

EQUAL IN DIGNITY – EQUAL IN RIGHTS
Migrant Workers’ Rights Forum
Saturday, April 9, 2016

FULL REPORT

EXECUTIVE SUMMARY

Over the course of the day, participants heard from migrant workers, activists, and members of unions and of faith communities. The panels and group discussions provoked many questions as we explored the challenges faced by migrant workers, and the global, national and local aspects of migration. Specific policy issues were identified, as were actions to affect necessary change. Participants said they left feeling enlightened, curious, challenged, energized and ready to act for justice!

What we heard & discussed – recommendations:

- a) Connect local, national and global migration issues, build solidarity and explore root causes – people leaving their home countries and communities due to conflict, poverty, often related to the plundering of natural resources by large multinational corporations. Migration is used as a source of disposable labour for free market capitalism.
- b) There is a need to look at migration through lenses of gender and cultural diversity.
- c) Make sure the voices of migrant workers are at the forefront.
- d) Identify paths to collective action and build solidarity within and among unions.
- e) Build relationships in communities; identify roles for faith communities, community groups and others and take collective action.
- f) Get more information about numbers of workers, and where they are in PEI.
- g) Form a Prince Edward Island Task Force.
- h) Organize a solidarity event with people walking across Ontario in the fall of 2016.
- i) Join a nation-wide conference call on May 5.
- j) Use a human rights approach! Create more awareness in groups, unions and in the media. Highlight the contributions of migrant workers to our economy and our communities.
- k) Take advantage of the upcoming review of the Temporary Foreign Worker Program. Organize and advocate for policy changes and a program that says more than, “Your work is done here. Now you can go home.” (Zenaida Angeles)

Policy Recommendations – Federal:

- Reduction or Elimination of the \$1,000.00 LMIA fee
- Removal of 4 year in/4 year out rule
- Permanent Residency (PR) status on arrival
- Open work permits
- CPP (Canada Pension Plan) to be carried over to different countries
- Language requirements for PR – reduce the fee for taking the test, reduce proficiency requirements

Policy Recommendations – Provincial:

- Healthcare coverage all year-round, not tied to permit
- Routine Health and Safety inspections
- Enhanced Employment Standards
- Regulation and licensing of recruitment agencies

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**EQUAL IN DIGNITY – EQUAL IN RIGHTS
Migrant Workers’ Rights Forum**

**Saturday, April 9, 2016
9:30 a.m. - 4:30 p.m.**

REPORT

1. Welcome

Marie Burge (Chairperson, and member of Cooper Institute) welcomed everyone, and acknowledged that we were gathering on unceded, traditional Mi’kmaq territory. She introduced Julie Pelissier-Lush who read from her book of Mi’kmaq prayers and sang a song of welcome.

This forum is the result of a collaborative effort. Members of KAIROS, Migrante Canada, Canadian Union of Public Sector Employees (CUPE), United Food and Commercial Workers (UFCW) and Cooper Institute all played a part in planning the program. It was planned as a follow-up to a similar event held in Fredericton in February.

Marie then introduced Jim Wicks, who spoke on behalf of KAIROS, (one of the sponsors/organizers of the forum), an ecumenical faith organization working for justice and human rights. Jim noted that KAIROS is proud to be part of the movement that works for dignity and equality for all workers.

Marie asked participants to indicate if they were from: unions, faith communities, community groups, if they were temporary foreign workers, or visiting from other provinces. There were many people from each of these groups. But it was notable that no policy makers were present! Marie expressed her hope for the day that all voices would be heard.

2. Panel discussion: Migration from the Global to the Local

Moderated by Wendy Johnston, CUPE Atlantic Equality Representative

Global message: *Jesson Reyes, Migrante Canada and International Migrant Workers Alliance*

Canadian/Maritime context: *Josie Baker, Cooper Institute & Coalition for Migrant Worker Rights, Canada*

PEI Context: *Zenaida Angeles – Fish plant Worker*

Jesson Reyes – The impact of changes to the Temporary Foreign Worker Program (TFWP) is critical. It is impossible to talk about recent changes, and migration within and to Canada as a whole without talking about what’s happening globally. There are 250 million migrants globally; half are women – often in precarious working conditions, separated from their families. It is not just a Canadian issue - migration is based on what kind of labour is needed and what can be provided. It is important for us to come together, raise our voices, and make sure the voices of workers are included in policy changes/development.

