



# **Rights In Focus**

## **Migrant Workers Advocacy Forum**

### **Forum Summary**



# Rights In Focus: Migrant Workers Advocacy Forum

## Forum Summary

On November 7th, 2024, the C.A.R.E. team convened 70 individuals representing a wide range of service providers to learn, to gather input, share best practices and build networks. The following four objectives guided the delivery of the forum:

### 1. Present Current Challenges

Showcase the key challenges faced by migrant workers and highlight the ongoing efforts to address these challenges.

### 2. Equip Participants for Advocacy

Provide attendees with essential information and tools to effectively support and advocate for migrant workers' rights.

### 3. Gather Input for Program Development

Collect feedback and insights from participants to inform the next steps for the CARE project and other programs supporting migrant workers.

### 4. Facilitate Collaboration and Best Practice Sharing

Create a platform where participants can connect, share best practices, address key issues, and collaborate to enhance support for migrant workers.

The Migrant Worker Forum provided a comprehensive overview of the current landscape for migrant workers in B.C. The forum featured highlights from recent surveys conducted by Employment and Social Development Canada (ESDC) and the C.A.R.E. Program, firsthand accounts from two migrant workers, and insights from a panel of experts, including representatives from AgSafeBC, the Migrant Workers Centre BC Society, and the Mexican Consulate. Guided discussions at roundtables brought together diverse stakeholders, fostering meaningful dialogue.

This summary captures the key observations, perspectives, and recommendations that emerged from these discussions.



## Attending Agencies/Organizations

AMSSA	GLH Community Services	Sources Community Resources Society
Archway Community Services	Kingdom Foundation	UBC Research
BC Assembly	Langley Community Services Society (LCSS)	Umbrella Multicultural Health Clinic
BC Fed	MOSAIC	Watari Counselling & Support Services Society
City of Surrey	Muslim Food Bank	YMCA
School District 38	Migrant Workers Centre BC	Vancouver Local Immigration Partnership
Dignidad Migrante	Options Community Services Society	
DIVERSEcity Community Resources Society	Progressive Intercultural Community Services (PICS)	
Elizabeth Fry Society	Roots Health Care	
Expansion Works		
Family Education and Support Centre		

## Description and Objective of the C.A.R.E. Program

The C.A.R.E. for Migrant Workers Program supports temporary foreign workers in understanding and exercising their rights while living in Canada. Funded by Employment and Social Development Canada (ESDC) through the Migrant Worker Support Program, it offers free, comprehensive on-arrival and community-based services tailored to the needs of migrant workers.

Nationally, the Migrant Worker Support Program funds 10 organizations, including three in British Columbia—MOSAIC, S.U.C.C.E.S.S., and DIVERSEcity. These organizations partner with over 100 community-based groups, collectively reporting over 300,000 service interactions with temporary foreign workers in 2023.

The C.A.R.E. program's mission is to foster inclusive and supportive communities, ensuring migrant workers in B.C. have the resources to thrive. Focused on empowering workers under the Temporary Foreign Workers Program, Seasonal Agricultural Workers Program, and International Mobility Program, it serves as a vital hub for information, services, and resources to address their unique needs.

## Summary of Input Collected in Roundtable Discussions

Five questions were provided to guide the roundtable discussions. Note-takers at each table captured key sharing. These notes have been compiled, sorted and themed by question. The collective knowledge, expertise, and experiences shared by attendees highlighted numerous issues, challenges, and recommendations, offering valuable input for next-step planning and advocacy efforts.

### Question 1

#### **1. Based on what you've heard today and from your perspective and experience, what do you think are the biggest challenges / issues faced by migrant workers in B.C.?**

##### **Legal Challenges**

- Insufficient legal support for migrant workers.
- Lack of access to justice and violation of human rights.
- Constant changes in government laws make them hard to understand.
- Employer misusing the Labour Market Impact Assessment (LMIA) system
- Delays in IRCC's complaint review process despite the mandated five-day response time.
- Poor legal protections for migrant workers.
- Limited or unclear enforcement of signed contracts, leading to exploitation.

##### **Health and Wellbeing**

###### **Healthcare**

- Limited healthcare access and confusion over Medical Services Plan (MSP) eligibility and application processes.
- MSP forms are only available in English, creating language barriers.
- Tied validity of MSP and Social Insurance Number (SIN) to active work permits causes gaps in coverage.
- No healthcare access during the first three months after arrival.
- Lack of mobile healthcare for workers in remote areas (e.g., farms).
- Workers often unaware that they must apply for MSP themselves.

