

**Brief by the
Alberta Federation of Labour**



**Temporary Foreign Worker Program –
Report on Approvals at Minimum Wage**

May, 2014



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Executive Summary

It is a requirement of the program to pay at or above the prevailing regional wage rate of any particular occupation and this notion that employers are paying substantially less than what Canadians would make is simply totally factually untrue.

- Jason Kenney, CBC The National, December 11, 2012

New research released by the Alberta Federation of Labour (AFL) shows that the federal government approved thousands of employers to hire workers through the Temporary Foreign Worker Program (TFWP) at below-market wage rates, despite a clear-cut government policy that requires these workers get paid wages on par with or higher than their Canadian counterparts.

The study is the first of its kind to zero in on work permits issued for Temporary Foreign Workers at minimum wage and to examine all Canadian provinces.

The latest AFL audit of permits issued by the Harper government focused on approvals for workers to be paid the provincial minimum wage – the lowest wage allowed by province – and compared that to the wages that the workers were *supposed* to be paid: the prevailing median wage for that particular occupation.

The results are shocking: of the 15,006 approvals, more than 14,500 were allowed to offer wages that were lower than what the government says these workers should be paid. The wages were below the prevailing wage rate anywhere from a few cents to \$11.45 an hour too low.

TFWP regulations give Minister Kenney's department the power to deny work permits if wages offered a worker in the Program are below prevailing regional wages for that particular occupation.¹

¹ See section 203 of the *Immigration and Refugee Protection Regulations*, <http://laws-lois.justice.gc.ca/eng/regulations/sor-2002-227/page-83.html#h-107>

Any wage rate below the prevailing regional wage rate will put downward on the wages of all workers in that field and region. In other words, offering workers in the TFWP below-market wages is a rip off. It's a rip off of the worker in the TFWP as well as Canadians and landed immigrant working in the same occupation.

This research only scratches the surface of negative effects the TFWP has on the Canadian labour market. Research previously released by the AFL showed 224 permits in Alberta for just above the minimum wage, but still below the prevailing market wage paid to Canadians.

TFWP Wage Policies

All workers in the TFWP, except babysitters, nannies and parents' helpers (nannies) and agricultural workers, are supposed to be paid wages "**consistent with the prevailing wage rate for the occupation**"² **within the region where they are to be employed. These prevailing wages are listed on** the federal government's Job Bank website: <http://www.jobbank.gc.ca/>

Exceptions to the TFWP wage policy: Domestic caregiving work and agricultural workers

The wages of nannies and live-in caregivers (NOC 6474)³ and farm workers (NOC 8431)⁴ are set by the government, rather than allowing the labour market to determine them through the prevailing regional wage.

Until 2012, the government allowed employers to pay these workers the provincial minimum wage – the lowest they can legally pay a worker - rather than paying them the higher prevailing regional wage.

Since 2012, the government set these wages above the minimum wage. In the case of nannies, this wage is only slightly higher than the minimum wage. For farm workers, this wage is much higher.

Meaning, the government has set, and continues to set wages for these workers at rates below market wages, thereby undermining the Canadian labour market.

There is some discrepancy in terms of when these wages were increased and when the access-to-information requests occurred. Some, but not all, of the approvals we received break the government's stated wage policies. Despite this, in all cases, the wages were set at rates that undermine the Canadian labour market.

² Employment and Social Development Canada, "Temporary Foreign Worker Program Manual," http://www.edsc.gc.ca/eng/jobs/foreign_workers/manual/bul-20130204-foreign-currency.shtml

³ Minimum wages for caregivers can be found here: http://www.edsc.gc.ca/eng/jobs/foreign_workers/caregiver/index.shtml

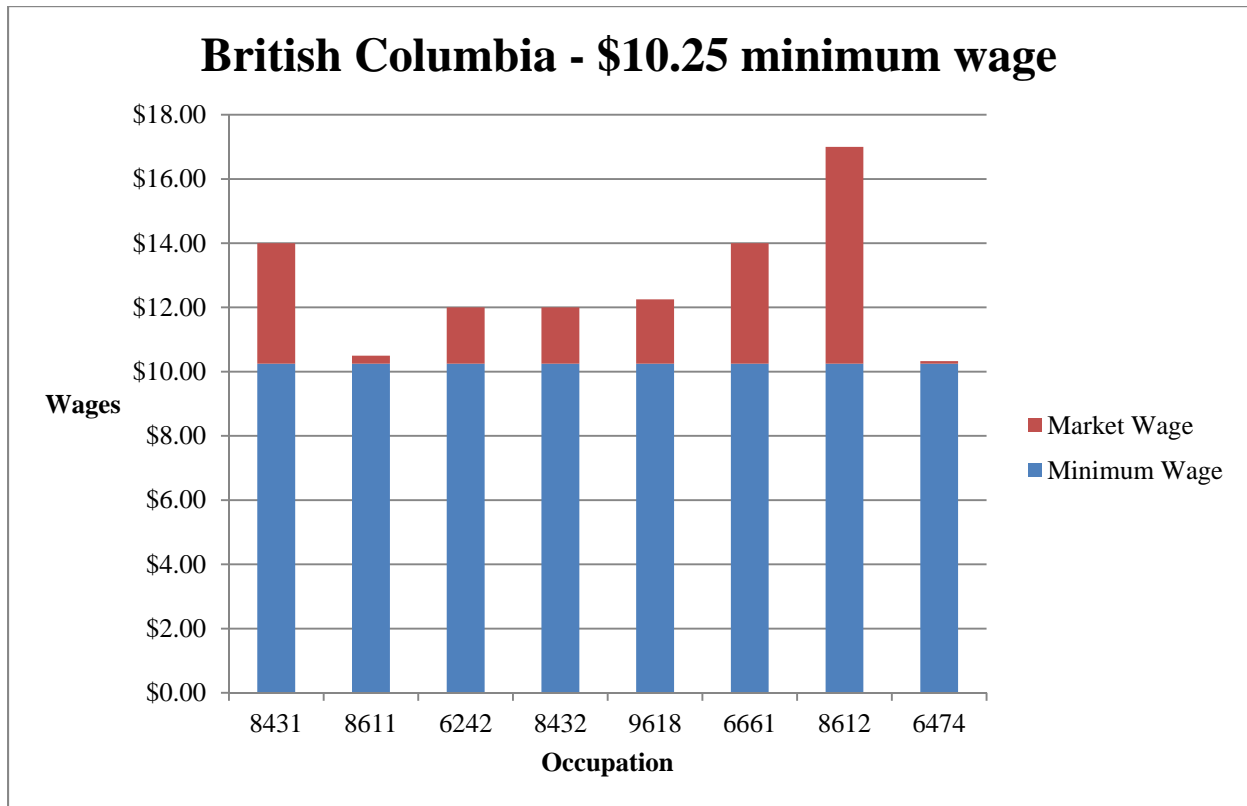
⁴ Minimum wages for agricultural workers in the TFWP can be found here: http://www.edsc.gc.ca/eng/jobs/foreign_workers/agriculture/commodities.shtml