It is alarming to hear people talk of migration as a tool for development. For example, in the Philippines – a country that pushes people to work abroad – there is a government agency the purpose of which is to recruit workers to send abroad. Why do countries encourage people to leave? Remittances: for every dollar sent back home, there is less need to create a job. When we talk about migration, we need to consider not just the changes that are happening here, but also what is happening in the countries sending workers to Canada.

The TFWP today: Many workers arrive from the global south. TFWP does not allow for unionization, or allow workers to attain Permanent Residency. It allows workers to come to Canada but does not allow them to stay or provide a way for family reunification. It needs to be reformed. What can people here do to be included in conversations nationally, and globally?

Migrantes joins up local, regional, national, global advocates. We want to see migration as one of the options, not the only option for people to provide for their families.

National elections will take place in the Philippines between May 9 and June 9, 2016. Migrante is running for elections – let your families know! It's crucial to have a voice in our country to reflect our concerns. Some workers in Canada are registered and will vote.

Josie Baker – For the past 6 years, Josie has worked on migrant worker issues in PEI and during that time she says she has met many women of strength and spirit. Migration is a story of overlapping, many-layered truths. Policy concerning temporary foreign workers is actually a collection of policies administered by federal government, which leaves it up to provinces to create programs (and policy/regulations). So there are differences – in Nova Scotia, there is a registration system, in PEI there is not. There is no regulation of recruitment agencies, which often retain some level of control including over the fees they charge.

Atlantic Canada's economy is rural and seasonal. We have the same neoliberal policies here as in the rest of world. Workers are seen as a flexible labour force for oil and gas industries. The combination of employer-tied permits and poverty wages reinforces the idea that workers are disposable labour for free market capitalism. There are parallels between migration of international workers to PEI/Atlantic Canada and migration of PEI workers to the oilfields of Alberta – it is important to build solidarity.

Many migrant workers are employed in seasonal industries with weak labour standards – an example is fish processing plants & overtime exemptions – we need better standards!

The 2014 changes to the TFWP implemented by the Harper Government increased the LMIA (Labour Market Impact Assessment) fee to 1,000\$ per person and put restrictions on types of employment available to migrant workers. The only hope for Permanent Residency would be to qualify for the Provincial Nominee Program but this requires year-round, full-time work, which is a challenge. There were also caps placed on the numbers of workers allowed at each place.

The Coalition for Migrant Worker Rights (Cooper Institute is a member) has a common vision of justice – we believe workers must be provided with permanent residency status on arrival. We started the MoVE campaign, which asks for open work permits, an end to the 4-year in/4-year out rule, as well as reduction or elimination of LMIA fees. Open work permits instead of workers being tied to one employer would mean workers are not locked in and are less vulnerable.

The federal government is reviewing the TFWP and expects to announce changes before the fall, so this is a good time to advocate, to the call for changes and to use a human rights approach.

Zenaida Angeles – Zeni spoke on behalf of Filipino temporary foreign workers. She is one of twenty-seven workers who came to work for Acadian Fisheries in Wellington, from Taiwan in 2013. It's seasonal work – 8-9 months per year – and in those months, workers try to get as many hours as they can. Every time their work permit runs out they need to think of ways to stay in Canada. This could be a visitor's visa, implied status, a restoration period where you have 90 days to stay until you can get another LMIA (Labour Market Impact Assessment). If they are lucky to have good hours during the work season, they can draw EI until the season reopens. Some find work on dairy farms, which are full-time, year-round jobs which makes it possible to apply for Permanent Residency (PR).

As a result of the 2014 changes to the TFW program, jobs in fast food operations, hotels, etc. are no longer available, so it's harder to get full-time work. The LMIA fee was raised from \$275.00 to \$1,000.00, which is too much. It should be free or dialled back to \$275.00. Some employers are afraid of wasting money on an LMIA. The “4 years in/4 years out” rule is also a problem.

In conclusion, migrant workers pay into programs and contribute to the economy. We want a program that says more than, **“Your work is done here. Now you can go home.”**

QUESTIONS FOR PANEL

- a) *Re: election in Philippines – one of the issues in both countries = lack of employment – we need to push governments to create employment – how is this being addressed?*

6,000 workers are sent out daily from Philippines – illegal recruitment needs to be fought here in Canada, but we can't stop it if there is no voice back home. The problem starts within the sending countries. We fight for reforms, and encourage workers to stay here, but we should look at migration as only one option (for economic wellbeing).

