

Canada's Temporary Foreign Worker Program & Women Migrant Workers *in Canada's North*



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CRIAW acknowledges its presence and work on Indigenous Territories. We respectfully recognize the legacy of colonization upon Indigenous Peoples.

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Canada's Temporary Foreign Worker Program (TFWP) has come under criticism from federal political parties, labour organizations, employers utilizing the program, Canadian citizens, and the individuals who enter Canada under this program. The TFWP, implemented by a Liberal federal government to satisfy shortages of qualified Canadian workers in specific business sectors, follows in a long line of foreign worker programs noted for clearly reflecting systemic racism and discrimination within Canada's government policies. Particularly prominent are the criticisms that racialized women who participate in the TFWP are made vulnerable to various forms of abuse through denial of basic rights and supports.



Women have been participating in Canada's foreign worker programs since the 1800s, but the experiences of women (depending on where they came from) have been vastly different. For instance, in the late 1880s and into the early 1920s, British women were recruited to work as nannies and caregivers (while simultaneously being seen as a source of marital partners for Canadian men).¹ These women immediately received permanent residency status in Canada. Conversely, racialized women from developing countries, such as the Caribbean women who came into Canada under the Domestic Scheme Program in the 1950s, faced multiple barriers when applying for residency and citizenship status following the period of required work tenure.³⁶

As resource development and extraction projects expand in northern Canada, northern communities are hosting increasing numbers of women temporary foreign workers. In communities where the cost of living is high and resource projects offer the highest wages, it is difficult to fill minimum wage or low-paying jobs with Canadian workers. As a result, women workers are brought in through the TFWP to fill low-paying positions in the service, retail, and caregiving sectors. The harsh reality

is that racialized women from developing countries are often ghettoized into domestic and service industry jobs, and are highly vulnerable to various forms of abuse.^{30,31,36} The isolated geography and minimal services that characterize northern communities only increase the risk of abuse and hardship for women temporary foreign workers.

This brief report explores the history and evolution of the TFWP, explains how trends in global politics and economics help to shape and sustain foreign worker programs, and delves into the experiences of women who participate in the TFWP, highlighting the unique challenges faced by women placed in the North.

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Background on Canada's Temporary Foreign Worker Program

The Temporary Foreign Worker Program was created and adopted in 1973 by the Liberal federal government. Its purpose was to assist Canadian employers in obtaining skilled employees from other countries when qualified Canadian citizens were not available to fill highly-skilled job positions within the academic, executive, and medical professions¹⁴ and to ultimately assist in building a stronger Canadian economy.²⁴ Applicants within this program were required to possess a university degree such as a bachelor's, master's, or doctorate in order to gain employment in Canada. Furthermore, these applicants were given the opportunity to apply for permanent residency.

In 2002, the Liberal federal government introduced the Low Skill Pilot Project, a second category within the TFWP, to address labour shortages within lower skilled job positions.²⁴ This second category allowed Canadian employers to hire temporary foreign workers who possessed a high school diploma or at least two years of job-specific training.²⁴ While this pilot project was implemented to address short-term labour shortages that were noted within the long-haul truck driving and technology sectors, in 2006, the Conservative federal government expanded this category to include labour sectors in hospitality, food services, construction, and tourism.¹⁴ Although a stipulated employment time of 24 months was provided, permanent residency for the individuals of this category could be obtained through the Provincial Nominee Program. In 2012, the Conservative federal government introduced an allowance for "fast-tracking" Low Skill Pilot Project applications to address concerns about labour shortages that were "under pressure".^{5,33} No specific occupations were named or identified within

this process, and offices were created in the provinces of Alberta and British Columbia for the purpose of "fast-tracking" applications. This also coincided with the federal government's Canadian Northern Economic Development Action Plan and the push to extract minerals and oil found in Canada's northern regions.²³

Within this context, it is viewed that the TFWP has shifted from a program with Liberal views that identified Canada's need to obtain high-skilled workers from other countries to a program with Conservative views that identified Canada's need to obtain workers in all labour sectors. Canada has recently experienced a change of government and so the TFWP continues to evolve. While it is noted that some policies, programs, and procedures change because of the ideologies of the federal political party in power, other important factors that lead to changing policies, such as those implemented in the TFWP, should be noted. These include: globalization, the economic structure of Canada, the economic standing of Canada at a global level, trade agreements between Canada and differing countries, and Canada's immigration policies. All of these factors are interconnected and affect the lives of Canadian citizens, individuals who immigrate to Canada, and individuals who enter Canada under the TFWP.