Methods

Through *Access to Information* requests to the federal government, the AFL received information on approvals to hire workers through the TFWP (the LMOs), by province, by National Occupation Code, by minimum wages offered by province. The AFL submitted one request per province for the minimum wages as follows:

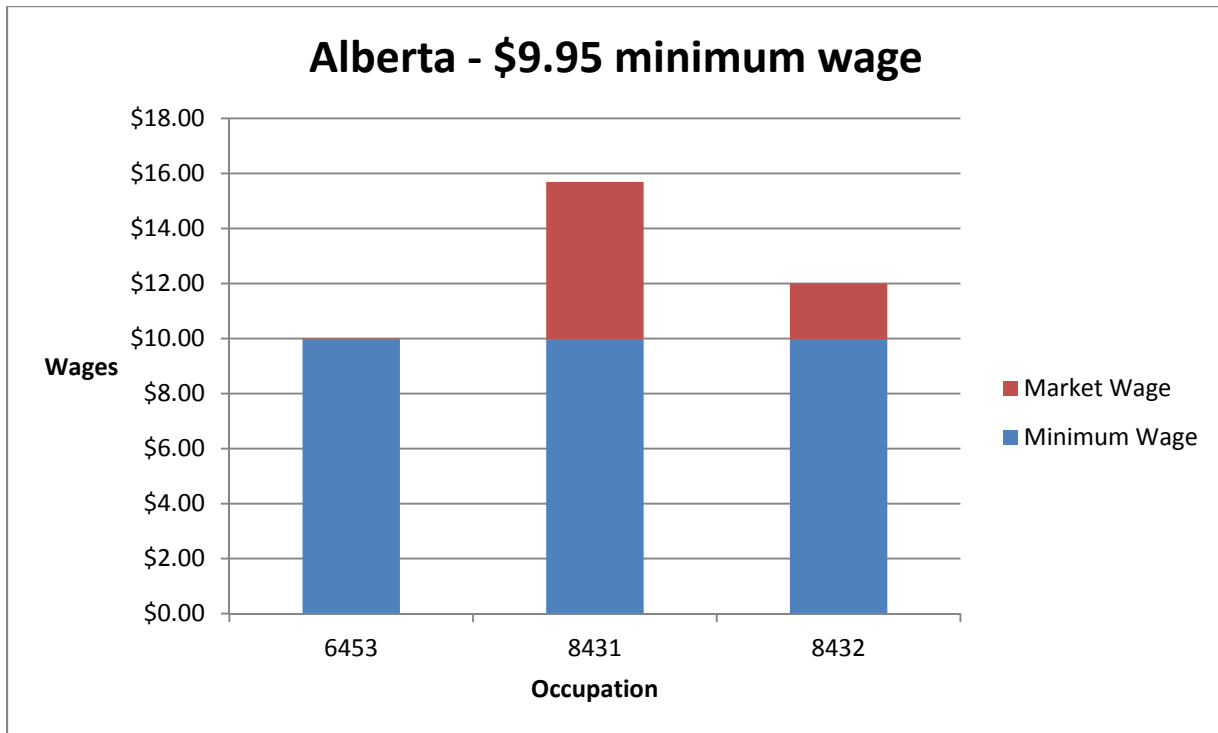
Province	Minimum Wage	Dates	Total number of approvals for minimum-wage workers	Number of approvals for below-market wages
BC	\$10.25	May 1, 2012 to February 10, 2014	26	25
Alberta	\$9.95	September 1, 2013 to February 10, 2014	30	30
Alberta	\$9.05	September 1, 2011 to February 10, 2014	2	2
Saskatchewan	\$10.00	December 1, 2012 to February 10, 2014	149	148
Manitoba	\$10.25	October 1, 2012 to February 10, 2014	41	41
Ontario	\$10.25	March 31, 2010 to February 10, 2014	13,926	13,924
Quebec	\$10.15	May 1, 2013 to February 10, 2014	581	248
Newfoundland and Labrador	\$10.00	July 1, 2010 to February 10, 2014	77	76
New Brunswick	\$10.00	April 1, 2012 to February 10, 2014	39	26
Nova Scotia	\$10.30	April 1, 2013 to February 10, 2014	74	65
Prince Edward Island	\$10.00	April 1, 2012 to February 10, 2014	36	30
Northwest Territories	\$10.00	April 1, 2011 to February 10, 2014	1	0
Nunavut	\$11.00	January 1, 2011 to February 10, 2014	10	9
Yukon	\$10.54	April 1, 2013 to February 10, 2014	1	1

British Columbia
\$10.25/hour Minimum Wage



Province	NOCs	Occupation	Number of Approvals	Minimum Wage	Prevailing Median Regional Wage	Wage rip off
BC	8431	General farm workers	8	\$10.25	\$14.00	(\$3.75)
BC	8611	Harvesting labourers	6	\$10.25	\$10.50	(\$0.25)
BC	6242	Cooks	5	\$10.25	\$12.00	(\$1.75)
BC	8432	Nursery and greenhouse workers	2	\$10.25	\$12.00	(\$1.75)
BC	9618	Labourers in fish processing	1	\$10.25	\$12.25	(\$2.00)
BC	6661	Light duty cleaners	1	\$10.25	\$14.00	(\$3.75)
BC	8612	Landscaping and grounds maintenance labourers	1	\$10.25	\$17.00	(\$6.75)
BC	6474	Babysitters, nannies and parents' helpers	1	\$10.25	\$10.33	(\$0.08)

