

# The implications of temporary foreign worker policies in Alberta

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# Migrant Workers

- ◆ Workers have always migrated for economic reasons
  - ◆ Historically, associated with permanent settlement (ie. immigration)
- ◆ Since WWII, formalization of temporary migration for economic purposes (“migrant workers”)
  - ◆ European “guest worker” programs
  - ◆ U.S. Bracero Program
- ◆ 200 million migrant workers worldwide
  - ◆ “age of migration” (Castles and Miller, 2009)

# Migrant Workers in Canada

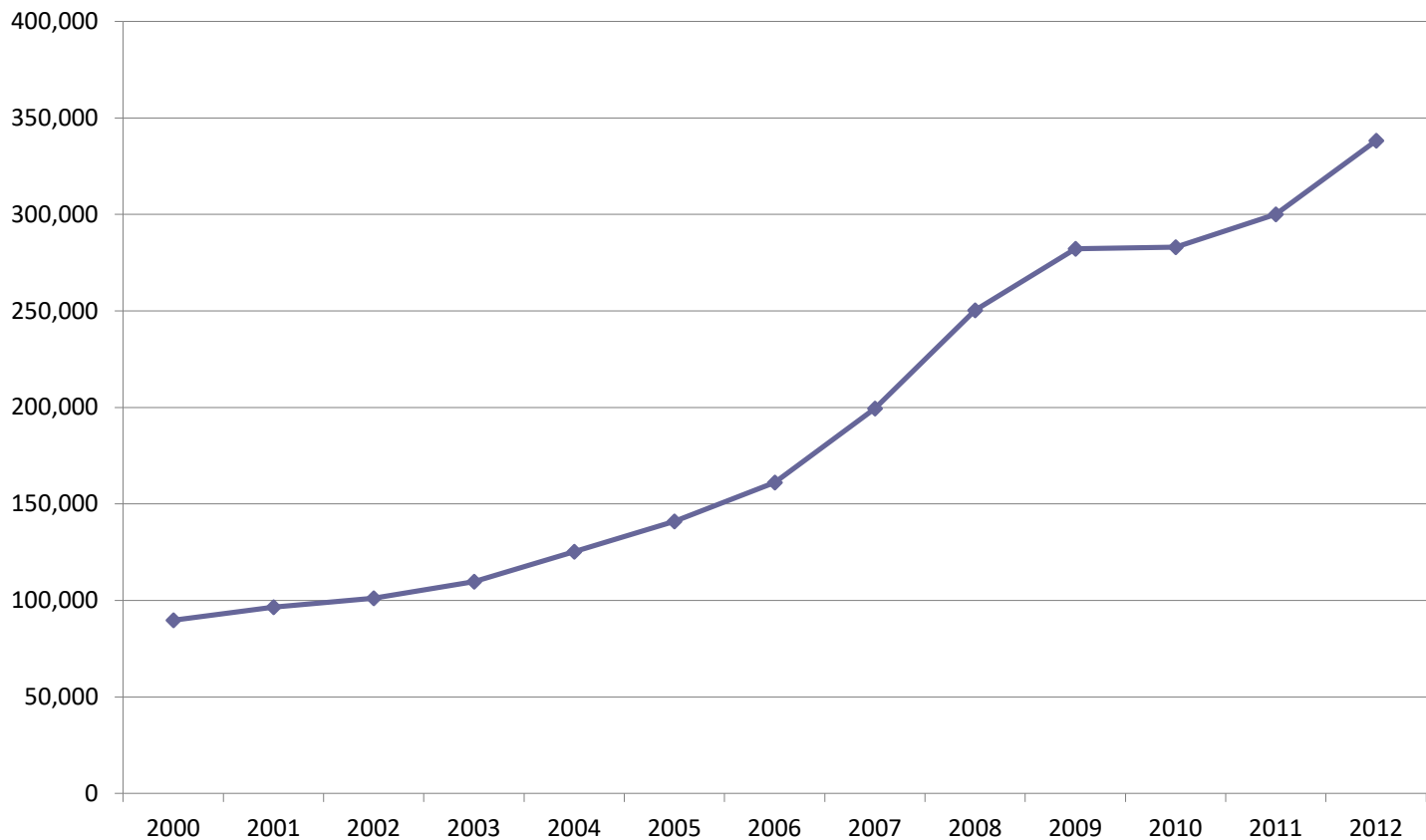
- ◆ 1974: Non-Immigrant Employment Authorization Program
- ◆ Now called Temporary Foreign Worker Program
- ◆ Until 2002
  - ◆ Stable, small-scale – 40,000-70,000 annually
  - ◆ Primarily high-skill workers with international labour pools (e.g. music, film, science and technology, universities)
  - ◆ Sub-streams for live-in caregivers and farm workers