- b) *Agencies – are there any first-hand stories about the costs to workers?*

Some fish plants have relationships with agencies – it's impossible to generalize about fees, they could be from \$1,500 to \$20,000. On average, workers pay the equivalent of 2 years' salary (in their home country) to recruiters. So they arrive in debt. There are no federal laws although some provinces such as Manitoba have laws. We are asking for licencing of recruiters, banning of fees charged to workers, and to have employers registered – all within public policies that will force accountability.

- c) *CUPE Global Justice shared that migrant worker rights are a priority for their national committee. Does all of the remittance money goes to families?*

Workers send money back to their families via Western Union. They do not make direct contributions to government. In 2015, remittances amounting to \$21.7 billion, or 13.4% of the GDP, were received by Philippines.

- d) *A question about gender: Why are mostly women coming, to support families still living in the Philippines? Where are the men?*

Zeni responded that it's because women have stronger personalities, and more perseverance in making a good future for their families. She said, "we women are more eager to have the contentment for 3 meals in a day and education for their kids, and their clothing – mothers have more instinct of thinking for stability for their family – in my case, it was more easy for me to apply to an agency, every time I have a decision to make, I can do it right now."

Josie added that it sometimes depends on the nature of the work. Some work is considered gendered (i.e. caregiving, fish processing). Also, men migrant workers are often hired in higher skilled positions – and have a faster route to Permanent Residency. Permanent full-time jobs are often in dairy farms, (which may tend to hire men). Josie noted that women are often overqualified for jobs they are doing.

- e) *Are there any statistics regarding gender & migration in the Philippines?*

Connie answered that more women than men leave, which has to do with demand – in early 80's during the Saudi Arabia construction boom, many men left, but once the boom was over, service industries needed more women so it changed. Nowadays, 55% migrant workers are women.

- f) *What's an LMIA?*

A Labour Market Impact Assessment – employers need to apply and prove that there are no local workers available for the jobs they want to hire migrant workers for.

- g) *When can you apply for EI?*

Zeni answered that in fish processing, the season is May to December, and if a worker gets enough hours she is eligible to apply. On EI, you would still have a work permit. But if you don't have a work permit, or if you have visitor visa or are in restoration period, you can't apply for EI.

3. Migrant Worker Rights Movements in Canada – Facilitated Discussion

Syed Hussan of the Migrant Workers' Alliance introduced the panel and the presenters by saying “now is the time for taking political action, and assessing what can we do together, to make some big wins over the next 6 months, and reverse injustices that have been developing over decades”.

Chris Ramsaroop, an organizer with *Justicia for Migrant Workers* (particularly farm workers) and co-president of the Asian-Canadian Labour Alliance;

Connie Sorio, the Migrant Justice and (Asia-Pacific) Partnerships Coordinator at KAIROS. Connie is a community activist, a seasoned organizer and advocate for the rights and welfare of temporary foreign workers in Canada, particularly those under the Live-in Caregiver Program and low-skilled category. She is a member of the Executive Committee of Migrante Canada and the International Coordinating Body of the International Migrants' Alliance.

Alex Banaag, a National Representative and Organizer for United Food and Commercial Workers Canada (UFCW). His passion is in organizing and advocacy for Migrant worker rights as well as contributing to the growth of UFCW Canada.

a) Chris – For 15 years Justicia has been connecting with workers, many from the Caribbean who come under the Seasonal Agricultural Workers Programme (SAWP). Justicia tries to bridge gaps between workers, who come from many different countries and also addresses issues related to Employment Insurance, employment standards, Workers Compensation . . . Chris noted that they see far too many injured workers.

AN EXAMPLE: 9 years ago, in Wheatley, ON – unionized Thai fish plant workers, paid less than Canadian workers, had their passports taken away, and had curfews imposed, as their employer tried to break the union. The workers, mostly women, were able to save the union. Even after their leaders were fired. The employer was charged – and it resulted in a significant human rights case. Workers want legal victories but also “building-on-the-ground victories”, such as ending harassment, stopping recruiters from taking money from them. This year, there will be a huge march from Windsor to Ottawa – to focus on the demand for status on arrival.