Alberta
\$9.95/hour Minimum Wage

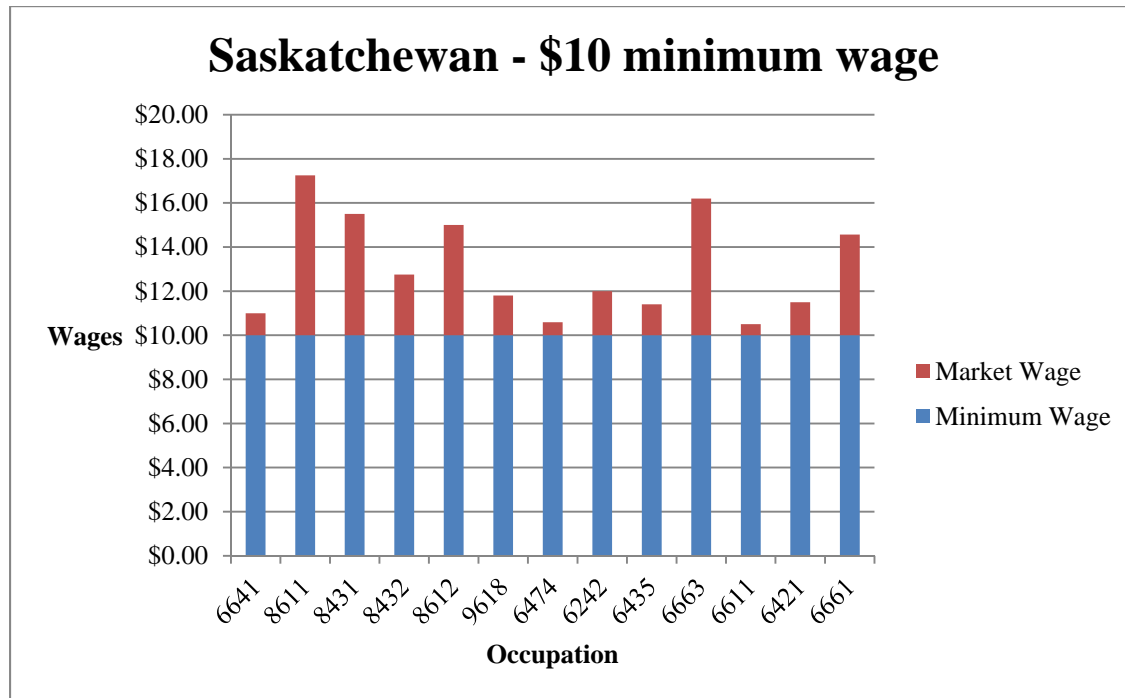


Province	Minimum	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Alberta	\$9.95	6453	Food and beverage servers	7	\$10.00	(\$0.05)
Alberta	\$9.95	8431	General farm workers	3	\$15.69	(\$5.74)
Alberta	\$9.95	8432	Nursery and greenhouse workers	20	\$12.00	(\$2.05)

Alberta
\$9.05/hour Minimum Wage (for liquor servers)

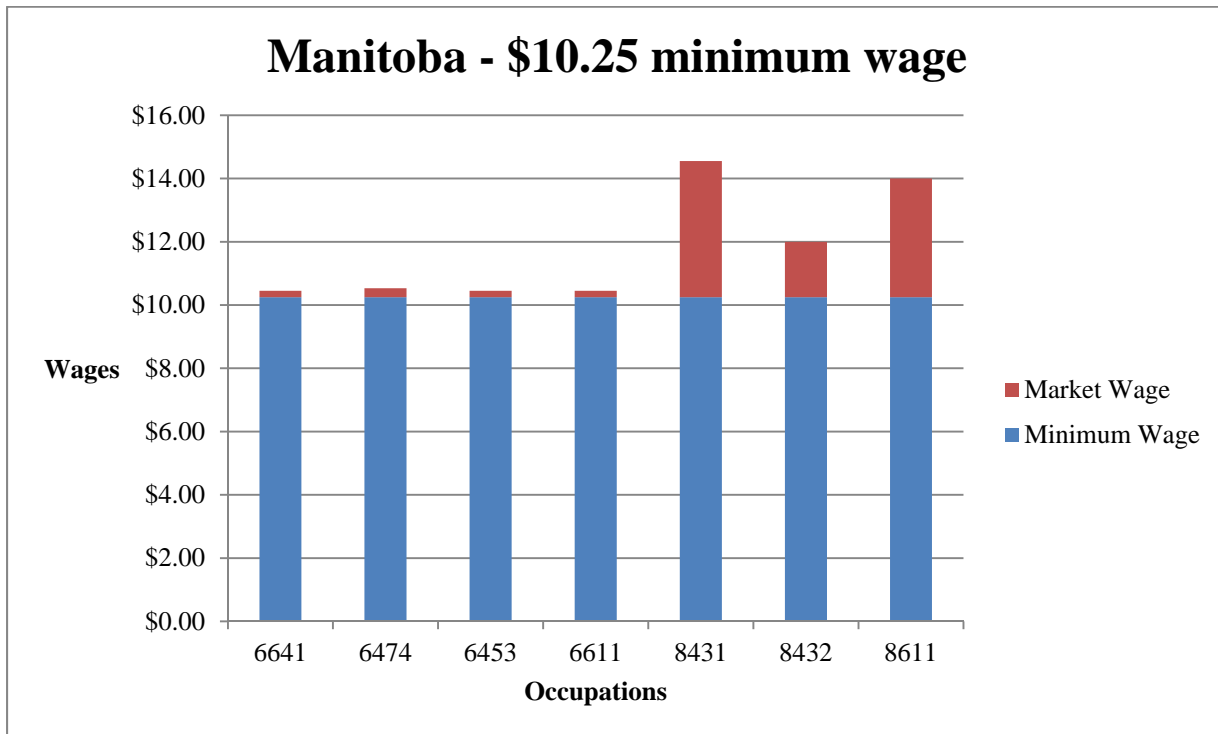
Province	Minimum	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Alberta	\$9.05	6453	Food and beverage servers	2	\$10.00	(\$0.95)

