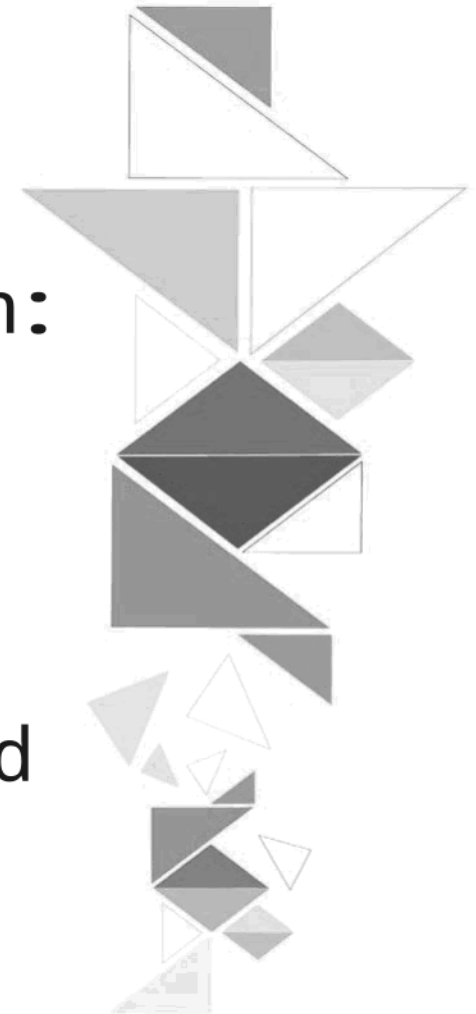




Migrant Worker Support Network (BC Pilot)

Purpose of this presentation

- Path Forward for the TFW Program: Worker Protections
- Road to MWSN pilot
- Proposed MWSN vision and core activities
- Key stakeholders in the MWSN and design
- Role of MWSOs
- Expected outcomes
- Challenges and opportunities
- Questions and next steps



Path Forward for the TFW Program: Worker Protections

- Worker protections is a priority for the Government of Canada.
- The 2016 HUMA Report made recommendations to enhance worker protections, including working with community organizations to support TFWs in increasing awareness of their rights.
- In response to recommendations made in the 2016 HUMA Report ESDC committed to several worker protection measures including:
 - enhancements to the Program's communication approach with TFWs (i.e. supporting TFWs in accessing information on their rights and protections as a worker in Canada) and
 - supporting stakeholders in their efforts to protect the rights of TFWs.

Road to MWSN Pilot

- TFW Program held consultations with key stakeholders from Summer 2017-Winter 2018 that highlighted the need to better inform TFWs of their rights. Another key challenge identified is that of trust.
- In January 2018, the Government of Canada provided a grant of more than \$93,000 to the Migrant Workers' Dignity Association (MWDA) to help migrant workers become better informed about their rights as workers in Canada.
- Budget 2018 announced the Government of Canada's initiative to invest \$3.4 million over two years to establish, on a pilot basis, a network of support organizations for TFWs dealing with potential abuse by their employers.
- The pilot will take place in British Columbia (BC) where there are established relationships with key stakeholders and an open work permit mechanism for TFWs who face a real or substantial risk of abuse by their employers.

Proposed Vision and Core Activities

Vision: Better protect TFWs from Employer non-compliance by increasing emphasis on needs of the worker through:

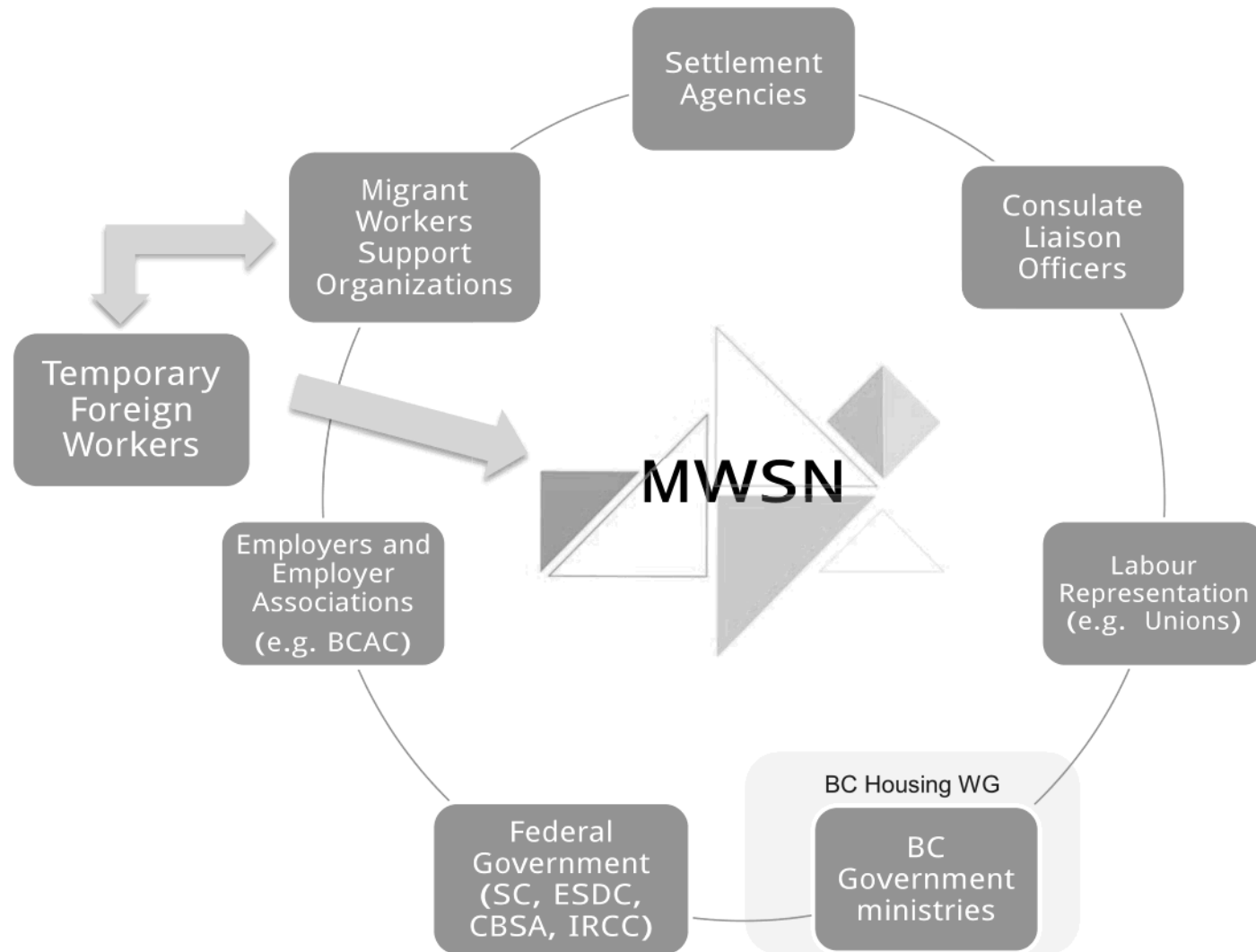
1. Ensuring that consistent and accurate information is provided to TFWs on their rights and protections as workers in Canada;
2. Providing as many options as possible to TFWs to be assisted.