# Migrant Workers in Canada (cont)

- ◆ 2002: Program opened to low-skill occupations
  - ◆ Numbers expand rapidly
- ◆ 2006: Fast-tracking of certain occupations
- ◆ 2012: Additional changes to simplify process for employers
- ◆ 2014: Changes to address criticisms of program

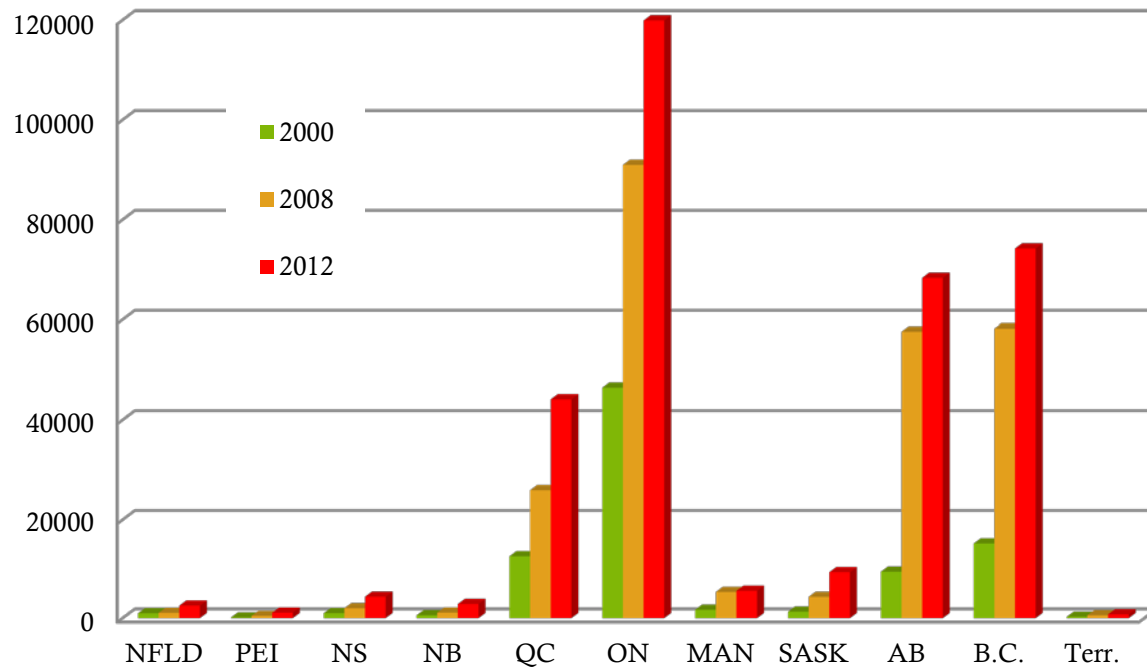
# Growth in TFWs

**TFWs Resident in Canada, 2000-2012**



# Growth in TFWs (cont)

## TFWs By Province



# Percent of TFWs by Source Country

	2000	2012
U.S., Australia, United Kingdom, Japan	43.5	24.2
Philippines, India, China, Mexico	21.8	32.1