Saskatchewan
\$10.00/hour Minimum Wage



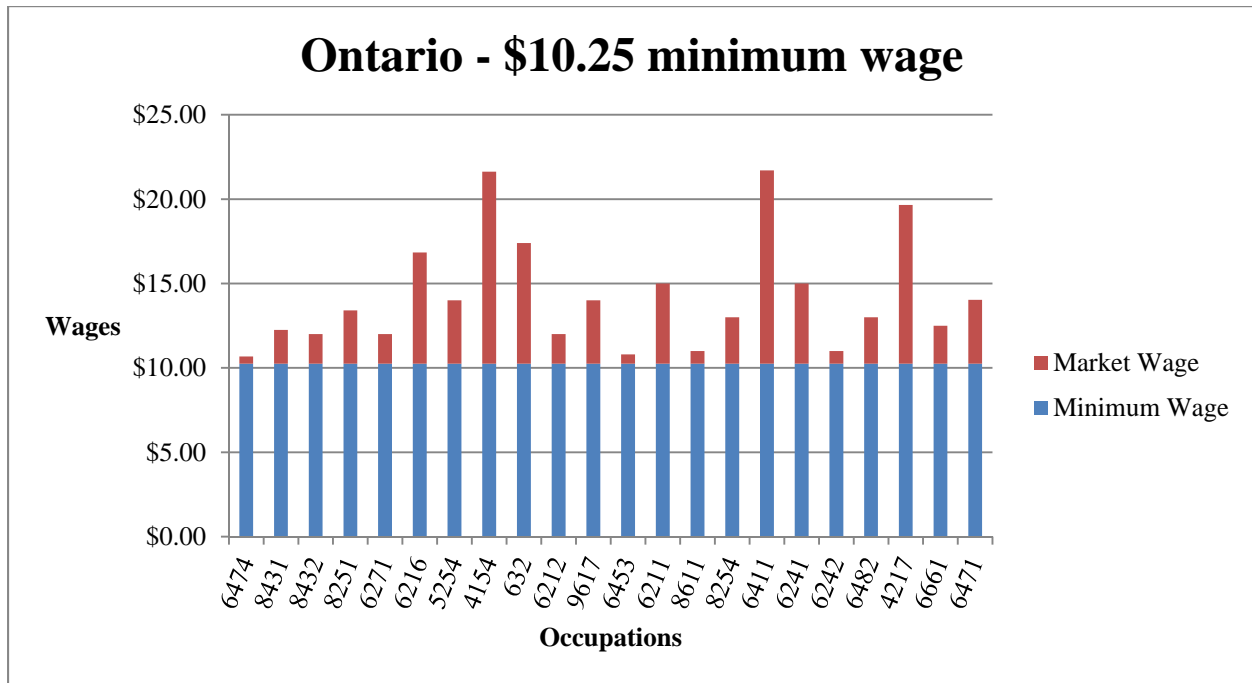
Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Prevailing Median Regional Wage	Wage Rip Off
Saskatchewan	\$10.00	6641	Food counter attendants, kitchen helpers and related	39	\$11.00	(\$1.00)
Saskatchewan	\$10.00	8611	Harvesting labourers	9	\$17.25	(\$7.25)
Saskatchewan	\$10.00	8431	General farm workers	15	\$15.50	(\$5.50)
Saskatchewan	\$10.00	8432	Nursery and greenhouse workers	7	\$12.75	(\$2.75)
Saskatchewan	\$10.00	8612	Landscaping and grounds maintenance labourers	1	\$15.00	(\$5.00)
Saskatchewan	\$10.00	9618	Labourers in fish processing	1	\$11.80	(\$1.80)
Saskatchewan	\$10.00	6474	Babysitters, nannies and parents' helpers	26	\$10.59	(\$0.59)
Saskatchewan	\$10.00	6242	Cooks	5	\$12.00	(\$2.00)
Saskatchewan	\$10.00	6435	Hotel front desk clerks	1	\$11.40	(\$1.40)
Saskatchewan	\$10.00	6663	Janitors, caretakers and building supervisors	1	\$16.20	(\$6.20)
Saskatchewan	\$10.00	6611	Cashiers	4	\$10.50	(\$0.50)
Saskatchewan	\$10.00	6421	Chefs	1	\$11.50	(\$1.50)
Saskatchewan	\$10.00	6661	Light duty cleaners	1	\$14.57	(\$4.57)

Manitoba
\$10.25/hour Minimum Wage



Province	Minimum	NOCs	Occupation	Number of LMOs	Market Wage	Wage Rip Off
Manitoba	\$10.25	6641	Food counter attendants, kitchen helpers and related	6	\$10.45	(\$0.20)
Manitoba	\$10.25	6474	Babysitters, nannies and parents' helpers	8	\$10.53	(\$0.28)
Manitoba	\$10.25	6453	Food and beverage servers	2	\$10.45	(\$0.20)
Manitoba	\$10.25	6611	Cashiers	3	\$10.45	(\$0.20)
Manitoba	\$10.25	8431	General farm workers	13	\$14.55	(\$4.30)
Manitoba	\$10.25	8432	Nursery and greenhouse workers	6	\$12.00	(\$1.75)
Manitoba	\$10.25	8611	Harvesting labourers	3	\$14.00	(\$3.75)