Core Activities: Working collaboratively with stakeholders to:

1. Identify potential enhancements to worker protection measures and address emerging issues regarding workers' experiences;
2. Leverage existing resources and services to support vulnerable migrant workers in British Columbia;
3. Identify the gaps in resources and services for migrant worker protection with a view to addressing these gaps;
4. Build trust among stakeholders by engaging early on and throughout this pilot;
5. Provide MWSO(s) funding via contribution agreement(s).



Key stakeholders in the MWSN



Designing the MWSN

The MWSN design is driven by stakeholder input and research. The TFW Program is gathering intelligence and stakeholder input by doing the following:

- Consultations with various stakeholder throughout the month of May 2018 in small groups to collectively discuss a vision for the MWSN, the issues it should address, the roles their organizations should play in the Network;
- A plenary session with MWSN participants in BC in June 2018 to further discuss the Network's design and key activities;
- Outreach survey with various stakeholder groups;
- Researching model/best practices; and
- Identifying gaps to be addressed and opportunities for leveraging existing organizational expertise and resources in addressing TFWs' needs.





MWSOs



TFW may consent to the disclosure of their personal information held by gov't institutions to the MWSOs through a letter

Role of MWSOs

Since MWSOs are on the ground and have direct contact with TFWs but have limited capacity ESDC envisions that Contribution Agreement(s) will be in place by Fall of 2018 to provide funding to MWSOs in BC to continue their efforts to:

- Increase TFW awareness of their rights (e.g. workshops);
- Provide resources and services to enable TFWs to exercise their rights (e.g. legal clinics, translation services, assistance with filing complaints); and
- Liaise between TFWs and Network partners to build a culture of trust and enhance reach to TFWs.

Expected Outcomes

- 80% of TFWs in BC reached
- TFWs are aware of their rights and services/resources provided by MWSN
 - Access to basic contact information on arrival
 - Opportunities for more in-depth info at opportune times

TFWs are knowledgeable about services and resources available and understand their rights – through workshops/info sessions or know where to get information

TFWs exercise their rights –
use of services and resources available

Information gleaned from BC pilot will inform decision on whether/how to expand the Network nationally

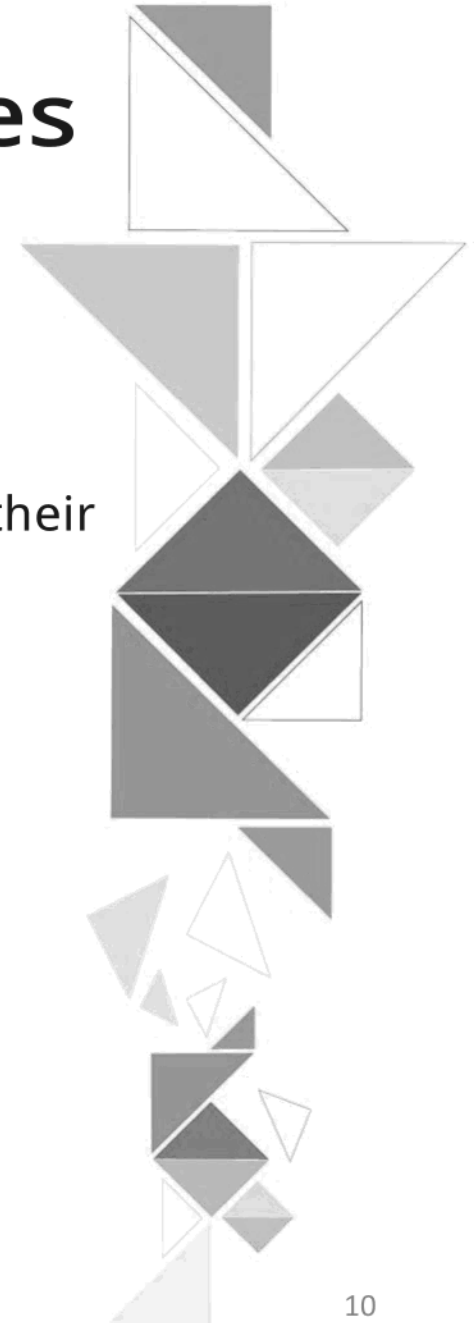
Challenges and Opportunities

Challenges:

- Pilot project
- Building trust amongst stakeholders
- Identifying roles and responsibilities
- Getting information to TFWs in a timely manner on their rights and about the existence and support provided MWSOs

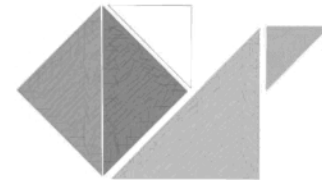
Opportunities:

- Collaborate and engage
- Empower TFWs
- Reduce duplication of resources and services
- Bring disparate groups to discuss mutual interest in worker protections



Questions and Next Steps

- Feedback on the idea/concept of the Network
- Cooperation between and collaboration with stakeholder is key to MWSN's success



Ministry of Agriculture
BRIEFING NOTE FOR MINISTER FOR INFORMATION

Ref: 188032

Date: March 21, 2018

Title: Minister Popham has asked for a progress report on the Temporary Foreign Worker Program (TFWP) housing actions.

