

February 12, 2014

Hon. Jason Kenney, PC, MP  
325 East Block  
House of Commons  
Ottawa, ON K1A 0A6

**Re: Alberta unions call for TFW Sunshine List**

Dear Minister Kenney,

The shocking situation involving 65 Canadian ironworkers who were displaced by Temporary Foreign Workers (TFWs) at the Imperial Oil Kearl Lake project last week proves that the Temporary Foreign Worker program (TFWP) is being misused by design.

We believe the program is so badly flawed and poorly monitored that it should be scraped or dramatically rolled back. In the meantime, however, we feel the least the government could do is increase the transparency of the program. Canadians deserve to know how and where and by whom the program is being used.

Conservative governments in several provinces have released so-called "Sunshine Lists" for public-sector wages and benefits. We believe the time has come for a Sunshine List for the Temporary Foreign Worker Program.

Based on the high volume of calls to our office, we have reason to believe that there are many more cases just like the one we saw last week at the Kearl site. We also believe the ironworkers contracted by Pacer-Promec were here in Alberta under a new stream of the TFW Program called the *Alberta Occupation Specific Pilot Project*, which does not require employers to go through the usual Labour Market Opinion (LMO) process. What this means is that employers using the pilot project can choose TFWs without first offering jobs to Canadians. However, because no information is publicly available about this project, this is an educated guess on our part.

The bottom line is that, as a result of the government's lack of transparency, Canadians simply don't know where and how employers are using TFWs. Canadians are also in the dark about how many citizens and permanent residents are being passed over in favour of cheaper, temporary workers.

We believe that the only way to protect the interests of working Canadians and ensure that employers are not using the TFWP to drive down wages and displace Canadians is to begin publishing a public TFW Sunshine List. Specifically, we are calling on your government to take the following actions in the public interest:

1. Create a full list of all employers holding a work permit for a Temporary Foreign Worker. In technical terms, this means an online searchable database of all active Labour Market Opinions, Accelerated Labour Market Opinions (ALMOs), and employers using the *Alberta Pilot Project* or any Pilot Projects being test-driven in other provinces.
2. Publish a database of primary worksites where Temporary Foreign Workers are employed. Canadians deserve to know where Temporary Foreign Workers are working.
3. Make public a federal-provincial agreement for on-site inspections of worksites employing Temporary Foreign Workers. We know, from Employment Standards inspection reports, complaints to the Alberta Federation of Labour (AFL) Temporary Foreign Worker advocate, and feedback from across Canada, that TFWs are routinely subjected to lower wages than their Canadian counterparts, sub-standard living conditions, unscrupulous brokers and recruitment agencies, and questionable health and safety practices. The death of four Chinese Temporary Foreign Workers at Canadian Natural's Horizon site in 2007 is one example; there are many others. No one is following up with employers whether or not TFWs are being paid the prevailing market rate or there are no unlawful deductions from their pay. It is up to your department to take responsibility for inspection and enforcement.

After last week's reports, your office launched an investigation. It is not enough. As the *Pilot Project* expands, your government is also tightening up access to information on Labour Market Opinions. We now receive blacked-out documents where, before, we received full disclosure of information in response to our ATIP requests. It would be disappointing if the department is withholding crucial public information about the TFW Program from Canadians.

The Alberta Federation of Labour has been monitoring the Temporary Foreign Worker Program for close to a decade. We have never received so many blacked-out documents or information withheld from your department.

It's time to let the sun shine on this program, with an open and transparent approach to informing Canadians about who is using the TFW program, where TFWs are working, and under what conditions.

Sincerely,



**Gil McGowan, President**  
**On behalf of the AFL Executive Council**  
**Alberta Federation of Labour**