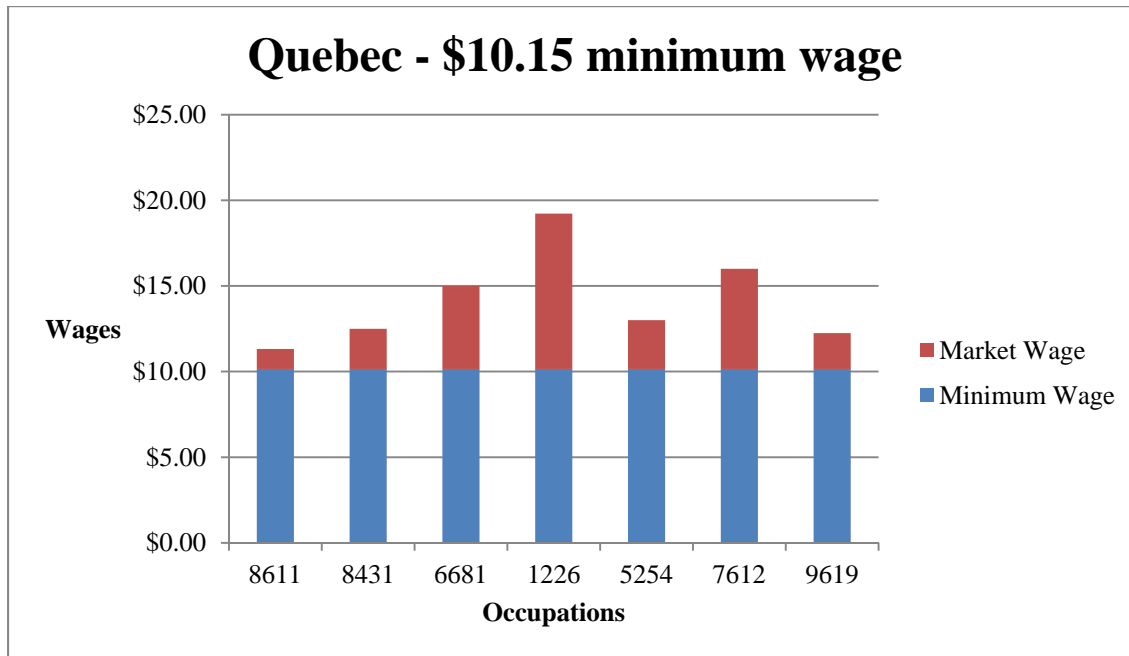
Ontario
\$10.25/hour Minimum Wage



Province	NOCs	Occupation	Number of Approvals	Minimum	Prevailing Median Regional Wage	Wage Rip Off
Ontario	6474	Babysitters, nannies and parents' helpers	12227	\$10.25	\$10.68	(\$0.43)
Ontario	8431	General farm workers	1267	\$10.25	\$12.25	(\$2.00)
Ontario	8432	Nursery and greenhouse workers	361	\$10.25	\$12.00	(\$1.75)
Ontario	8251	Farmers and Farm Managers	6	\$10.25	13.41	(\$3.16)
Ontario	6271	Hairstylists and Barbers	1	\$10.25	\$12.00	(\$1.75)
Ontario	6216	Campground supervisor	1	\$10.25	\$16.84	(\$6.59)
Ontario	5254	Program leaders and instructors in recreation, sport and fitness	20	\$10.25	\$14.00	(\$3.75)
Ontario	4154	Ministers of religion	1	\$10.25	\$21.63	(\$11.38)
Ontario	632	Accommodation service managers	1	\$10.25	\$17.40	(\$7.15)
Ontario	6212	Food service supervisors	3	\$10.25	\$12.00	(\$1.75)

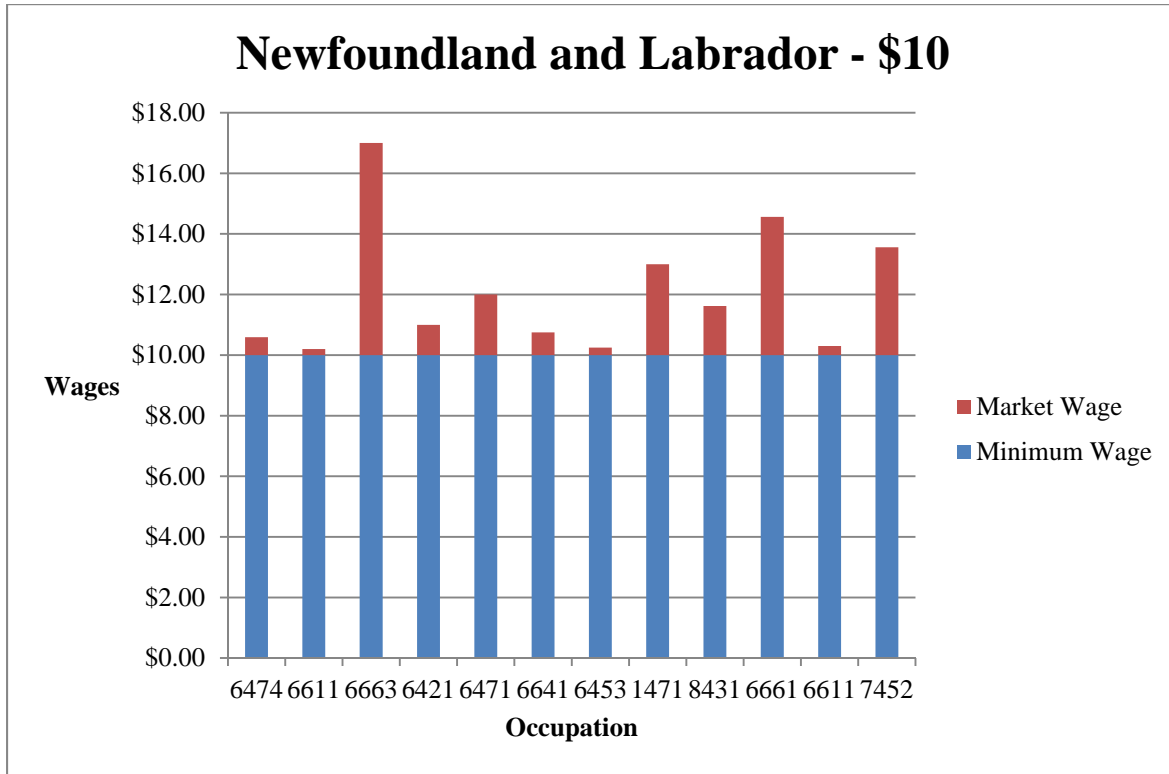
Province	NOCs	Occupation	Number of Approvals	Minimum	Prevailing Median Regional Wage	Wage Rip Off
Ontario	9617	Labourers in food, beverage and tobacco processing	7	\$10.25	\$14.00	(\$3.75)
Ontario	6453	Food and beverage servers	2	\$10.25	\$10.80	(\$0.55)
Ontario	6211	Retail sales supervisor	1	\$10.25	\$15.00	(\$4.75)
Ontario	8611	Harvesting labourers	7	\$10.25	\$11.00	(\$0.75)
Ontario	8254	Nursery and greenhouse operators and managers	4	\$10.25	\$13.00	(\$2.75)
Ontario	6411	Sales representatives, wholesale trade	6	\$10.25	\$21.70	(\$11.45)
Ontario	6241	Chefs	1	\$10.25	\$15.00	(\$4.75)
Ontario	6242	Cooks	4	\$10.25	\$11.00	(\$0.75)
Ontario	6482	Estheticians, electrologists and related occupations	1	\$10.25	\$13.00	(\$2.75)
Ontario	4217	Other religious occupations	1	\$10.25	\$19.65	(\$9.40)
Ontario	6661	Light duty cleaners	1	\$10.25	\$12.50	(\$2.25)
Ontario	6471	Visiting homemakers, housekeepers and related occupations	1	\$10.25	\$14.03	(\$3.78)