Background: The Ministry of Agriculture (AGRI) has taken the lead to form a provincial working group (Working Group) with members from BC Agriculture Council (BCAC), the Ministry of Health (HLTH) and the Ministry of Labour (Labour) to address the housing and safety issues the Mexican Consulate identified from the 2017 season inspections in the Okanagan and the Fraser Valley of agricultural employers in the TFWP.

The Working Group identified four key actions to drive a proactive and coordinated provincial approach as follows:

- **Coordination** – commit to provincial coordination taking a systems approach to address housing and health and safety standards.
- **Housing Standards** – update the provincial housing standards for the agriculture sector under the Industrial Camps Regulation (ICR), *Public Health Act* (and other housing standards to ensure clarity and consistency).
- **Housing Inspections** – focus on improving housing inspections, inspector training, frequency and proactive follow up issues.
- **Industry Engagement** – drive cultural excellence on high quality housing and safety standards in agriculture employers and ensure knowledge of standards and compliance implications.

Minister Popham recently met in February with the Consul Generals and staff from the Consulates of Mexico, Philippines, Guatemala and the Caribbean countries to provide an update on the progress the province is making. The meeting went well and the progress that the province is making appeared to be well accepted.

Discussion: The Working Group has been meeting regularly to move forward on all four actions with the expectation that significant progress would be made before the next growing season (2019). The following is a high level overview of the progress that has been made to date:

Provincial Coordination:

- AGRI has been coordinating regular meetings between HLTH, Labour and AGRI to ensure there is clear understanding of provincial and federal roles and responsibilities, the legislation, information sharing, and how to work better together on housing, health and safety, bullying and harassment, and pay and benefits, as well as fire safety by taking provincial coordination systems approach.
- The Working Group has been working with key provincial agencies such as WorkSafeBC and Employment Standards Branch, and health authorities to understanding each other's roles, and determine the changes in the system that are required to meet this goal and potentially coordinate future inspections, share information and ensure education of both agricultural employers and foreign workers.
- Work is also occurring with the federal government, specifically Service Canada, to ensure there is alignment and coordination of expected housing standards for pre-occupancy inspection and 'during occupation' for workers during growing season.

Housing Standards

- HLTH has the lead role in updating and amending the ICR. This amendment will update the housing and health and safety standards and identify a coordinated inspection approach to ensure that all employers understand and provide workers in BC with adequate housing and health and safety in BC. AGRI, Labour and BCAC as the industry representative, are providing support to HLTH to carry out this action.

- AGRI will be the first sector that proceeds with this amendment as the ICR governs all employer sectors that create “industrial camps” (i.e. hires more than three workers on an employer’s site to undertake the work).
- HLTH has developed new guidelines as an interim solution to assist industrial camps and operators which include agricultural employers to follow the ICR, which governs the health and safety needs for workers of industrial camps. The guideline is posted publicly on the Ministry of Health website.
<https://www2.gov.bc.ca/gov/content/health/keeping-bc-healthy-safe/industrial-camps>.
- It is understood that the amended ICR will create new obligations for agriculture employers with potential costs including new water and sewage requirements. AGRI will be bringing these new potential costs forward for consideration as the details of these new ICR requirements are determined.

Housing Inspections

- HLTH is leading the work to identify the housing inspectors to implement the new ICR including the certification and training requirements and the model.
- Currently HLTH is in discussion with Applied Science Technologists and Certified Technicians of BC (ASTTBC) as the agency to undertake the work to develop the new model, training requirements, etc.
- A three year funding proposal is being submitted through HLTH to support the development of this.
- The Working Group will also review the associated costs to deliver pre-occupancy inspections and mid-season housing and safety inspections and determine who would bear the costs in the new system.
- HLTH is exploring the model to have the new housing inspectors authorized under the ICR working with the Environment Health Officers on compliance and enforcement issues to create a strong safety net so the appropriate enforcement of those contravening the ICR is in place.

Industry Engagement

- A plan is being developed to drive cultural excellence of agricultural employers on housing and safety standards in BC.
- As part of the industry engagement, HLTH, Labour and AGRI worked with the Mexican Consulate to organize and deliver four education sessions for agricultural employers focused on the previous season’s issues: provincial health, housing and worker safety standards and expectations, payment and benefits, fire and safety codes, and bullying and harassment.
- The presenters were from the BCAC, Service Canada (Abbotsford only), HLTH, WorkSafeBC, Employment Standards Branch and the Local Fire Chiefs.
- The sessions were held in January and February 2018, in Delta, Abbotsford, Kelowna and Osoyoos facilitated by AGRI with coordination by the Mexican Consulate, and BCAC and HLTH.
- Sessions were well attended with a total of 365 participants for all four sessions. Over 100 attended in Osoyoos.

Next Steps:

- All four actions under the Working Group plan are well under way with the priority currently with HLTH taking the lead role in updating and amending the ICR to improve housing and health and safety standards for the agricultural sector.
- The ICR work is driving the other key actions on housing inspections, and agriculture employers’ excellence.
- All members of the Working Group are committed to advance the actions and address the season’s issues related to housing and health and safety standards.
- The Working Group will continue to engage with the various Consulates and associated staff to ensure there is good communication and coordination and an understanding of the issues and potential solutions.