How Global Economics Sustain Foreign Work Programs

Globalization may imply connectedness due to the flow of people, goods and services, money, and information, but on a grander scale, globalization reflects the imbalance of economic and political power between the Global North (developed/industrial countries) and the Global South (smaller and developing countries).¹² This imbalance was clearly illustrated during the 1980s when countries in the Global South (Latin American countries and some African countries) were unable to repay their foreign debt. These

countries were coerced into embracing the Global North's ideologies of capitalism, open markets, and free trade to be eligible for assistance from international economic organizations, including the International Monetary Fund, World Bank, and World Trade Organization.¹² In return for aid, these countries from the Global South were required to adopt structural adjustment programs that involved the removal of many restrictions on foreign investments and labour practices, the selling of public corporations to private corporations, and the slashing of funds for public services.¹²

These neo-liberal restructuring policies led to fewer employment opportunities for men and increased the number of females seeking employment outside of the home.¹⁶ But due to cutbacks in funding for public services such as healthcare, education, and training, women in the Global South also experienced limitations to employment opportunities that kept them within lower skilled job markets and unable to support themselves or their families.¹⁶ One option for women of the Global South to provide any financial support was to enter into foreign work programs found in the Global North.

There is a strong belief from both host (Global North) and home (Global South) countries that income generated through the TFWP increases the growth and wealth of the worker as well as the growth and wealth of the home and host countries.

In Canada, the ideology during the tenure of the Conservative government (2006 – 2015) was that when certain labour industries were experiencing labour shortages, bringing in foreign workers to fill these positions on a temporary basis would alleviate or reduce labour shortages, alleviate the stresses of recruitment from the employer, and provide the labour sector with diverse knowledge and experience of the foreign workers. Further, temporary foreign work programs would increase economic growth and stability at a national and global

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level, boost Canada's revenue through income tax and employment insurance, and provide a better or higher quality of life to foreign workers. This would in turn increase the flow of information between Canada and home countries, and maintain conditions of any signed agreements between the Canadian and home governments.^{17,35} In addition, foreign workers do contribute to the economy by providing labour, supplementing Canadian revenue through pay cheque deductions, and supporting local markets through purchasing required necessities such as food, clothing, and toiletries.

Within the home country, it must be remembered that the adoption of structural adjustment programs triggered a high level of social change in a rapid manner that greatly affected the decisions of the government and the lives of the people.³⁹ The home government could no longer sponsor programs that supported public welfare policies or protect its people from the effects of collaborating with the Global North in the hopes of reducing their national debt.¹² So, by extension, the prevailing ideology of the home country is that by promoting employment abroad, unemployment levels will decline, remittances sent home will increase the standard of living, and government revenue can be used to pay off the national debt.¹⁶ And the reality is that while foreign workers do spend some of their income in host countries, many foreign workers send the majority of their earnings back to their home country.^{6,42}

In spite of the benefits promoted by home and host governments, there are also arguments that temporary foreign work programs do more harm than good to home countries. Studies have shown the bulk of remittances sent home are spent on basic subsistence, not long-term investments to improve household or national economic security.⁶ This has resulted in the argument that immigration from the home country, both in terms of loss of professionals (commonly referred to as “brain drain”) and general loss of population, is damaging and not worth the value of the remittances sent back from host countries.^{41,42} There is also evidence that having such huge portions of their populations working abroad is detrimental to the sustainability of pension schemes set up by home countries because so many nationals are moving away and being taxed abroad, rather than at home.^{29,41}

While the perspectives of host and home countries are important to understand, as are the potential economic challenges posed by foreign work programs, these views do no account for the actual experiences of women temporary foreign workers in Canada. We will review these aspects next, with particular focus on those who work in Canada’s northern communities.

Women in the TFWP

Women who participate in the TFWP experience many challenges and burdens related to their sex and traditional gender roles and expectations embedded in both Canadian and home country policies and recruitment processes. Those women who find themselves placed in jobs in Canada’s northern communities face a unique set of conditions and difficulties as a result of limited infrastructure and resources as well as geographical isolation.