Quebec
\$10.15/hour Minimum Wage



Province	Minimum	NOCs	Occupation	Number of LMOs	Market Wage	Wage Rip Off
Quebec	\$10.15	8611	Harvesting labourers	236	\$11.32	(\$1.17)
Quebec	\$10.15	8431	General farm workers	7	\$12.50	(\$2.35)
Quebec	\$10.15	6681	Dry cleaning and laundry occupations	1	\$15.00	(\$4.85)
Quebec	\$10.15	1226	Conference and event planners	1	\$19.23	(\$9.08)
Quebec	\$10.15	5254	Program leaders and instructors in recreation, sport and fitness	1	\$13.00	(\$2.85)
Quebec	\$10.15	7612	Other trades helpers and labourers	1	\$16.00	(\$5.85)
Quebec	\$10.15	9619	Other labourers in processing, manufacturing and utilities	1	\$12.25	(\$2.10)

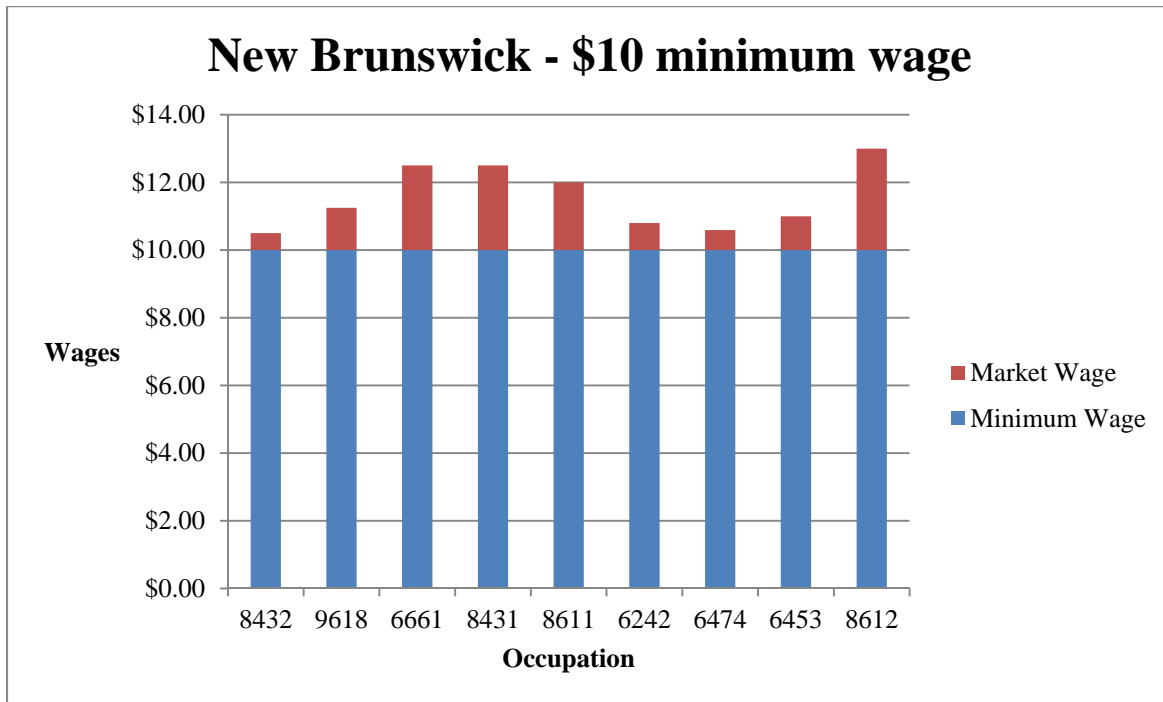
**Newfoundland and Labrador
\$10.00/hour Minimum Wage**



Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Newfoundland and Labrador	\$10.00	6474	Babysitters, nannies and parents' helpers	36	\$10.59	(\$0.59)
Newfoundland and Labrador	\$10.00	6611	Cashiers	4	\$10.20	(\$0.20)
Newfoundland and Labrador	\$10.00	6663	Janitors, caretakers and building supervisors	1	\$17.00	(\$7.00)
Newfoundland and Labrador	\$10.00	6421	Retail sales supervisor	3	\$11.00	(\$1.00)
Newfoundland and Labrador	\$10.00	6471	Visiting homemakers, housekeepers and related occupations	1	\$12.00	(\$2.00)
Newfoundland and Labrador	\$10.00	6641	Food counter attendants, kitchen helpers and related	13	\$10.75	(\$0.75)
Newfoundland and Labrador	\$10.00	6453	Food and beverage servers	11	\$10.25	(\$0.25)