Contact: Heather Anderson, Senior Policy Analyst, 250 356-1687

ED LH ADM DM

- In 2017, BC received 7,575 work permits for Temporary Foreign Workers (TFWs) from all agricultural occupations. (This is a 13.7 percent increase from 2016).
- The agriculture and seafood sector utilizes the federal Temporary Foreign Worker Program (TFWP), which enables employers to hire foreign workers to fill labour shortages when Canadian workers are not available. The TFWP includes two program streams for the agriculture sector:
 - The Seasonal Agriculture Worker Program (SAWP), under which foreign workers from Mexico and Caribbean countries are hired to work in primary agriculture jobs lasting up to eight months.
 - The Primary Agricultural Stream, under which foreign workers from any country are hired to work in primary agriculture jobs lasting up to 24 months.
- Employers are required to meet various federal and provincial employment standards to ensure the workers are treated fairly while working in B.C.
- One of these standards is appropriate housing that is set by the federal government in consultation with the country the workers are coming from.
- The federal government requires pre-occupancy inspections of TFWP housing in order to receive workers. There is no requirement for mid-season (occupancy) inspections to ensure TFW housing conditions remain acceptable for workers.
- Agriculture employers in B.C. are also responsible for meeting requirements for work camp accommodations, administered by the Ministry of Health under the Industrial Camps Regulation, *Public Health Act*.
- BCAC, under an agreement with Service Canada, is responsible for support and organization of pre-occupancy inspections of TFWP housing, using updated industry-developed housing guidelines that exceed federal program requirements in many areas.
- Authorized inspectors inspect accommodations as part of the TFWP requirement and help ensure TFWs receive adequate housing conditions.
- All BCAC housing inspectors are licensed with Consumer Protection BC.
- A listing of the certified inspectors are managed by BCAC and are located on the WALI website at <http://walicanada.ca/wp-content/uploads/2018/08/Approved-Home-Inspectors-updated-August-23-2018.pdf>
- Contacts at BCAC are:
 - Reg Ens, Executive Director (reg@bcac.ca)
 - Veronica Moreno, Program Manager for WALI (info@bcac.ca)
 - Pinder Dhaliwal, member of BCAC Labour Committee (Pinder_psd@hotmail.com)
 - Glen Lucas, member of BCAC Labour Committee (glucas@bcfga.com)
- In 2017, a provincial working group was formed with representatives from the Ministries of Labour and Health and the BC Agriculture Council (BCAC) and is facilitated by the Ministry of Agriculture.
- The working group agreed that in order for any steps forward to be effective it should be from a coordinated systems approach to address the foundational issues on housing and safety in TFWP, and drive a proactive approach. The actions that group is focused on are:
 - Coordination –provincial coordination with a systems approach to address housing and safety standards.
 - Inspections – focus on improving housing inspections including standards, inspector training, frequency and proactive follow up issues.
 - Industry Engagement – Drive cultural change to commit to high quality housing standards and ensure knowledge of standards and compliance implications.
 - Regulatory review – regulatory review to identify improvements of the Industrial Camps Regulation, *Public Health Act* (and other housing standards to ensure clarity and consistency).

- All four actions under the Working Group plan are well under way with the priority currently with HLTH taking the lead role in updating and amending the ICR to improve housing and health and safety standards for the agricultural sector.

Page 17 to/à Page 41

Withheld pursuant to/removed as

s.16

Issue	Work	Status
Biometrics	<p>James M. options:</p> <ul style="list-style-type: none"> • Change federal regulation so that biometrics may be processed in Canada; or, • provide more visa processing locations in Mexico (currently only one) <p>James raised this issue at FPT ADMs. Tom Rosser and Adam Arseneault committed to pulling together a meeting to get ahead of this. [what does that mean?]</p> <p>Lorie</p> <ul style="list-style-type: none"> • Feds have concerns that Mexico has as much of a role to expedite workers • And have not identified their plans on how they will support their workers to get the scans completed quickly. • Info has gone out to Agri employers suggesting they apply early before Dec 31st when biometrics come into effect. • Definitely will be delays for other employers that will not be able to apply within the 6 month window the feds have created to assist with this. 	<p>Below are mtg notes from Oct 23, 2018 Adam Arsensault, AAFC:</p> <ul style="list-style-type: none"> • There are a number of activities underway/completed to assist with the incoming biometrics rules for Mexico including: <ul style="list-style-type: none"> • IRCC has expanded access hours for Visa Application Centres (VAC), now open evenings and Saturdays • IRCC has set up an initiative to help with transportation of potential Mexican workers to the VAC • ESDC has extended the LMIA normal validity by 6 months, or until December 15, 2019, whichever is longer in case of delays in employers receiving workers. • ESDC is now allowing a single LMIA application process from an employer that require TFW's on multiple worker arrival dates (for those workers of the same skill and wage). • A Labour Working Group, whose membership includes ESDC, IRCC and AAFC along with CFA and the Canadian Horticultural Council, have been working to communicate to farmers the importance of applying early to avoid potential problems in January when the new requirements come into force. <p>Moving forward/immediate actions:</p> <ul style="list-style-type: none"> • AAFC and AGRI will work together better understand the size of the potential problem <p>What we know:</p> <ul style="list-style-type: none"> • 80% of Mexican workers are located within 4 hours drive of the Mexico City VAC • Jamaica is already doing biometrics, but other Caribbean countries do not have VACs so this could present a minor problem. <p>Action:</p> <ul style="list-style-type: none"> • AAFC to find out how many applicants are coming in early to get ahead of the deadline • AAFC to provide AGRI with historic stats of BC's Q1 demand for TFWs <p>Communication to stakeholders</p> <p>Action:</p> <ul style="list-style-type: none"> • AGRI to touch base with BCAC to ensure the message of encouraging farmers apply early to avoid problems is heard/received. • AGRI to touch base with the Ministry of Labour to establish who is the main contact for our federal colleagues, as well as to establish information sharing between ourselves and the Ministry of Labour. This will help avoid missing communications that go out from IRCC/ESDC directly to the Ministry of Labour. <p>Monitoring</p> <ul style="list-style-type: none"> • AAFC and AGRI intend to work together to actively monitor the situation moving forward, weekly check ins until not needed.

Issue	Work	Status
Medical coverage	<p>James: Current workers have private health insurance as required by program</p> <ul style="list-style-type: none"> • ESBC/Service Canada/Fraser Health Authority have recently declared that workers need MSP specifically. • There are issues with this approach (workers need to wait three months before applying to MSP which doesn't work for temporary workers) • Action – need to follow up with MoH/ FHA to determine what's going on. • Ask BCAC (Rhonda/Veronica Moreno) for an update on Medical Coverage <p>Lorie: I suspect that this issue does not only exist for agriculture so I will track down a contact and info but this may be bigger than AGRI. I have also reached out to Tim Lambert to initiate the ask on who to connect on medical coverage. He is working on this.</p>	

Issue	Work	Status
Migrant Workers Support Network proposal	<p>James: Concerns with \$3.4M proposal for Migrant Workers Support Network proposal</p> <ul style="list-style-type: none"> Donna Blois is Director of Policy for ESDC and is championing this project BC needs to understand what this proposal is given significant concerns from Consul General and our industry. <p>Lorie:</p> <ul style="list-style-type: none"> I have been participating in regular calls in the feds migrant workers initiative. My understanding of Mexico's issue is the organization that Donna is working with is an advocacy organization that has a history with Staff from the consulate and their has been public accusations. A governance structure is being developed on the initiative. I can provide more details once it is confirmed. The purpose is about worker rights. John Blakey from Labour is the lead. I have been monitoring in the background. 	
Invite Consul General to BC Ag Day	<p>Lorie: At the issues call today, Sam raised the TFW should be at Bc AG day. It makes more sense to have the consul general or staff there than workers. It sounds like this my be happening.</p>	