Limitations on Job Opportunities

Even though host countries like Canada have

implemented policies that promote gender equality within the labour force, the reality is that job opportunities within food, hospitality, retail, and some agricultural and caregiving sectors are still considered to be women’s work and have been placed within the low-skilled, low-paying job stream.¹² These are most often the jobs marketed to women through the TFWP. Home countries, such as Mexico and the Philippines, have recognized this occurrence and the potential monetary value and as a result have implemented training programs which train women to become temporary foreign workers in these labour sectors specifically.^{22,16} Meanwhile, men temporary foreign workers have broader access to more lucrative jobs, such as roles in management or technical trades like those needed in Canada’s mining sector.¹¹ In essence, while both host and home countries promote the value of women’s labour to a degree, there is still a strong belief that men’s work and wages are more valued globally.¹²

Gendered Differences in Remittances

Even though it may be suggested that both women’s and men’s remittances are equal, there is still a lasting, deep-rooted, and patriarchal belief regarding gender and the division of labour which then correlates with how these remittances are distributed within the home country. Studies by the International Organization for Migration (2010) have found that even though women temporary foreign workers tend to make less income than men temporary foreign workers, women feel compelled to remit more of their wages back home due to familial and societal expectations placed upon them as a woman.

In addition, the majority of wages remitted by women tend to be spent by their family members to meet basic needs like nutrition, education, and healthcare whereas men’s wages are more frequently spent on personal investments in property, businesses, and consumption goods.²⁷ As a result, women’s remittances have been

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ties to the social development of countries in the Global South. For example, remittance is now financing services like healthcare and education that should be paid for by the government but were slashed under structural adjustment programs. In some communities, women's remittances are pooled for collective investments in local infrastructure such as water and sanitation, public libraries, and road construction and maintenance.²⁷ This places an additional burden and high expectations on the lives of women participating in TFWP.

Burden of Family Separation

Women participating in the TFWP also experience the mental and emotional burden of family separation. The TFWP disrupts the family structure as they leave for years at a time and then visit home for brief periods before returning to job placements abroad. These cycles of reunification challenge family dynamics between spouses, parents and children, and extended family members and can also strain cultural traditions.^{2,6}

The parent-child relationship comes under

particular stress as children may be left in the care of grandparents, aunts, uncles, or other guardians and parenting from abroad either becomes normal or nonexistent. The parenting values of the extended family members may not follow the parenting values or approach to discipline of the biological parent, which can create tension when the parent returns home and tries to resume parenting duties.^{2,6} Further to this, the parent may experience shame and guilt for leaving the child behind.

On the part of the child(ren) of the women temporary foreign worker, feelings of abandonment, resentment, or disconnection before, during, and after reunification may be experienced.¹ Also, the child(ren), especially the very young, may even experience moments of confusion regarding which parental authority must be followed.

There are also concerns related to extended family members providing care, as their age, time commitments, finances, and differing parenting views may mean placing children in their care is less than ideal.² With no clear pathway to permanent residency in Canada, which would allow them to sponsor family members to join them in Canada, women participating in TFWP placements often experience each of these stressors.²

Precarious Work Conditions

Women temporary foreign workers also face a very precarious work situation in Canada. Although TFWP participants technically have the same rights and protections as Canadian workers, very few participants are aware of this or have a good understanding of what their rights are.^{4,5,6,32}

TFWP employers provide both work and housing to program participants, and as a result are responsible for protecting and upholding rights related to shelter and workplace conditions. Should TFWP workers encounter a bad work

or living situation while in the program (such as workplace harassment, unpaid overtime, or unsafe housing conditions) and move to lodge a complaint with their employer, often the employer will simply send them back home rather spending time and resources to deal with the complaint.¹⁷ Workers are on 'closed contracts' meaning that if they are fired from their position they cannot seek work with a different Canadian employer in the TFWP, they must return to their home country.

Abuses of worker rights in Canada are vast and well-documented, however enforcement of rights provisions remains weak.^{17,32,38} While the federal government is responsible for approving and managing TFWP applications, only a couple of provinces in Canada have allocated resources to tracking which applicants are placed in jobs within their borders and to creating organizations that can audit TFWP employers and investigate complaints.⁴ So when women see co-workers being sent home for complaining, it creates a culture of fear and oppression that prevents women from bringing legitimate concerns forward to employers or the justice system.^{17,38}

Women in the TFWP are also vulnerable to being sent home if they are injured or become pregnant. In 2014 a foreign woman who was injured on her way to work, rendering her quadriplegic and unable to perform her job, was initially denied healthcare in Alberta and was at risk of deportation.²⁶ This and other stories of workplace injury demonstrate the vulnerability of temporary foreign workers should they become injured.