## ◆ Top five Occupations:

- ◆ **2005:** musicians and singers; actors and comedians; producers, directors and related; specialist physicians; other technical occupations in film and broadcasting
- ◆ **2012:** Food counter attendants and kitchen helpers; cooks; food service supervisors; truck drivers; performers (other); (light duty cleaners are 6<sup>th</sup>)

# TFWP Rules

- ◆ Employer must:
  - ◆ Apply for Labour Market Opinion (LMO)
  - ◆ Demonstrate inability to find Canadian labour
- ◆ TFW must:
  - ◆ Apply for work permit, which specifies location, employer, occupation and expiry date
  - ◆ Covered by basic employment legislation (enforcement problematic)
  - ◆ No access to settlement services
  - ◆ Restricted access to permanent residency streams (some exceptions)
  - ◆ Maximum 4 year stay



# 2014 Changes

- ◆ “Enhanced power” for federal government officials to inspect workplaces, audit employer files
- ◆ \$275 fee for applying for LMO (per worker)
- ◆ Elimination of 15% wage differential
- ◆ Enhanced LMO application requirements (e.g., no “Chinese” language only” provisions)

# Why Do TFWs Come?

- ◆ Opportunity to work in occupation
- ◆ Higher wages and better working conditions than other destination countries (e.g. Saudia Arabia)
- ◆ Most want to immigrate permanently
  - ◆ Fewer than 10% achieve permanent residency

# Why do Employers use TFWs?

- ◆ Labour shortages
- ◆ TFWs are “compliant”, “productive”, “work harder than Canadians” (quotes from employer interviews)
- ◆ Flexible workforce

# Consequences

## 1. Exploitation

- ◆ Recruiting fees
- ◆ Labour violations
- ◆ Inadequate housing

## 2. Labour Market Effects

- ◆ Creation of vulnerable workforce
- ◆ Wage suppression / union avoidance
- ◆ Dilution of worker bargaining power

# Images of migrant work and workers in Alberta legislative discourse 2000-2011



# MLA Migrancy Narratives

Migrant work was economically necessary.

Migrant work didn't pose any threat to Canadian workers.

Migrant workers had questionable occupational, linguistic or cultural skills.

Migrant workers' transience caused negative social and economic impacts for Alberta.

# Migrant work is economically necessary

**His Honour:** ...Alberta will take immediate steps to address labour shortages that threaten economic growth. ...The government will develop a new strategy to increase awareness of Alberta as a destination of choice for skilled immigrants, and it will expand immigrant settlement services and language training and make it easier for foreign-trained professionals to work in Alberta (Alberta 2006).

# Migrant work is no threat

**Mr. Cardinal:** The first priority for... our government... is to hire Albertans first wherever possible, Canadians second.... When an employer has exhausted that, then they have an opportunity to apply through the federal government to bring in foreign workers.... It's definitely not a top priority for industries, definitely not a top priority for our government... who like to see our own local people working first (Alberta 2005b).



# Migrant work is no threat

**Dr. Oberg:** Lastly, the whole idea behind a temporary foreign worker is... to take these workers, bring them over here for a temporary period of time when they are needed, when there is the workforce boom that is going on, when we can't supply it, and then at the end of three years they have to go home. They cannot stay. They do not become landed immigrants. They must go home at that time (Alberta 2005a).

# Migrant workers are unskilled

**Mr. Norris:** ... I know that you have cab drivers who say: I'm an engineer from a specific country; I can't get a job. Don't believe everything you hear, hon. member, because we make every effort to allow them to get their training certificates upgraded or pass to what level they need to be. I don't know if there's a suggestion being made that we should just take things at face value, because I wouldn't do that... (Alberta 2004).

# Migrant workers are unskilled

**Dr. Oberg:** We don't necessarily want someone saying that they are a welder in a particular country, arriving here, and having no usable trades that can be done. So they are going to be certified in the country before they come over here (Alberta 2005a).