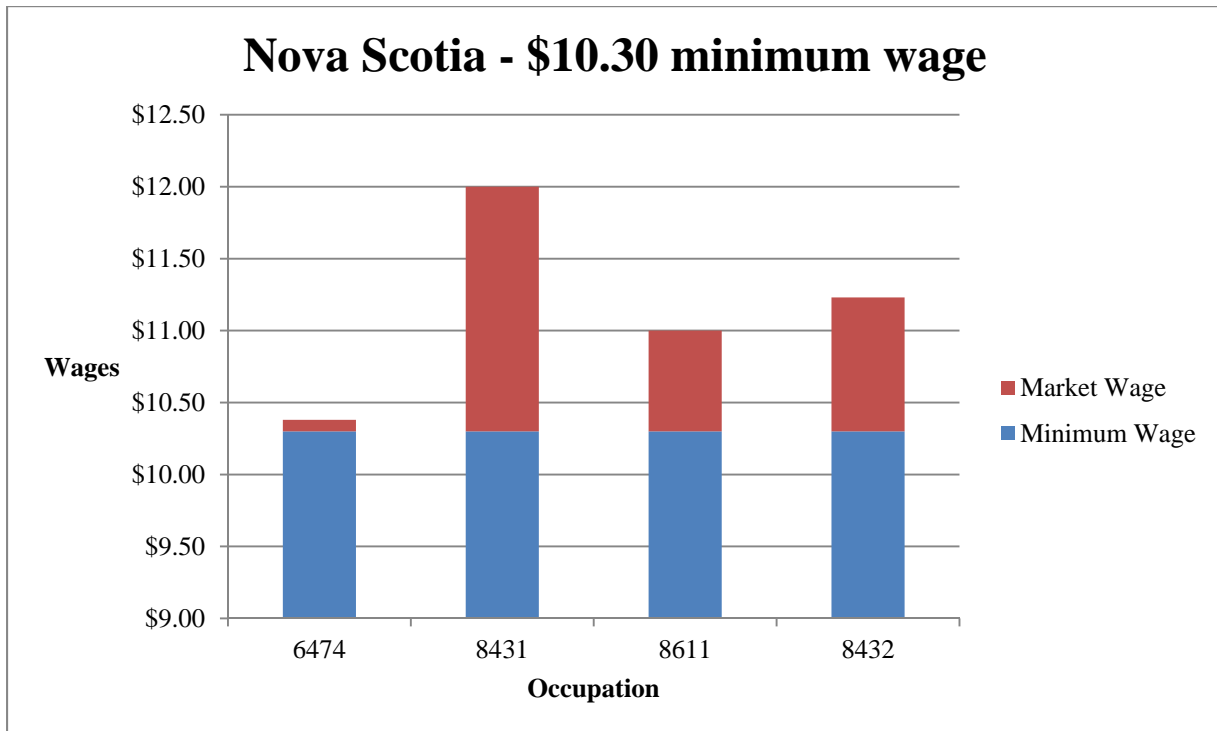
Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Newfoundland and Labrador	\$10.00	1471	Shippers and receivers	1	\$13.00	(\$3.00)
Newfoundland and Labrador	\$10.00	8431	General farm workers	1	\$11.62	(\$1.62)
Newfoundland and Labrador	\$10.00	6661	Light duty cleaners	2	\$14.56	(\$4.56)
Newfoundland and Labrador	\$10.00	6611	Cashiers	2	\$10.30	(\$0.30)
Newfoundland and Labrador	\$10.00	7452	Material handler	1	\$13.56	(\$3.56)

New Brunswick
\$10.00/hour minimum wage



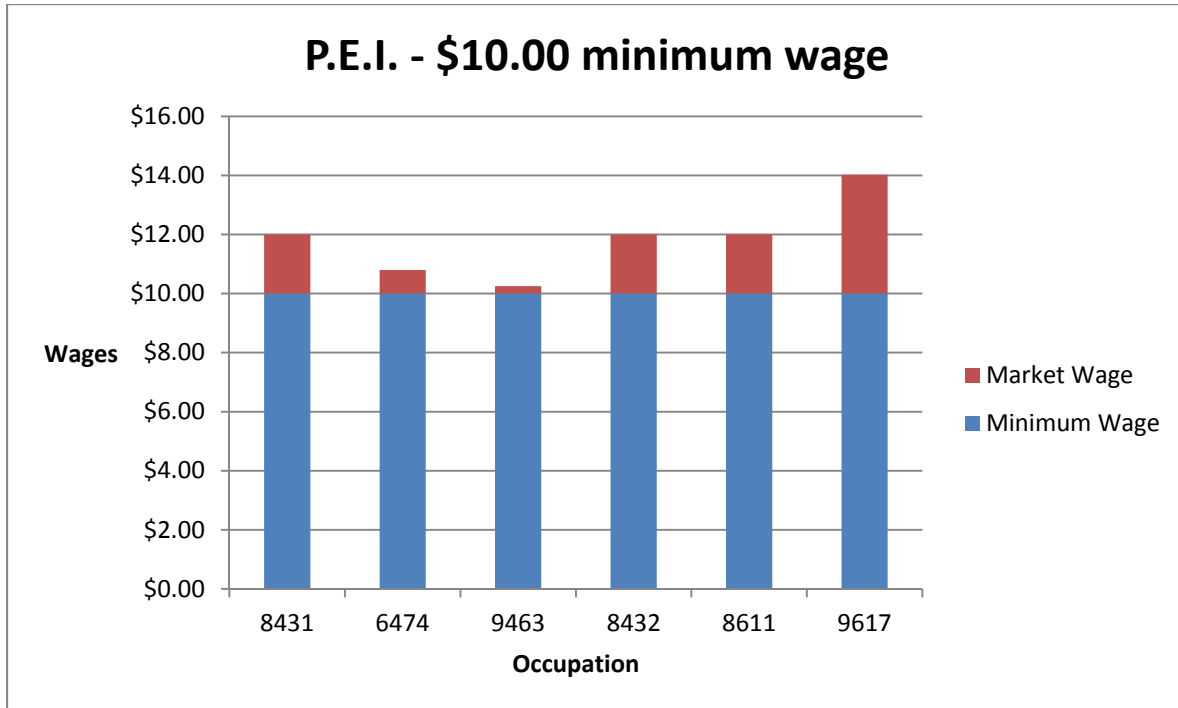
Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
New Brunswick	\$10.00	8432	Nursery and greenhouse workers	2	\$10.50	(\$0.50)
New Brunswick	\$10.00	9618	Labourers in fish processing	1	\$11.25	(\$1.25)
New Brunswick	\$10.00	6661	Light duty cleaners	1	\$12.50	(\$2.50)
New Brunswick	\$10.00	8431	General farm workers	8	\$12.50	(\$2.50)
New Brunswick	\$10.00	8611	Harvesting labourers	6	\$12.00	(\$2.00)
New Brunswick	\$10.00	6242	Cooks	5	\$10.80	(\$0.80)
New Brunswick	\$10.00	6474	Babysitters, nannies and parents' helpers	1	\$10.59	(\$0.59)
New Brunswick	\$10.00	6453	Food and beverage servers	1	\$11.00	(\$1.00)
New Brunswick	\$10.00	8612	Landscaping and grounds maintenance labourers	1	\$13.00	(\$3.00)