In 2011 a group of Filipina women working in Alberta were wrongfully told that if they became pregnant they would gain permanent residency in Canada. As a result, many were impregnated and had their contracts revoked after their pregnancy rendered them unable to work.³⁴ The matter was brought before the Alberta Government but at the time they had little capacity to assist the women affected (the

province later updated their laws to improve their ability to monitor TFWP participants and employers and to investigate complaints).^{4,34}

Experiences of Women Temporary Foreign Workers in Canada's North

Many foreign women have been brought into northern communities through the TFWP to fill minimum or low-wage positions, especially in regions where resource development and extraction projects have increased local populations, inflated economies, and driven up the cost of living. In some cases, these workers are being used to bridge gaps in public services in the North, such as gaps in caregiving supports.

For Canadians working in resource industries, which revolve around shift work and days or weeks spent in workcamps, finding care for their children and other dependents, such as ageing relatives or family members with disabilities, can be very difficult. Few northern communities have licensed childcare facilities.¹⁰ Labrador West, a mining community, did not have a daycare facility until their Status of Women Centre opened one in 2011. However, the Centre's Director, Noreen Careen, acknowledges the facility is inadequate to meet community needs: "The daycare centre that we opened has sixty places and we have a waitlist of 95 children." In addition, they only have the resources to run the facility during the day, which means parents who work night shifts must seek other childcare options.¹⁸ And, while the centre in Labrador West has committed to providing affordable childcare, other communities in the North tend to face steep childcare costs. For instance, families working in Fort McMurray, Alberta can pay up to \$2,000 per month for placing a child in a daycare program (if they can secure a space).⁴⁰ The lack of caregiving options and/or the high cost of caregiving options in the

North led to a surge in the number of women temporary foreign workers being brought into Canada through the Live-in Caregiver Program (renamed the “Caregiver Program” in 2014).

Other women are brought into the North to fill jobs in the service and hospitality industry, such as working at fast food chains or as cleaners.⁴⁰ In areas where resource jobs offer high wages and, as a result, dramatically increase the local cost of living, minimum wage jobs are not desirable or practical for Canadian workers. In Happy Valley – Goose Bay, Labrador where a hydroelectric dam development has introduced high-wage construction, forestry, and engineering jobs, local business owners are struggling to stay staffed – they simply cannot compete with the wages offered in dam-related jobs.^{28,7} The experiences in other parts of Canada with heavily resource-based economies, such as northern Alberta and BC, have been similar.^{13,40} Low-wage businesses in these regions argue they require foreign workers to run and have been fighting to retain access to foreign workers since the TFWP program rules changed in 2014 and placed bans on bringing foreign workers into many parts of Canada.^{3,13}

Women temporary foreign workers placed in these jobs in the North are arguably in an even more precarious position than those placed in southern communities. FemNorthNet’s partners in Labrador have repeatedly raised the lack of services for newcomers and geographical isolation as major issues.¹⁸

While many larger, southern Canadian cities host programs and centres dedicated to supporting immigrants and foreign workers, northern communities have limited services to support even their Canadian residents. In northern communities affected by resource development, public services and local organizations are overstretched by the influx of resource workers and do not have the capacity to tailor supports to newcomers, such as offering service in various languages or

providing information specifically related to newcomers’ needs. Noreen Careen of Labrador West lamented “I look at newcomers to our community... There’s not much of a network set up for their support... We don’t have a huge presence of federal government offices. And there’s not a whole lot available to those people to assist them with things they may need. For example, filling out forms or, you know, knowledge of things available in your community.”¹⁸ The lack of access to supports and information in northern communities means women placed there under the TFWP have even less chance of learning about their rights, accessing professional assistance for health, housing, or legal concerns, or being able to complete the paperwork required to allow them to gain permanent residency in Canada.

