

August 14, 2014

Hon. Jason Kenney, PC, MP
Minister of Employment and Social Development
325 East Block
House of Commons
Ottawa, ON K1A 0A6

Re: AFL Proposal to Better and More Fairly Manage Phase Down of TFWP

Dear Honourable Minister Kenney:

On May 15, 2014, I wrote you to suggest changes to the Temporary Foreign Worker Program (TFWP) and request a meeting to talk about providing expedited pathways to permanent residency and citizenship for temporary foreign workers currently working in Canada.

Over the past several weeks since you announced your department would be overhauling the TFWP, a debate has been constantly raging between different organizations who want to go back to the status quo.

Given the level of pressure certain organizations are exerting in an attempt to re-open the floodgates of the TFWP, I want to take this opportunity to restate the Alberta Federation of Labour's position on the program in the context of your department's recent changes and the current debate:

- 1) It is our position that the Temporary Foreign Worker Program has to go. In that light, we support the changes you've introduced that will phase down the program in certain workplaces, and disallow the program from being used in regions where unemployment is high. However, we don't think the changes go far enough. In fact, we remain convinced that the TFWP is unsalvageable. Canada is a country built by immigration; but the TFWP is not immigration, its exploitation. It's bad for TFWs, who are essentially being used as indentured servants with little or no hope of citizenship; and it's bad for working Canadians, because too many employers are using TFWs as pawns to drive down wages for everyone.
- 2) Employers and employer organizations advocating for a return to the status quo are misrepresenting the true state of Canada's labour market. Specifically, they're using flawed research that relies on shoddy methods to come to the unsustainable conclusion that Canada is facing a labour shortage. Evidence from an overwhelming number of credible sources demonstrates that this is not the case. We do not think decisions about important public policies should be based on insufficient and ultimately misleading research.

- 3) The Canadian government can be doing more to address sector-specific labour-market demands. Your government has reduced funding for apprenticeship and training programs. We believe this funding should be restored and, indeed, increased to help Canadians qualify for jobs in high demand – like jobs in Alberta’s robust energy and construction sectors. Also, employers in energy, construction, health care and other sectors should not be allowed to use foreign workers until they have demonstrated their commitment to training Canadians first. We continued to be appalled, for example, that only 17 per cent of Canadian companies that employ skilled trades workers actually take on apprentices. Employers in places in Alberta who wonder why they have such a hard time finding tradespeople should look in the mirror!

Although we strongly disagree with the positions of some self-interested employers and employer groups who are content to revert to the status quo of the Temporary Foreign Worker Program, we also recognize there is a growing humanitarian crisis caused by the changes to the program.

Temporary foreign workers have had their lives turned upside down by the sudden changes your department has made. Moreover, beyond the restated promise to provide more oversight of the TFWP in the workplace, the changes you have made do nothing to address the concerns raised by temporary foreign workers themselves—particularly issues related to permanent residency and the prospect of real immigration (as opposed to precarious, temporary tenure in Canada).

We continue to believe that the TFWP is an example of public policy at its worst. But, individual temporary foreign workers have done nothing wrong. Instead, they have been made the victims of bad public policy and poorly implemented policy changes.

With that in mind, we believe you should make additional changes to your overhaul of the TFWP that would allow all current temporary foreign workers in Canada a pathway to permanent residency and citizenship. To put it another way, we think you should close the door to new TFWs, but allow those who are already here to stay. This would be the right thing to do from a humanitarian point of view. It would also go some distance towards addressing the concerns of employers who need time to wean themselves off the TFWP – to which many have become addicted. Once the program has been phased out, if your government thinks we still need more people from abroad, we think the focus should be on real immigration, rather than guest worker programs.

In conclusion, I’d like to, once again, formally request a meeting with you so we can discuss my proposal in further detail. I would also like share with you new research from the AFL showing that the TFWP has been used by employers to suppress wages in Alberta. In your press conference announcing changes to the TFWP, you acknowledged that the program has been used to suppress wages in the food service sector (thank you for your candor on this issue), but our research shows that employers in many other sectors have been doing exactly the same thing.

I look forward to hearing from you to find a time that fits with your schedule. In addition, I have attached my previous letter of May 15, 2014, stating our original proposal for a way forward for temporary foreign workers already in the country. I hope you will find our proposal both reasonable and fair, and I look forward to our meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gil McGowan', followed by a long horizontal line extending to the right.

Gil McGowan
President
Alberta Federation of Labour

Enclosure

gm*Unifor445:kp*cope#458

May 15, 2014

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

Re: Proposing “grandfathering” for TFWs already in the country

Dear Minister Kenney:

Over the past two weeks, many business groups have been pressuring you to lift the moratorium on the use of Temporary Foreign Workers (TFWs) in the food service sector. From our perspective, this would be a mistake because the evidence clearly shows that the program is displacing Canadians, driving down wages and distorting the Canadian labour market. If anything, we think that the moratorium should be extended to all other low-wage streams of the TFW program – and made permanent.

However, while we think that the TFW program should be scrapped in its current form, we feel strongly that something needs to be done to help the thousands and thousands of TFWs who are already in the country. These workers have done nothing wrong. They came to our country in good faith and with high hopes. They are just as much victims of bad public policy as the Canadians who have been displaced by the program whose wages have been suppressed.

With this in mind, I would like to make a proposal: we think your government should close off all low-wage streams of the TFW program going forward, but let the foreign workers who are already in Canada stay. Most importantly, we believe these workers should be granted permanent residency and eventually citizenship. As permanent residents or citizens, these workers will have full mobility rights within the Canadian labour market, meaning it will be much more difficult for employers to use them as pawns to drive down wages and conditions on individual worksites or across sectors of the economy.

Closing off the low-wage streams of the TFW program and granting permanent residency to the TFWs already in Canada will accomplish three important things:

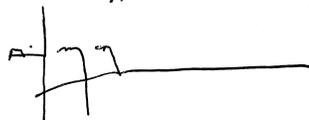
1. It will put all participants in the Canadian labour market on equal footing. It is most certainly NOT in the broad interest of the Canadian public to have a labour market divided into two segments: one with full rights, including the right to mobility, and another with constrained rights, including limits on mobility. Closing off the TFW program and granting permanent residency to the workers already here, will re-establish balance and fairness in the Canadian labour market.

2. It will go a long way towards correcting what is, essentially, an historic injustice. For generations, Canada has been a beacon for immigrants seeking to create a better life for themselves and their families. But the TFW program is not immigration, it is exploitation. By closing off the program and granting permanent residency to TFWs already in the country, we could re-establish our reputation as a nation that welcomes, instead of exploits, newcomers.

3. It will encourage businesses and governments to focus on the REAL solutions to meeting the needs of the Canadian labour market: training, flexibility on compensation and conditions and REAL immigration. Instead of relying on cheap, vulnerable and exploitable workers, governments and businesses will have to do what they should have been doing all along, which is nurturing, developing and supporting our domestic labour force.

For your information, I'm attaching a copy of a recent statement from the AFL on your department's Moratorium on TFWs in the food service sector. I am also formally requesting a meeting with you so we can discuss the AFL's proposal for "grandfathering" TFWs who are already in the country. Given the fact that so many TFWs are currently being let go as a result of the moratorium and are facing the prospect of deportation, I would like to have this conversation with you sooner rather than later.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gil McGowan', followed by a long horizontal line extending to the right.

Gil McGowan
President
Alberta Federation of Labour

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