# Migrant workers are unskilled

**Mr. Lukaszuk:** ...This ministry has programs in place that assist foreign credentialed individuals to enter our workforce. At the same time, we have to make sure that we don't jeopardize in any way the standards that we are accustomed to have over here (Alberta 2010).

# Migrant workers are unskilled

**Mr. Lukaszuk:** (O)ften when we think about foreign workers, we tend to drift away across oceans. I strongly suggest to Alberta employers to give our neighbors to the south first opportunity at any jobs in Alberta. These workers from the United States are not only our partners, our friends, and our allies, but they also have similar occupational health and safety employment standards. There are no language barriers. At the end of the day that's what neighbours do for neighbours (Alberta 2011c).

# Migrant workers are unskilled

“It’s tough for somebody that comes from a totally different country and different rules and regulations to feel at home on a short-term basis,” Employment and Immigration Minister Hector Goudreau said last week.

“Many, many don’t know their rights. They don’t know all their responsibilities. They often have a hard time with language” (Calgary Herald 2008).

# Migrant workers are harmful

**Mr. Lukaszuk:** ...Well, transient communities would be one answer, individuals who do not purchase houses, cars, who don't invest in our economy but send remittances back home. There is a social impact on families over here, but just having come back from the Philippines, I had the opportunity to see the other, those families who are left behind by temporary foreign workers. The impact is economic and moral, and it's immense (Alberta 2011d).

# Conclusion

Migrant work was economically necessary.

Migrant work didn't pose any threat to Canadian workers.

Migrant workers had questionable occupational, linguistic or cultural skills.

Migrant workers' transience caused negative social and economic impacts for Alberta.



# The Implications of Temporary Foreign Worker Policies in Alberta

*Presentation to Sustainability  
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# Part 1: Social cohesion



# Social cohesion

- ◆ Popular concept in policy circles in late 1990s because of perceived threats to nations due to economic globalization (Jenson 1998).
- ◆ The ongoing process of developing a community of shared values, shared challenges and equal opportunity, based on a sense of trust, hope and reciprocity among all Canadians (Policy Research Sub-Committee, 1997)

# But...

Given Canadian multiculturalism policy, should social cohesion refer to common norms and shared values OR to social inclusion based on community engagement and citizen participation?

E.g., What is the impact of social exclusion of immigrants and others (Galabuzi & Teelucksingh 2010)?

# Regimes of SC

SC refers to the property by which whole societies and the individuals within them are bound together through the action of specific attitudes, behaviours, rules, and institutions which rely on consensus rather than pure coercion.

(Green, Gemen Janmaat and Han 2008)

# Part 2: Immigration and Social Cohesion



# History of Canadian immigration policy

- Before 1960s: preference to people of European and British ancestry
  - 1967: Point system introduced
  - 1976 Refugees recognized as distinct class, entrepreneurial class introduced
  - By 1990s: Human capital focus
- (2006 Census: approx 2/3 of immigrants were 'economic immigrants' )

# Changing demographics of Canadian immigrants

- ◆ 1960s arrivals: 10.2% ‘visible minority’
- ◆ 1970s: 51.8%
- ◆ 1980s: 65.4%
- ◆ 1990s: nearly 75% (Reitz & Banerjee 2007)

Educational qualifications of recent immigrant surpass Canadian-born.



## 2 Views:

# 1) Multiculturalism policy fosters

SC

- ◆ Differences in **social values** and **social and political engagement** across ethnic groups are weak.
- ◆ There are differences in **trust** and **feelings of belonging** across groups but these lessen with time.
- ◆ “Canada seems to be reasonably positioned for the future.”

