

April 30, 2014

Michael Ferguson, FCA
Office of the Auditor General of Canada
240 Sparks Street
Ottawa, Ontario
K1A 0G6

Re: Request for a Systems Audit of the Temporary Foreign Worker Program (TFWP)

Dear Mr. Ferguson:

I am writing to draw your attention to the Harper Government's Temporary Foreign Worker Program (TFWP) and evidence released by the Alberta Federation of Labour (AFL). We believe recent evidence uncovered by the AFL and other organizations necessitates a full and timely audit by your office in order to address and resolve the ways in which Canadian and visiting workers are being negatively impacted by the TFWP.

Due to questions of independence and transparency surrounding audits conducted internally by Government departments, the AFL believes only an audit conducted by your office will be adequate to address the problems we have discovered within the TFWP.

As you know, the Minister for Employment and Social Development recently announced a moratorium on all low-skilled stream TFWP permits, known as Labour Market Opinions, or LMOs, in the food service industry. This is a small step in the right direction, but it's not enough. The AFL believes the entire TFWP should be put on hold so that an audit can be completed by your office with the confidence no new cases of misuse or abuse will occur during that time.

Last week, the AFL released documents showing that in Alberta alone, there were hundreds of cases of direct contraventions of the regulations governing the TFWP over the past several years. Namely, that hundreds of LMOs were issued at wages below the prevailing regional rate in direct contravention of the *Immigration and Refugee Protection Regulation* section 230.

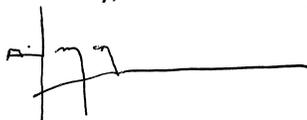
What's more, these potentially unlawful permits were not limited to the food services premises, but were found in several other locations, including hotels, gas stations, truck stops, casinos, ski lift operations, convenience stores, greenhouses, industrial farming operations, feedlots, and nurseries.

With reference to the concerning evidence of systemic problems within the TFWP under the Harper government, we ask that you:

- Review the approval process for Labour Market Opinions by comparing the policies in place with the policies in practice by stream, sector, occupation, and region.
- Compare real prevailing wages with approved Temporary Foreign Worker (TFW) wages by stream, sector, occupation, and region.
- Determine whether the rules in place or the rules in practice allow TFWs to be paid less than Canadians by stream, sector, occupation, and region.
- Evaluate the assumption that the TFWP is a “last resort” for employers, given that it appears in many cases the TFWP has become the first choice for employers.
- Derive recommendations from your audit on the TFWP that focus on residency and pathways to immigration for newcomers instead of the TFWP.

Thank you for your considered response. We trust you will view the mounting evidence of systemic problems within the TFWP with the same concern as our affiliates and members, and that you will see fit to conduct a complete audit as soon as possible.

Sincerely,



Gil McGowan
President
Alberta Federation of Labour

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