Labour issues list October 22, 2018

Issue	Work	Status
Temporary Foreign Workers Registry	<p>James:</p> <ul style="list-style-type: none"> Ask Rhonda/Veronica Moreno (BCAC) for an update on the Registry. <p>Lorie: This is Labour's lead so unclear what update BCAC would provide on the registry. Need more info.</p>	
Strategic overview	<p>Overview of labour challenges in BC</p> <p>Apply gender based analysis plus lens</p>	

Temporary Foreign Worker

From Employment and Social Development Canada

The Temporary Foreign Worker (TFW) Program allows Canadian employers to hire foreign workers to fill temporary jobs when qualified Canadians are not available.

This program is regulated through the **Immigration and Refugee Protection Act** and the **Immigration and Refugee Protection Regulations** and is administered in partnership with Immigration, Refugees and Citizenship Canada (IRCC) and the Canada Border Services Agency (CBSA).

Employment and Social Development Canada (ESDC), through its Service Canada processing centres, assesses applications from employers requesting permission to hire temporary foreign workers and conducts Labour Market Impact Assessments to determine the likely effect these workers would have on the Canadian labour market. The Program assesses the impact by looking at available labour market information for the region and the occupation, the employers' recruitment and advertisement efforts, wages and working conditions, labour shortages and the transfer of skills and knowledge to Canadians. In addition, Service Canada responds to questions about the Program through Employer Contact Centres and via the Internet.

ESDC works closely with IRCC, the CBSA and the provinces and territories, through appropriate information sharing agreements, to monitor and share information that has an impact on the integrity of both the TFW Program and the International Mobility Program (IMP), which is led by IRCC. Service Canada conducts inspections for the TFW Program and, on behalf of IRCC, for the IMP. In Quebec, the TFW Program is administered in partnership with the Province.

Learn about what is required to hire foreign workers through the Temporary Foreign Worker Program.

The Honourable Patricia A. Hajdu, Minister of Employment, Workforce Development and Labour

Mandate letter (excerpt TFW only)

Work with the Minister of Immigration, Refugees and Citizenship to improve the temporary foreign worker program so it meets the needs of Canadian workers and employers. This includes:

- *further developing a pathway to permanent residency so that eligible applicants are able to more fully contribute to Canadian society;*
- *eliminating the \$1,000 Labour Market Impact Assessment fee to hire caregivers and work with provinces and territories to develop a system of regulated companies to hire caregivers on behalf of families; and*

- *working with stakeholders to act on the recommendations of the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities' study of the temporary foreign worker program.*

To do: Fully review the temporary foreign worker study by: *House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities'*

Government Response to HUMA report

Mr. Bryan May, M.P.

Chair, Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

House of Commons

Ottawa, Ontario

K1A 0A6

Dear Colleague,

Pursuant to Standing Order 108(2) of the House of Commons, we are pleased to respond on behalf of the Government of Canada to the recommendations made by the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities in its report entitled Temporary Foreign Worker Program, tabled in the House of Commons on September 19, 2016.

The Government thanks the members of the Standing Committee (the Committee) for their valuable study examining the current Temporary Foreign Worker (TFW) Program and providing meaningful recommendations to the Government.

The Government also thanks the many witnesses, including representatives of federal departments, labour organizations, advocacy groups, industry associations, business representatives, as well as temporary foreign workers, who appeared before the Committee or provided written briefs for consideration. Their insights on the TFW Program, including the impact of recent program reforms, are both informative and insightful.

The Government is committed to making the TFW Program work for all workers, for businesses, and for the Canadian economy.

As announced on December 13, 2016, the Government has already begun its work to improve the Program. In particular:

- introducing stronger recruitment requirements, where appropriate, for low-wage employers so that Canadian workers traditionally under-represented in the labour market (youth, persons with disabilities, Indigenous peoples, and newcomers) have better access to available job opportunities;

- eliminating the four-year cumulative duration rule, which has caused unnecessary hardship and instability for both workers and employers;
- extending the exemption on the cap for seasonal industries for 2017; and,
- committing to further developing pathways to permanence for foreign workers.

The Government intends to announce further details on changes to the Program in Budget 2017.

As we have said before, the Government's objective is to make the Program better serves the needs of workers and employers alike. We would welcome an opportunity to present the Program's path forward to the Committee at an appropriate time after next steps are confirmed.

Yours sincerely,

Hon. Patricia A. Hajdu, P.C., M.P.

Hon. Ahmed Hussen, P.C., M.P.

Minister of Employment, Workforce Development
and Labour

The path forward plan for the Temporary Foreign Worker Program and the International Mobility Program

April 10, 2017

On this page

- [Introduction](#)
- [Promoting jobs for Canadians and permanent residents](#)
- [Strengthening worker protections and compliance activities](#)
- [Fostering innovation and growth by facilitating the entry of global talent](#)
- [Pathways to permanent residence](#)

Introduction

Temporary foreign workers can enter Canada through two distinct programs, the Temporary Foreign Worker (TFW) Program and the International Mobility (IM) Program. The TFW Program is jointly managed by Employment and Social Development Canada (ESDC), and Immigration, Refugees, and Citizenship Canada (IRCC) under the authority of the Immigration and Refugee Protection Act (IRPA) and the Immigration and Refugee Protection Regulations (IRPR). The TFW Program assists employers in

filling their labour requirements when qualified Canadians and permanent residents are not available. The IM Program's primary objective is to advance Canada's broad economic, social and cultural national interests.

On September 19, 2016, the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) tabled its report on the TFW Program which outlined 21 recommendations, with implications for ESDC, IRCC and the Canada Border Services Agency (CBSA). The Government Response to HUMA was tabled in the House of Commons on January 30, 2017. The Response pointed to early actions already taken by the Government and indicated the Government's plans to announce further details on changes to the TFW Program in Budget 2017.