(Soroka, Johnston & Banting 2007)

## 2) Multiculturalism policy is largely symbolic

- ◆ 35.9% of visible minorities compared to 10.6% of Whites reported experiencing discrimination.
- ◆ Almost double the proportion of visible minorities experience vulnerability.
- ◆ Looking at SC indicators: on 6 or 7 items, visible minorities appeared less integrated.
- ◆ For 4 items, earlier immigrants and the children of immigrants were less integrated than recent immigrants. (Reitz & Banerjee 2007)

# Economic outcomes are poorer for recent immigrants

- ◆ Entry wages
- ◆ Underemployment
- ◆ Non-standard work
- ◆ Poverty rate

# Part 3: Migrant labour programs and SC



# From permanent to temporary migration policies

The practice of allowing non-citizens to enter the country as temporary or migrant labour, as opposed to extending citizenship to immigrants, is an area that deserves ongoing investigation for its implications politically, socially, and economically. (Abu-Laban 2007)



# Immigration law

Is not just about who gets in and who stays out; it is just as much about structuring the vulnerability of those who enter by assigning them to various categories of precariousness, ranging from **illegality** through **permanent temporariness**, **transitional temporariness**, and **permanent residence to citizenship**.

(Macklin 2010)

# Migrant worker programs in Canada

In 1973, the **Non-immigrant Employment Authorization Program** began; in 2002 significant changes to the **Temporary Foreign Worker Program (TFWP)**

- ◆ Shift over time from specific occupational programs (Seasonal Agricultural Workers Program, Live-in Caregivers Program) to general migrant worker program

- ◆ Program growth in the last decade or so:

2000	89,746	TFWs
2010	283,096	
2012	338,213	

# Racialization of migrant labour

- ◆ more than two-thirds of TFWs in **managerial, professional, and skilled** categories originated from Europe and the US in 2005
- ◆ 59% of workers from Asia and the Pacific and 85% from the Americas (not US) were in **low-skill positions**. (Fudge & MacPhail 2009)
- ◆ racialized admission criteria in Canadian immigration policy shifted from the pre-1967 categories of preferred races and nationalities to the new category of nonimmigrant (or migrant) worker (Sharma 2006)



Contract labour migration is often portrayed as a highly organized system of labour recruitment to meet temporary needs... The workers are supposedly brought to the receiving country for a specific period, do not seek social integration, send their savings home, and are repatriated when the job is completed. The **reality is usually different**. Many receiving countries have used contract workers to meet long-term labour needs. **Length of stay has increased**, both because employers still needed the workers, and because the migrants did not wish to return. ... The result is **permanent settlement and the formation of ethnic minorities**. Such groups tend to be **disadvantaged and socially isolated** because of their legal status as non-settlers without citizenship rights. ... The borderlines between contract migration, individual temporary labour migration and illegal movements are often fluid.

(Castles 2000)

# Our study of nurses and trades workers

The majority of workers interviewed in Alberta seek permanent residency.

They have faced significant barriers to foreign credential recognition and licensure.

Migrant workers feel a high degree of social, political and economic vulnerability.

Many spoke of racism and exploitation involving co-workers, employers, and labour brokers.

# Effects on migrant workers

The strategy of **differential exclusion** of migrant workers will doubtless have lasting effects on their feelings of belonging, trust, and social inclusion.

This differential exclusion is built into the assumptions of the TFWP.

# Effects on other workers

If institutional arrangements are important prerequisites for social cohesion, then importing workers with restricted rights is problematic.

Resistance to TFWs by domestic workers grows, destabilizing patterns of diversity and values of fairness, equal opportunity and reciprocity are challenged

# Conclusions

The program structures inequality for TFWs by institutionalizing atypical (inequitable) employment relations that have the effect of segregating migrant workers and discouraging integration into local community

The TFWP exacerbates tensions in the labour market, which affects broader societal relations, limiting capacity of civil society to redress problems.

# Consequences for Social Cohesion

- ◆ TFWP undermines social cohesion by promoting segregation and insecurity instead of a sense of belonging, non-engagement over community participation, and rejection from other workers and citizens as opposed to recognition
- ◆ Non-citizen migrant workers are invisible as subjects. The domestic focus of thinking about social cohesion distracts attention from the implications of Canada's policies for TFWs and their countries of origin.

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