Nova Scotia
\$10.30/hour Minimum Wage



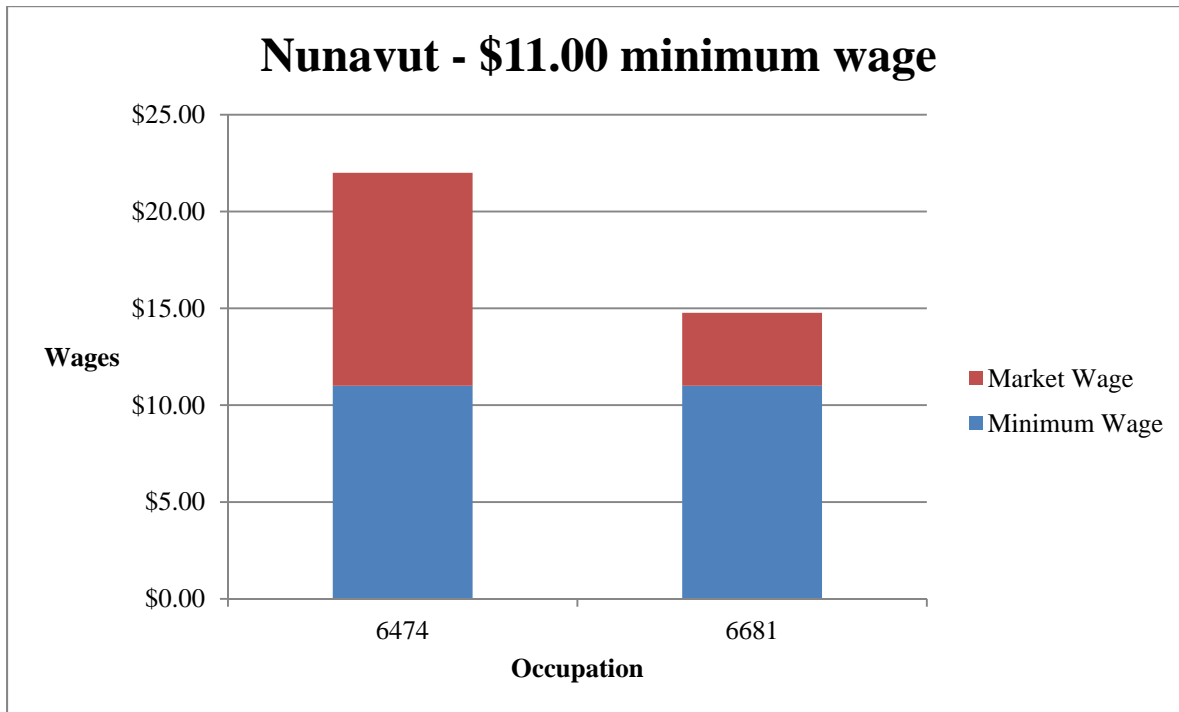
Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Nova Scotia	\$10.30	6474	Babysitters, nannies and parents' helpers	18	\$10.38	(\$0.08)
Nova Scotia	\$10.30	8431	General farm workers	40	\$12.00	(\$1.70)
Nova Scotia	\$10.30	8611	Harvesting labourers	2	\$11.00	(\$0.70)
Nova Scotia	\$10.30	8432	Nursery and greenhouse workers	5	\$11.23	(\$0.93)

**Prince Edward Island
\$10.00/hour Minimum Wage**



Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Prince Edward Island	\$10.00	8431	General farm workers	13	\$12.00	(\$2.00)
Prince Edward Island	\$10.00	6474	Babysitters, nannies and parents' helpers	2	\$10.80	(\$0.80)
Prince Edward Island	\$10.00	9463	Fish plant workers	3	\$10.25	(\$0.25)
Prince Edward Island	\$10.00	8432	Nursery and greenhouse workers	2	\$12.00	(\$2.00)
Prince Edward Island	\$10.00	8611	Harvesting labourers	9	\$12.00	(\$2.00)
Prince Edward Island	\$10.00	9617	Labourers in food, beverage and tobacco processing	1	\$14.02	(\$4.02)

Nunavut
\$11.00/hour Minimum Wage



Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Nunavut	\$11.00	6474	Babysitters, nannies and parents' helpers	8	\$11.65	(\$0.65)
Nunavut	\$11.00	6681	Dry cleaning and laundry occupations	1	\$14.77	(\$3.77)

Yukon
\$10.54/hour Minimum Wage

Province	Minimum Wage	NOCs	Occupation	Number of Approvals	Market Wage	Wage Rip Off
Yukon	\$10.54	6474	Babysitters, nannies and parents' helpers	1	\$10.59	(\$0.05)

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