Northern communities also tend to be small and geographically isolated. These conditions make it hard even for new Canadian residents to establish social networks and many experience feelings of loneliness.¹⁸ These conditions also mean women residents are less able to escape situations of abuse and violence.¹⁹ For women temporary foreign workers who may not speak either of Canada’s official languages well and will likely struggle with understanding northern culture, risk of social isolation and abuse are high.

Under the rules of the Live-In Caregiver (LIC) Program, women temporary foreign workers were required to live with the families that employed them, however this “live-in”

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situation resulted in a number of workers being abused whether physically, mentally, or economically.^{4,6,36} The LIC Program was one of the only TFWP streams through which women could gain permanent resident status in Canada, so many suffered through the abuse silently in hopes they could finish their placement, gain status, and move onto other work and independent living.³⁷ Finally in 2014 the government changed the rules. Now women working under the revised Caregiver Program are encouraged to live outside of their employer's home.²⁵ However, this can be difficult to arrange in the North, especially in areas of resource extraction or development projects, where housing costs are high.²⁰ In situations where housing is unaffordable on the worker's salary, the worker will be forced to live in the home of their employer (no stipend for high cost of living is available). Once again, women working in the North are at higher risk of abuse than those in southern communities because of northern conditions. Further, the new rules have limited the number of Caregiver placements available. This means women experiencing abuse in live-in situations have fewer opportunities to transfer to a different caregiving position, and the high likelihood of being unable to find employment elsewhere (resulting in the need to return home and loss of a chance at permanent residency) discourages women from leaving abusive employers.⁸

Some women in the TFWP might not even be placed in a community at all, but in a remote northern workcamp set up for a resource extraction project.⁴⁰ Women temporary foreign workers in these locations face even more limitations: community services are not available in workcamp environments which creates a huge barrier to accessing any type of support be it social/recreational, healthcare, or legal advice due to the reality that long-distance travel is required to reach these things. While little is known about these women's experiences, we do know that women placed

at male-dominated workcamps are at high risk of experiencing harassment and abuse.²¹ While Canadian women will avoid reporting abuse for fear of reprisals from co-workers or being judged as not strong enough to do a "man's job", women temporary foreign workers face even greater costs for reporting: potential loss of their job and deportation. As a result, foreign women are even less likely to report abuse than Canadian women when experiencing abuses in northern workcamps.

The Future of the TFWP

At present, home and host governments still argue that, for the most part, temporary foreign work programs are not only beneficial to everyone involved, but necessary for home countries still struggling to recover from structural adjustment policies. However, temporary foreign work programs perpetuate potentially harmful cycles and beliefs. Home countries begin to rely on the income generated within these programs, creating a cycle of necessity where women need to keep going abroad, even if the working conditions are poor, to keep home country economies afloat. Further, the image of a "supply and demand" problem within the Global North is maintained as employers continue to draw upon work programs to fill low-skilled, low-paying, and precarious job positions. Within these conditions, foreign women continue to experience vulnerability.

In spite of major changes to Canada's TFWP in November 2014, criticisms of the rules and protections for workers, especially women workers, continue unabated.^{9,15} A major area of focus for temporary foreign worker advocates is increasing the number of individuals admitted as permanent residents.^{9,38} Granting immediate permanent residency status to needed foreign workers would eliminate fears of deportation and therefore increase the likelihood that complaints about mistreatment and abuse would be brought forward. This in turn would allow for abusive

employers to be identified and investigated and would ensure workers' rights were protected.

While the wellbeing of women participating in the TFWP must be put first, opening up opportunities for permanent residency in Canada will do little to support home countries who are facing population decline, erosion of public infrastructure, and potential collapse of national pension programs. These ongoing economic insecurities in home countries, which prompt the movement of residents to host countries in the first place, must also be addressed over the long-term. Women around the world should be able to experience access to basic services, gainful employment, and economic security in their place of birth if they so choose.

In the interim, FemNorthNet would like to see greater resources allocated to northern

communities who host temporary foreign workers. Communities should be notified by the federal or provincial government if workers are to be placed there and should know which companies they are working for. If the number of workers is substantial, as is often the case in regions with major resource development projects, communities should be given additional resources (whether from the companies or higher levels of government) to accommodate the needs of these workers including healthcare, housing, and legal supports. In addition, more research should be undertaken on the experiences of women temporary foreign workers placed in the North. This would support the development of more comprehensive policy and program recommendations.



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