###### **Mental Health**

- Limited resources for mental health support.
- Helplines and counseling services are inaccessible or insufficient.
- Isolation due to long work hours and lack of connections.
- Workers feel unsupported and unable to express their challenges.
- Encouraging self-care and resilience can help address mental health issues.

## Employment Rights and Standards

### Rights and Awareness

- Migrant workers lack education about their rights in their native languages.
- Many workers are unaware of employment laws and how to file complaints.
- Employers exploit workers' lack of awareness by suppressing wages or assigning unsafe tasks.
- Gender-based discrimination, especially among women migrant workers.
- Fear of employer retaliation prevents workers from speaking up.

### Employment Standards

- The Employment Standards Act does not cover agriculture workers.
- No clear policies federally or provincially to protect workers from excessive overtime.
- Unpaid overtime and unsafe working conditions are prevalent.

### Closed Work Permits

- Closed work permits tie workers to a single employer, enabling exploitation.
- Workers feel vulnerable, coerced, and unable to change jobs.
- Programs to obtain open work permits are insufficient or inaccessible.

### Pre-Arrival and Preparedness

- Lack of clear agreements between employers and workers leads to confusion.
- Contracts are often vague, unenforceable, or not respected.

- Insufficient pre-arrival orientation leaves workers unprepared for their roles.
- Employers often assign additional tasks beyond the job description for low pay.

### Support Services and Information

- Existing programs for migrant workers are underfunded and overburdened.
- Limited awareness of available services, including counseling and hotlines.
- High costs and lack of capacity hinder service delivery.
- Need for mobile apps or tools tailored to migrant workers (e.g., AgSafe BC app).



## Systemic Issues

- Lack of comprehensive data and research on migrant worker challenges.
- Systemic problems in administration and policy making perpetuate issues.
- Deep structural inequities remain unaddressed, especially for pathways to Permanent Residency (PR).

## Economic Challenges

### Wages and Costs

- Workers receive lower wages than promised or are underpaid for skilled tasks.
- High costs of transportation and essentials, especially for those in remote areas.
- Fear of losing income forces workers to comply with exploitative conditions.

### Immigration Fees

- Exorbitant fees for immigration consultants (\$500–\$50,000 in some cases).
- Need for government oversight and fairer pricing for immigration services.

## Living Conditions

- Poor and unsafe housing for migrant workers.
- Insufficient hygiene standards and overcrowding in living quarters.
- Housing inspections are not effectively enforced.

## Language Barriers

- Limited English proficiency prevents workers from accessing resources and understanding their rights.
- Employers exploit language barriers to manipulate workers.

## Training and Advancement

- Minimal opportunities for employment advancement.
- Lack of access to trade skills or apprenticeship opportunities.
- Limited training leads to unsafe working conditions.

## Pathways to Permanent Residency

- Difficulties in obtaining PR create instability for workers.
- Closed work permits hinder progress toward open permits or PR.
- Family reunification remains challenging due to systemic hurdles.

## Safety Concerns

- Workers lack proper safety equipment, especially in construction and farm work.
- Accidents often arise from inadequate training or unsafe conditions.

## Others

- Anti-immigrant policies and expired work permits contribute to undocumented status.
- Previously active government enforcement teams are no longer in operation.
- Peer pressure and systemic biases maintain exploitative conditions.



## 2. Are you aware of any promising practices in other jurisdictions that might be adopted here in B.C.?

### Health and Accessibility

- **Universal Health Care for Undocumented Migrants** Some countries provide 100% access to health care and education regardless of legal status.
- **Ontario's OHIP** Immediate medical coverage for Temporary Foreign Workers (TFWs) upon arrival could be adopted in B.C.
- **ROOTS Mobile Clinic** Brings health services, including vaccines, directly to TFWs, eliminating barriers to care.
- **Navigator Programs** Similar to Vancouver Public Library's service, navigators assist with appointments and access to resources.

### Financial and Recruitment Practices

- **Philippines Government Model** Prohibits charging migrant workers recruitment fees, ensuring they do not bear the financial burden of securing employment abroad. This could inspire B.C. to shift recruitment and visa costs to employers or government programs.
- **Atlantic Immigration Program** A federal-provincial initiative in Atlantic Canada expedites Permanent Residency within six months for eligible sectors like tech. B.C. could advocate for a similar fast-tracking system.

### Support Hubs and Resource Networks

- **Abbotsford Hub Model** A centralized hub with a lead organization coordinating support services for migrant workers. Richmond has adopted this as well.
- **Quebec's RATTMAQ** (<https://rattmaq.org/>) Program: Advocacy and support directly for migrant workers through an organized association.
- **Toronto Welcoming Committee** Oversees programs for TFWs, conducts farm visits, and ensures safe working conditions.