After reflecting further on the Committee's recommendations, ESDC and IRCC have set a path forward for the TFW Program with new activities, which taken together with the Government's previously announced changes, will help ensure that Canadians have the first opportunity at available jobs, that the Program is responsive to Canadian labour market needs, that it while facilitating employer innovation and growth, and that the rights of foreign workers are protected.

Promoting jobs for Canadians and permanent residents

The Committee's report underscores the importance of ensuring that Canadians and permanent residents have the first opportunity at available jobs, while balancing the labour needs of employers. The Government agrees with the Committee in this regard and remains committed to maintaining the Program's broad focus on promoting labour market opportunities for Canadians and ensuring that employers make efforts to recruit and train Canadians and permanent residents first.

The Committee's recommendation to support the domestic workforce and address ongoing skill shortages in certain regions and sectors is aligned with the Government's ongoing efforts to strengthen the use of labour market information (LMI) to inform a more comprehensive assessment of the labour market and labour shortage claims by employers. For example, going forward, the Government will continue to administer the Job Vacancy and Wage Survey, which was launched in 2015 to provide better information on job vacancies and wages in Canada; continue efforts to leverage administrative internal-to-ESDC program data, including information data on Employment Insurance claimants, in order to add to the suite of LMI currently used underby the TFW Program; as well as work with LMI experts at ESDC to integrate more local level LMI, to allow the TFW Program to undertake more rigorous and accurate assessments of labour shortage claims by employers.

At the same time, the Government will foster more employment opportunities for Canadians and underrepresented groups into the labour market by introducing more focused recruitment requirements to encourage employers to recruit Canadians. For example, low-wage employers will be required, where appropriate, to focus more effort on recruiting from the four underrepresented groups that face barriers to employment. In addition, the Government agrees with the Committee that investments in skills, training and education resources can be better leveraged to identify fields with likely labour and skills shortages. To that end, the Government will work with sectors that are heavy users of the Program to create Canadian workforce development strategies in partnership with

employers, organized labour, and other stakeholders. This will include more outreach to underrepresented groups as well as use of existing federal and provincial programming in skills and training for Canadians. This sectoral work will inform any future decisions with respect to the cap on the proportion of low-wage TFWs that a business can employ at a given time. In the interim, the Government will maintain the current 20% cap for employers that were Program users prior to the introduction of the cap (June 2014) and the 10% cap for more recent Program users. In addition, recognizing the unique labour market needs of some employers, the Government has extended the exemption for employers seeking TFWs for up to 180 days for the 2017 calendar year.

The Government recognizes the importance of addressing concerns regarding the labour market impact assessment (LMIA) fee and agrees with the Committee's concerns that the increase in LMIA fees has created unintended consequences for some businesses and families, particularly with respect to caregivers. To reduce the financial burden on Canadian households who require care for their families, Budget 2017 proposed to eliminate the Labour Market Impact Assessment processing fee for families seeking to hire foreign caregivers to provide care for persons with high medical needs, and for middle class families with less than \$150,000 in annual income seeking child care. Waiving the fee for these families will ensure that support is targeted at those most in need of assistance to meet their family caregiving responsibilities. The Government will also launch a review of the current LMIA fee structure to ensure it adequately reflects the costs of providing this service to TFW employers.

The Government supports the Committee's recommendation to review the definition of Primary Agriculture and the administration of this Program stream. As such, the Government will undertake a multi-stakeholder review to modernize the administration of the Program's primary agriculture streams. This review will explore issues, such as the root cause of the current labour shortage, the use of the National Commodities List and the related wage methodology, current deductions related to the provision of housing, and the question of inconsistent housing standards across the country.

Strengthening worker protections and compliance activities

The TFW Program and IM Program have a comprehensive employer compliance framework in place to protect foreign workers and the Canadian labour market. This employer compliance framework includes inspections, Administrative Monetary Penalties (AMPs) and bans, and publication of the names of employers found to be non-compliant. In addition, integrity tools such as an on-line reporting tool and a confidential tip line encourage disclosure of possible wrong-doing. When warranted, ESDC refers matters to CBSA or the RCMP for further investigation for appropriate action. Nonetheless, the Government strongly agrees with the Committee's recommendation that further measures can be taken so that foreign workers, particularly vulnerable workers, do not experience mistreatment, abuse or unsafe working conditions during their time working on a temporary basis in Canada.

Looking ahead, the Government is committed to undertaking a number of initiatives that align with the Committee's recommendations to enhance the protection of foreign workers and strengthen compliance activities. The TFW Program will move toward a more strategic, compliance approach by increasing the number of on-site inspections to determine whether employers are in compliance with

Program requirements and by prioritizing efforts on sectors that rely on the most vulnerable workers, such as Primary Agriculture and caregivers.

With respect to the Committee's recommendation to establish measures to inform workers of their rights and responsibilities under the TFW Program, the Government agrees with the Committee and will undertake measures to provide information to TFWs regarding their rights and recourses, and to clarify employer obligations and responsibilities for those who wish to hire TFWs. For example, the Government will provide information to foreign workers about their rights when they first arrive in Canada. In addition, the Government will also work with community organizations devoted to the protection of vulnerable foreign workers, to ensure workers are informed of their rights and protections when they are in Canada.

Consistent with the Committee's recommendation to increase resource and information sharing with provinces and territories (P/Ts), the Government will collaborate with P/Ts to enhance information sharing agreements and support the formalization of support services to resolve employer/employee disputes to better prevent abuse and support TFWs who need assistance. In addition, with respect to HUMA's recommendation regarding "creating an accreditation system for recruiters, which requires compliance with the Temporary Foreign Worker Program rules and from which employers could exclusively select," the Program will continue to collaborate with P/Ts, foreign governments and international organizations to address labour exploitation associated with the activities of recruiters in Canada and abroad.

The Committee recommended the elimination of employer-specific work permits in the TFW Program. It should be noted however, that the LMIA is by design linked to an employer who has demonstrated that efforts to hire Canadians have failed and that specific work in a specific economic region would not have a negative impact on the labour market; eliminating the employer-specific work permit could undermine this basic program premise. Also, the bulk of the program's worker protection activities are employer-based. The TFW Program's inspection powers are linked to the employer who applied for the LMIA, so if the work permit is not linked to the employer through the LMIA, the Program could lose its ability to hold employers accountable for non-compliance. Nonetheless, the Government takes worker protection seriously and will continue to examine the best ways to protect foreign workers, especially in low-wage and low-skill sectors.

