in real-time, the learning curve experienced by union leaders to a new and complex issue. That union leaders were "learning on the fly" is supported by other studies where unionists interviewed about TFWs acknowledge changing approaches as events unfolded (Taylor, Foster, and Cambre 2012; Foster 2012b). It suggests that, in times of uncertainty, union leaders draw upon established frames and values to understand the story and decide how to respond. This is consistent with Murray et al.'s considerations of "referential unionism" (2010), where existing perceptions about the union and its function can shape decisions moving forward. As narrative and action cannot easily be disentangled, the reference will shape both actions and the narratives

created around an issue. In this case, the default narrative for union officials was one of protecting jobs and wages for “Canadians”. However, as the story unfolded, additional frames surfaced, including social justice and elements of class solidarity. This made the narrative more complex and provides evidence of an evolving awareness on the part of union officials.

Second, TFWs is a fairly stark example of the tensions inherent in contemporary unionism. The issue of migrant workers causes two key union functions to clash. Unions must represent members’ interests, but they also play a larger function in creating social change, including advocating on behalf of vulnerable and marginalized populations. This brings forth the business unionism/social unionism dichotomy (e.g., Kumar and Schenk 2006; Moody 2007). There is insufficient space in this paper to rehash this fundamental and ages-old debate, but it is worth noting that the complexity of the narrative arcs highlights the fluidity and tension between forms of union philosophy. A strictly business union framing would have focused exclusively on the impact on union members, at the expense of TFWs’ interests. An ideal social union narrative would highlight the broader social justice implications of the issue and advocate for broader change, rather than the narrow defense of “Canadians first”.

Those stark options are not what was found in this study. Elements of both philosophies can be seen in the narrative, especially the third arc. This suggests that the two forms of unionism are constantly in tension, with unions moving along the continuum in response to external contexts and internal pressures. Kumar and Murray (2006, 81) have acknowledged that in Canada unions tend to display some features of social unionism as “there has simply been less ideological space” for business unionism. In general, however, scholars have been reluctant to move outside the traditional dichotomist view of the two unionisms as opposing forms (e.g., Moody 2007; Ross 2007; Schenk 2003). This paper argues that greater attention to the practical

ways in which unions respond to situations, in particular new and challenging ones, can show that the dynamic between business and social unionism is multi-dimensional, complex and contested.

Third, adopting a historical lens reveals both continuities and interruptions from 19<sup>th</sup> and early 20<sup>th</sup> century union responses to migrants. Without question, contemporary responses are less overtly racist. However, union leaders' continue to play on dominant racialized notions of foreign workers. TFWs are cast as passive, vulnerable, sometimes threatening, monolithic "others" and this depiction feeds into public sentiment about so-called "foreigners". While the second arc focusses more on these workers, it still places them in a passive, subordinate position, and when the economic crash arrives "Canadian" workers are again given priority. It suggests labour has not yet resolved its conflict over immigrants and migrants and has not yet learned how to integrate the resulting competing interests. However, on an optimistic note, this study also offers some evidence of progress on the issue of race, a consequence of two generations of anti-racist activism within the labour movement. It shows union officials possess the capacity to incorporate some degree of race consciousness into their narratives, as evidenced by their conscious efforts to support permanent immigration, their limited critique of the racialized nature of the TFWP and their appeal to universal human rights. Their narrative took a different form than would have been seen 20 years ago. How well this narrative evolution feeds into action and policy remains a valid question.

### **Conclusion**

The story of unions and TFWs has not yet reached its denouement. Migrants are a burgeoning issue in Canada and will continue to pose challenges for Canada's labour movement in the years to come. The number of TFWs continues to rise, and their presence on the labour

market is becoming entrenched. For unions, this reality means coming to terms with the meaning of migrant labour in Canada. The tensions unions experience between representing existing members and advocating for TFWs may have hindered the ability of the labour movement to articulate a coherent strategy regarding migrant labour<sup>2</sup>, thus retarding their process of coming to terms with new labour market realities.

The ongoing results of this study suggest two things. First, the narrative has not yet finished evolving. Unions will continue to shift their stand on TFWs in response to external contexts and internal pressures. Second, this issue, more than almost any other, may force the labour movement to fully confront race and racialization and the role unions play in perpetuating dominant discourses of race in Canada. Where they go from here, no one yet knows. However, even in the past six years, labour has already been on quite a journey as it tackles the issue of migrant labour.

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<sup>2</sup> Thank you to an anonymous reviewer for this observation.

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