### Anti-Exploitation and Transparency

- **"Bad Employer List"** Inspired by Vancouver's "Bad Date List" for sex workers, this initiative could spotlight employers with poor practices to deter exploitation.
- **Anti-Corruption AI Platform (Inquire)** Launched in Kazakhstan, this platform monitors training programs and compliance, which could be tailored for B.C.'s employment systems.

### Immigration and Residency

- **Atlantic Immigration Program** Simplifies and speeds up pathways to PR after six months of work.
- **Portugal Residency Model** Allows migrant workers to apply for PR after seven years of work.
- **DACA (US)** Provides undocumented individuals with temporary acknowledgment of their status, offering a potential model for B.C.

### Other Notable Practices

- **Construction-Specific Regulations in Ontario** Provides sector-specific protections that could be extended to other industries.
- **Volunteer Programs** Monthly volunteer-led educational and support initiatives, as seen in Family Education programs.

## 3. What actions need to be taken to address these issues/challenges and by what group?

### Government (Federal, Provincial, Local)

#### Policy and Legal Reform

- Enact laws addressing gray areas in labor rights and protections for migrant workers.
- Update immigration policies to better support both documented and undocumented workers.
- Develop clear pathways to permanent residency (e.g., open work permits, planned immigration strategies).
- Revise employment standards to provide equal access to rights like overtime, holidays, and benefits.
- Strengthen penalties for employers violating labor laws and enforce compliance effectively.

#### Oversight and Enforcement

- Ensure stricter oversight of employers, replacing pre-announced inspections with unannounced visits.
- Create a “bad employer list” to deter exploitative practices.
- Monitor and address corruption in recruitment practices, both domestically and overseas.
- Implement stricter housing inspections to prevent substandard living conditions.
- Provide emergency funding and shelter support for migrant workers during crises.

#### Health, Housing, and Social Supports

- Expand access to healthcare upon arrival (e.g., Ontario’s OHIP model).
- Invest in mobile clinics (e.g., ROOTS) and multilingual health resources.

- Address housing barriers by regulating employer-provided accommodations to prevent overcharging and unsafe conditions.
- Mandate fire and flood safety inspections for housing.

#### Collaboration and Awareness

- Foster collaboration between levels of government, non-profits, and employers to ensure fair hiring and working conditions.
- Raise awareness about migrant workers’ rights and protections through public campaigns.





**Employment and Social Development Canada (ESDC)****Inspection and Enforcement**

- Enhance LMIA evaluations, incorporating unannounced visits and stricter criteria for compliance.
- Strengthen labor inspection processes to ensure fair employment practices.

**Support and Advocacy**

- Increase funding for multilingual resources, work attire, and training programs.
- Advocate for consistent and stable support systems for migrant workers.
- Provide open work permits to enhance mobility and reduce worker vulnerability.

**Policy Improvements**

- Simplify and streamline work permit processes to prevent seasonal vulnerabilities.
- Reform funding transparency to better support settlement services and emergency needs.

**Service Providers****Direct Support for Workers**

- Increase funding for language training, visual aids, and multilingual information.
- Build trust with migrant communities by creating culturally sensitive, safe spaces.
- Provide health and safety training and mental health resources tailored to workers' needs.

**Collaboration and Advocacy**

- Partner with researchers for community-based studies to inform policy advocacy.
- Engage employers in forums and advocacy events to align on best practices.
- Focus on pre-arrival education and printed resources for illiterate workers.
- Raise awareness among the local community about the realities and rights of migrant workers.

**Program Improvements**

- Expand program eligibility and outreach areas.
- Develop a consolidated resource document to avoid duplication of services.
- Advocate for higher compensation for settlement workers who often work outside regular hours.

## Employers

### Fair Employment Practices

- Develop transparent hiring practices and provide fair wages and benefits.
- Ensure compliance with labor laws, including fair contracts and cultural sensitivity training.
- Improve pre-arrival and ongoing housing inspections to meet safety standards.

### Education and Collaboration

- Participate in oversight committees and advocacy events.
- Educate themselves about legal and ethical obligations toward migrant workers.
- Promote cross-cultural training for employers to foster a respectful work environment.

### Accountability and Acknowledgment

- Acknowledge and reward compliant employers to encourage industry-wide best practices.
- Penalize recruiters and immigration consultants engaging in unethical practices.

## C.A.R.E. Program and Other Service Providers

### Program Enhancements

- Lower barriers for migrant workers to access the CARE program and expand its outreach.
- Focus on long-term worker support, including access to education, mental health resources and community integration programs.
- Establish a steering committee with lived experience members to guide programming.