The Government will review the Committee's recommendation with respect to multiple entry visas for seasonal temporary foreign workers, taking into account the mobility of foreign workers during their employment in Canada.

Fostering innovation and growth by facilitating the entry of global talent

The Government recognizes that innovative industries need global talent to grow and that the Canadian labour market broadly would benefit from an infusion of uniquely talented and globally recognized individuals. The Government agrees with the Committee's recommendations regarding the importance of ensuring Canada's access to individuals with unique international skills and talent to support

economic growth and prosperity. It is for this reason that the Government first announced the Global Skills Strategy as part of the

November 1, 2016, Fall Economic Statement to support growth and innovation and create more opportunities for Canadians by providing timely and predictable access to global talent.

Canadian workers are among the most highly educated and highly skilled workers in the world. The goods they produce and the services they provide are respected the world over. That said, Canada needs to be able to access the skills and expertise of talented workers from around the world to enable Canadian firms to succeed in the global marketplace. To grow Canadian business, create more Canadian jobs and compete among the best in the world, we must also attract the best minds in the world. Perhaps more than any other country, Canada has drawn strengths from its diversity and openness to change. Canada's Global Skills Strategy will make it easier for Canadian business to attract the talent they need to succeed while demonstrating their commitment to creating new jobs for Canadians, transferring knowledge to Canadian workers and investing in skills development and training for Canadians. Whether they need to bring in professionals to train Canadian workers, or to hire global talent with highly specialized, in-demand skills, a facilitated process will be tested to support the entry of these individuals, while ensuring the benefit for Canadians and the protection of the Canadian labour market. To this end, the Government recently announced that on June 12, 2017, ESDC will pilot a Global Talent Stream under the Temporary Foreign Worker Program. This new Stream will service high-growth Canadian companies that need to access unique global talent and companies that need to hire highly-skilled foreign nationals for in-demand occupations that are on a national global talent shortage list. Companies that use this Stream will need to demonstrate that there will be positive, lasting benefits for Canadians resulting from hiring global talent, such as increasing skills and training investments, knowledge transfer and job creation in Canada.

By better supporting access to highly-skilled temporary foreign workers, the Government is addressing the Committee's recommendation to restructure the TFW Program to achieve better overall economic and social benefit for Canadians and reflect the realities of labour market needs in Canada. This approach aligns well with the recommendations of the Government's Advisory Council on Economic Growth and the Innovation Agenda being led by the Minister of Innovation, Science, and Economic Development.

The Government accepts the Committee's recommendation to review program policies for foreign faculty members with recognized Canadian academic institutions and will conduct a review of current program requirements for these workers.

Pathways to permanent residence

The Government acknowledges the Committee's findings that all foreign workers, in particular those filling long-term labour needs and who have integrated into Canadian society, should have pathways to permanent residency. To respond to these concerns, the Government will undertake a number of measures.

The Government accepts the Committee's recommendation to remove the relevant provisions of the Immigration and Refugee Protection Regulations (IRPR) with respect to the four-year cumulative duration rule which has negatively impacted foreign workers primarily in seasonal industries (agriculture, food processing, hospitality and tourism). In Fall 2016, the Minister of Immigration, Refugees and Citizenship Canada (IRCC) announced the Government would take steps to repeal the relevant regulatory provisions and directed that cumulative duration no longer be considered prior to work permit issuance. As foreign workers successfully transition to permanent residency, this change will further facilitate avenues for those with strong motivation to stay in Canada and in status.

The Government also accepts the Committee's recommendation to review the current pathways to permanent residence for all temporary workers. The Government is committed to further developing pathways to permanent residency so that eligible applicants are able to more fully contribute to Canadian society. In addition to undertaking the review, the Government will continue its efforts to facilitate the permanent residency of temporary foreign workers through current and newly launched initiatives. For example, many foreign workers are already successful in meeting the necessary criteria for permanent immigration to Canada through well used channels such as the Canadian Experience Class and the Provincial Nominee Program. The review will also take into account the annual immigration levels plan, which is tabled in Parliament annually and allocates admissions to all of the permanent resident classes and categories to meet a range of immigration objectives. The levels plan for 2017 has a target of 51,000 admissions for the Provincial Nominee Program, the highest ever, and ensures that this program continues to help provinces and territories meet local market needs and support regional economic priorities. There are also other initiatives underway such as the Atlantic Immigration Pilot which will provide an expedited pathway to permanent residence in the Atlantic Provinces, including for workers in intermediate skilled occupations, as well as permanent residence options for individuals with experience in a range of caregiving occupations through the Caring for Children Class and the Caring for People with High Medical Needs Class. In that context, the Government expects the review to identify options that complement the existing suite of pathways to permanent residence.

The Government agrees with the Committee's recommendation to reform the Express Entry system – the system that manages Canada's economic permanent residence programs – and in Fall 2016 announced a set of measures to smooth pathways to permanent residency for top talent, such as international students and senior executives. The reforms have reduced the job duration requirement from 'indeterminate' to 'at least one year' and facilitated offers for arranged employment to candidates in contract-based positions which benefit some occupations in high-tech and tenure-track academic positions. Reforms have simplified permanent residency eligibility requirements for candidates who have an offer of employment and who are exempt from needing to obtain an LMIA for temporary purposes. Furthermore, consistent with the Committee's recommendation to create more harmonization with immigration and nominee programs so as to function in collaboration with one another, the Government is working closely with provinces and territories to improve the Express Entry system, including increasing information sharing and improving the functionality of the Express Entry Provincial/Territorial Portal.

Temporary Foreign Worker Program Primary Agriculture Review: National call-out for research

From Employment and Social Development Canada

Current status: Closed

This consultation ran until December 1st, 2017.

Employment and Social Development Canada (ESDC), in collaboration with Agriculture and Agri-Food Canada, is undertaking a review of the Primary Agriculture Stream of the Temporary Foreign Worker (TFW) Program. To support this review, ESDC is conducting a national call-out to gather existing research on primary agriculture.

