

# MIGRANT WORKERS DESERVE \$15 AND FAIRNESS

Ontario needs better laws to make work decent for everyone. The time to act is now. ***Join the fight for \$15 and Fairness where fairness means rights for everyone including migrant workers.***

Migrant workers work in some of the most dangerous and difficult jobs in Ontario, and have some of the lowest wages and protections.

It's no accident that many of the industries that are primarily made up of migrant workers are exempted from the Employment Standards Act. As a result, migrant workers are denied basic protections under the law, such as minimum wages, hours of work

and more. When one industry is exempted from providing basic minimum standards, other employers want similar exemptions and loopholes.

This helps explain why today less than 25% of *all* workers are fully protected by the minimum standards in the ESA. This is a vivid example of how an injury to one becomes an injury to all.

The vast majority of Ontarians agree that we need rules that protect us all. We need specific changes in Ontario for migrant workers so that they can raise their voice and get the rights they deserve.

## Migrant workers are part of the fight for \$15 and fairness

### Who are migrant workers?

Migrant workers are our friends and neighbours that live and work in Ontario without permanent resident status. They grow food, work in restaurants and factories, and take care of children, the sick and the elderly. 72,600 migrant workers were granted work permits in Ontario in low-wage industries in the last four years. We can't say how many of them are still in the province, but many of them likely are. Migrant workers on closed work permits:

- Are only allowed to work for the single employer listed on their permits.
- Face immediate deportation if they are laid off and work in the agriculture sector.
- If they are in another sector, they have 90 days to find a new employer willing to pay a \$1,000 processing fee and have the government process their papers. Most can't do so.
- Are on time-limited permits that last from a few weeks to four years. Their families can't visit them, and most can't stay permanently.
- Do not have full access to Employment Insurance, pensions, healthcare, social assistance, education, and workers compensation, even though they pay all taxes.

### Why is this an Ontario issue?

Migrant workers are part of \$15 and Fairness because they are at risk of deportation when they speak out for better working conditions. If migrant workers had immigration status immediately upon arrival, it would offer a small amount of security to those who are part of our call for decent work.

And although the federal government has responsibility for immigration status, Ontario also has a major role to play.

In addition to the same struggles that all minimum wage, part-time and temporary workers face, migrant workers in Ontario face specific barriers in employment law:

- ***Excluded from protections:*** Many agricultural workers don't get minimum wage, overtime pay, time to eat, or even bathroom breaks.

*"The government should encourage that workers are not scared. They should say whatever the problem, come right away to us. Because as an employee I am scared of the government, and I am scared that if I complain, I will get deported." - Maria, Filipina Live-In Caregiver*

- **Unable to Unionize:** Agricultural workers and caregivers cannot organize into unions nor bargain collectively.
- **Specific fear of reprisals:** Migrant workers face deportation if they speak out about bad workplace conditions.
- **Paying to work:** Migrant workers have to pay thousands of dollars to work in Ontario. Thus they arrive in Canada already indebted, which makes asserting the few right they have even harder.

**Increased rights for migrant workers benefit us all!**

Migrant workers are part of our communities, where they live, work, shop and build relationships.

*"I paid \$1500 in Honduras to come work here in Canada. Here I worked in an unsafe job at a mushroom farm for a year to be able to pay back that debt. On top of that, my employer regularly stole my wages and I couldn't file a claim with the Ministry or I would have been fired and sent back home." - Juan Miguel*

They are not "foreigners", they are part of Ontario's work force, and they are part of our labour market. Their participation in our decent work movement is crucial to our ability to win.

Unfortunately, bad employers and some journalists have pitted migrant workers against unemployed and underemployed Ontario workers. But instead of fighting at the bottom of the barrel for bad jobs, we

must unite to increase rights for everyone and improve all our working conditions.

Most migrant workers are in jobs that they have done for generations. Domestic workers have been coming to Canada since the 1800s, and this is the

52nd year of the Seasonal Agricultural Workers Program. This isn't about a short-term labour shortage, migrant work is permanent, and it is time they have the same rights as everyone else.

**The Migrant Workers Alliance for Change has identified the following needed changes to Ontario's labour laws that we must support**

1. **Migrant workers deserve the same rights as everyone else.** There should be no special rules and exemptions by occupation.

2. **Labour laws must be proactively enforced** and community members must be able to complain about bad bosses.

3. **Migrant workers need special anti-reprisal protections** including being able to stay in the country while their complaints are being processed.

4. **Agriculture workers and Caregivers must be able to unionize and bargain collectively** and sectorally.

5. **There should be no fees for work.** Recruiters need to be licensed and migrant worker employers registered. These registries need to be public. Employers and recruiters need to be jointly financially liable for all fees paid to work by migrant workers. Joint liability must include any fees paid at any point in recruitment process.

*"You as a farm worker you do like 60 hours a week. What it comes down to is you are doing overtime, you don't get overtime. You are doing all of the stuff because there is no rule and there is no law there for we to get that. You don't have no holiday, no time off, no day off. You have to do it. That is what is the system is set up for we and it's not right." - Chris, Jamaican farmworker in Canada since 2006*

*Join the struggle for decent work for all, and rights and immigration status for migrant workers!*



15andfairness.org  
facebook.com/Fightfor15andFairness  
twitter.com/fairwagesnow



migrantworkersalliance.org  
facebook.com/MigrantWorkersAlliance  
twitter.com/MWACCCanada