### Advocacy and Awareness

- Represent migrant worker issues to government bodies through focus groups and reports including reports from events like this to senior government officials to inform them of on-the-ground realities.
- Ensure collaboration with other service providers to streamline and enhance support systems.

### Prevention and Empowerment

- Help workers avoid exploitative situations through education and informed decision-making.
- Raise awareness of existing programs and highlight the gaps in service provision.

#### 4. What other information or tools are needed to advocate for change?

##### Data and Research

- Up-to-date research on working conditions and demographics
- across industries.
- Clear, reliable data from sources such as Employment and Social Development Canada (ESDC), Immigration, Refugees and Citizenship Canada (IRCC).

##### Toolkits and Educational Resources

- Toolkits outlining migrant workers' rights and protections.
- Multilingual materials to educate both workers and the public about migrant rights.
- Simplified application guidance, such as videos, to help workers navigate processes.
- Targeted marketing campaigns leveraging data to raise awareness through videos and other formats.

##### Lived Experience Messaging and Storytelling

- Stories of migrant workers' experiences and contributions to illustrate the need for change.
- Authentic advocacy messaging from workers with lived experience, ensuring that their voices and challenges are central to the conversation.
- Documenting and sharing lived experiences as evidence to support advocacy efforts.

##### Leveraging Social Media

- Use social media to:
  - Amplify the voices of migrant workers.
  - Overcome potential government censorship and expand message reach.
  - Share workers' stories and raise awareness of their challenges.
  - Build momentum for advocacy campaigns that might otherwise be overlooked.





## Creating a Representative Body

- Establish a formal representative body for migrant workers to:
  - o Advocate on their behalf.
  - o Negotiate with employers and governments.
  - o Address issues collectively, similar to a union.

## Fostering Dialogue

- Create safe spaces like forums where migrant workers can share experiences, concerns, and ideas.
- Ensure these spaces are inclusive and encourage workers to actively participate in discussions about policies affecting their lives.



## Developing Community Partnerships

- Collaborate with community groups to:
  - o Amplify advocacy efforts and share resources.
  - o Build networks within organizations and communities.
  - o Facilitate in-person collaborations to provide better tools for advocacy and settlement work.
- Empower settlement workers to engage in policy change discussions and advocacy.

## Showcasing Positive Examples

- Highlight employer success stories that demonstrate respectful practices to inspire others.

## Developing Champions

- Engage high-level stakeholders to advocate for policy changes and improvements.

## Ensuring Access to Technology

- Advocate for:
  - o Reliable Wi-Fi and computers on farms.
  - o Support from organizations like BC Tech to provide free computers.

## 5. Implications and Impacts of a Reduction in Migrant Worker Numbers

### 1. Limited Pathways to Permanent Residency

- o Reduced immigration levels may further limit already constrained pathways to permanent residency, affecting workers' stability and long-term contributions to Canada.

### 2. Sector-Specific Challenges

- o **Agriculture and Construction** Exemptions for these sectors remain despite high rates of labor violations, perpetuating systemic issues.
- o **Economic Impact** A reduced workforce in key industries like agriculture risks jeopardizing food production and supply chains.

### 3. Rise in Precarious Work

- o A reduction in regulated programs could lead to more workers engaging in informal or "under the table" arrangements, increasing their vulnerability to exploitation and unsafe conditions.

### 4. Exacerbation of Systemic Issues

- o Existing challenges, such as labor violations and inadequate protections, are likely to worsen as fewer workers bear increased workloads.

### 5. Increased Workload and Exploitation

- o Fewer workers may result in heightened pressure, longer hours, and increased risk of abuse for those who remain.

### 6. Family Separation

- o Policy changes could further restrict workers from bringing their families to B.C., leading to prolonged separations or forcing workers to leave Canada altogether.

### 7. Delayed Work Permit Processing

- o Ongoing backlogs in processing permits mean fewer workers will receive legitimate documentation, leaving critical industries without skilled labor.

### 8. Economic and Human Rights Implications

- o Reduced funding and staffing for worker advocacy programs may leave workers more susceptible to exploitation, with significant consequences for human rights protections.
- o Employers may exploit labor shortages, leading to worsening conditions for remaining workers and undermining workplace safety and equity.

### 9. Policy Adjustments and Penalties

- o Governments may respond with increased penalties for labor violations, but enforcement challenges and systemic inequities may persist.

### 10. Long-Term Consequences

- o Without enough migrant workers, industries reliant on their labor, such as agriculture, construction, and caregiving, may face severe shortages, impacting the broader economy and community well-being.



### **Contact Information**

For more Information on the Rights In Focus Forum or other inquiries, please contact the C.A.R.E. Team at:

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