What

ESDC is seeking any available, objective, evidence-based research related to primary agriculture. This research would ideally focus on primary agriculture as it relates to Canada, however primary agriculture research from an international perspective will also be accepted. Submitted research can be on a number of issues related to primary agriculture, including:

- methods for determining wages for the TFW Program
- the National Commodities List used for the TFW Program
- the labour market for the primary agriculture sector
- labour shortages for the primary agriculture sector
- the impacts of hiring foreign workers on the primary agriculture sector and the Canadian labour market
- housing for temporary foreign workers
- inspectors and housing inspections of accommodations for temporary foreign workers
- benefits and challenges for agricultural producers when hiring and retaining Canadians and permanent residents, particularly related to:
 - hiring and retaining underrepresented groups, including youth, immigrants and Indigenous people
 - employment participation rates
 - gender equity
 - wages and benefits offered for work in the primary agriculture sector, particularly compared to other sectors

- the seasonal nature of work versus year-round employment
- the remote and rural location of work
- attrition
- supply and demand
- the negative perception and lack of awareness of the jobs and careers in the industry
- promoting an attractive work environment

ESDC is seeking submissions of existing research and is not asking for new studies to be conducted for this call-out.

Why

Why ESDC is reviewing its Primary Agriculture Stream

On September 19, 2016, the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) released a report following a review of the TFW Program. The HUMA report offered several recommendations for improving the Program, many of which could impact the Primary Agriculture Stream.

On April 10, 2017, the Primary Agriculture Review was announced as part of the Path Forward Plan for the TFW Program.

Why ESDC is doing a national call-out for research

ESDC is conducting a national call-out for research related to primary agriculture so that Canadians who could be affected by changes to the TFW Program's Agriculture Stream have the opportunity to contribute to the Primary Agriculture Review.

Who

This call-out is open to all Canadians, including agricultural industry stakeholders, who are able to provide objective and evidence-based research that would provide insight into the primary agriculture sector. ESDC acknowledges the importance of agriculture and is committed to engaging Canadians during this review of the Primary Agriculture Stream of the TFW Program.

How to participate

Important: If you wish to participate in this call, please include your name and contact information with your submission to the [TFW Program's Primary Agriculture](#).

By participating, you are acknowledging that you have read and agreed to the privacy and copyright clauses.

Related information

- [More information on the Primary Agriculture Review](#)
- [HUMA report](#)
- [Announcement for the Path Forward for the TFW Program](#)
- [Temporary Foreign Worker Program website \(ESDC\)](#)

Contact us

Steve West, Director, Sector Policy Division

Email: NC-TFWP-PTET-REVISION_POL_AGRICULTURE_REVIEW-GD@hrsdc-rhdcc.gc.ca

Report a problem or mistake on this page

Additional information on the Primary Agriculture Review

From [Employment and Social Development Canada](#)

Official title: Temporary Foreign Worker (TFW) Program Primary Agriculture Review: national call-out for research – Additional information

What is the Primary Agriculture Review?

Employment and Social Development Canada (ESDC) is working with Agriculture and Agri-Food Canada to undertake a three-stage review of the Primary Agriculture Stream of the TFW Program that includes:

- a labour market study to assess the impact of potential changes to the Primary Agriculture Stream
- a study on developing a national standard for employer-provided housing
- stakeholder consultations seeking input on how to reform the Primary Agriculture Stream including the impacts of expanding the regulatory definition of primary agriculture

The Review will also explore modernizing the administration of the TFW Program's Primary Agriculture Stream, including:

- the current wage determination methodology for the primary agriculture sector and potential alternative methods
- how to determine market rates for employer-provided housing
- how to better align employment practices in primary agriculture with the Canadian labour market including outreach to underrepresented groups in efforts to target domestic workers

Do I need academic qualifications to participate?

No. You do not need to have academic qualifications to participate in this call-out for research, but the provided research should be evidence-based.

Will I be paid for my contribution?

No compensation will be provided for participation in this call-out for research.

Why should I participate?

ESDC acknowledges the importance of agriculture and is committed to engaging Canadians during this review of the Primary Agriculture Stream of the TFW Program. This is an opportunity for all Canadians who could be affected by changes to the TFW Program to contribute to the review of the Primary Agriculture Stream.

Can I submit research by another person?

Yes, you may submit available research by another person provided that you meet the conditions in the [ESDC copyright policy](#).

How will my information be used?

To submit research to the national call-out, you are asked to provide your name and contact information to ESDC so that the Department can contact you if additional information regarding your submission is required. Your information will be held and disposed of by the TFW Program of ESDC according to information management policy.

The TFW Program will provide submitted research to an independent contractor who will conduct a literature review of the research received in the call-out. This will help inform and subsequently shape any potential changes made to the Primary Agriculture Stream. Should the contractor need additional information on your submission, your name and contact information will be shared with the contractor.

A list of the submitted research may be made public as part of reporting the concluding results of the Primary Agriculture Review.

Mandate — Immigration, Refugees and Citizenship Canada

Immigration, Refugees, and Citizenship Canada (IRCC) was created in 1994 to:

- link immigration services with citizenship registration
- promote the unique ideals all Canadians share and
- help build a stronger Canada.

Since then, IRCC has taken over the administration of the passport program.

Mandate, mission and vision

Mandate

Our mandate comes from the Department of Citizenship and Immigration Act. The Minister for Immigration, Refugees, and Citizenship Canada is responsible for the Citizenship Act of 1977 and shares responsibility with the Minister of Public Safety for the Immigration and Refugee Protection Act (IRPA).

Effective July 2, 2013, primary responsibility for Passport Canada and the administration of the Canadian Passport Order and the Order Respecting the Issuance of Diplomatic and Special Passports moved from the Department of Foreign Affairs and International Trade to Immigration, Refugees, and Citizenship Canada.

Mission

IRCC and its partners will build a stronger Canada by:

- Developing and implementing policies, programs and services that:
 - facilitate the arrival of people and their integration into Canada in a way that maximizes their contribution to the country while protecting the health, safety and security of Canadians;
 - maintain Canada's humanitarian tradition by protecting refugees and people in need of protection;
 - enhance the values and promote the rights and responsibilities of Canadian citizenship; and
 - reach out to all Canadians and foster increased intercultural understanding and an integrated society with equal opportunity for all, regardless of race, ethnicity and religion.
- Advancing global migration policies in a way that supports Canada's immigration and humanitarian objectives.

Vision for a stronger Canada

A stronger Canada – a safe and secure country with a shared bond of citizenship and values; a country that continues to support our humanitarian tradition and draws the best from the world to help build a nation that is economically, socially and culturally prosperous.