A CHALLENGE: In organizing, how do we unify under single demand? How do we break down divisions among immigrants? What can we do locally to take away power of employers over workers and to build strength, collective power? Some of the answers found in solidarity actions, protests – building support locally to demand, for example, status upon arrival. How do we ensure that the voices of workers are at the forefront? Let workers lead the movement – we have over 100 years of history, and continue to build interracial, multiracial coalitions, work for changes, build society, recognizing how global capitalism has caused inequalities across borders.

b) Connie – KAIROS is not specifically a migrant workers rights movement – it is 11 churches, working for social justice locally and globally. Why are there so many migrant workers?? People leave their countries because of conflicts, poverty, intrusion of capital into countries, plundering of natural resources (causing poverty). For example, Canadian mining companies in the Philippines are grabbing lands, displacing peoples, destroying food sources. People move from country to city to overseas. Children grow up without knowing their families.

KAIROS listens to concerns of workers and finds supports in communities. It illuminates the root causes of migration, and builds relationships with workers, so that when they come to places like O'Leary, they are not treated as strangers or seen as taking away work from local workers.

The global context – why do we have migrant workers in PEI when Island workers are leaving PEI for work in the west? Economic and political policies divide us. Workers should be uniting, resisting these international economic, social, political policies.

c) Alex read letter from a Canadian worker about a situation in a fish plant in Ontario. Filipinos work the longest hours, and become exhausted. Management does not replace them with Canadian workers. They are the most poorly paid – they are given housing but not allowed to leave unless it is with employers, and not allowed to visit. The manager had neighbours watching to make sure there were no visitors. When production went down, Filipinos were blamed – management knew how hard they worked, didn't want to lose them, so intimidated them, tried to make them believe this is just par for the course in Canada.

Alex made the point that we need solidarity among workers. The Agricultural Workers' Alliance (AWA) – is a union for both domestic and migrant farm workers. They operate help centres, provide support on health and safety issues and also support workers applying for EI, parental benefits, Workers' Compensation and with grievance procedures, and language training.

Alex noted that some agreements (with, for example, Cargill, Loblaws, Maple Leaf) have resulted in good success with PR nomination after workers have been 6 months in Canada.

QUESTIONS:

a) *What kinds of programs that support foreign workers are working? What directions are needed in coming months?*

Chris answered that there is no funding for support services (at least in Ontario). We need to debunk the myth that migrant workers are driving wages down. There is a need for minimum wages, unions, overtime provisions, etc. to level the playing field.

Collectivize – across industries, to build strength. And TELL STORIES – i.e. tobacco workers talking about addressing racism and power imbalances – share these stories with other workers – that's how we challenge and change power.

Fish plant workers – it is hard for workers to talk about the injuries they sustain, so how can we as a community pressure governments to take proactive actions to monitor safety and health? Health and safety are big issues – how can we use labour laws to make workplaces safer?

Learn from history – in which black/brown bodies are overrepresented in precarious work – American laws influence ours – based on history of slavery – we should have a race and gender lens.

Hussan asked workers what they want:

- Immigration – PR on landing
- CPP – deducted on TFW pay – where does this money go when workers are sent home?
- Pensions and EI
- Eliminate “4 years in, 4 years out” rule
- Removal of caps – certain number of TFW for each company
- Healthcare – cards only last for the duration of your permit – but when you are between permits, you don't have healthcare coverage – FULL HEALTHCARE COVERAGE!

When living conditions are not good, workers feel unable to speak about it, Connie said. They may be indebted, and afraid to lose their work. It is crucial to have support on the ground, to strengthen the workers. If workers complain, and if employers send them home as a result, they still have debts and no opportunity to pay. They need support.

Chris suggested 3 possibilities:

Public Health – find out if the Department of Health is doing oversight

Health and safety officers – are the places inspected?

Also, take photos – document the conditions and share these on social media.

A representative of PEIANC added that workers, even when they have PR, still do not want to go forward with complaints – it’s frustrating: we need a support system to deal with this.

b) Question about Housing Standards

PEI does not have uniform building code outside of Summerside and Charlottetown – it seems like anyone can do anything they want with impunity – so we need provincial standards.

CLOSING COMMENTS

Chris – a) focus on province, pressure the Department of Labour to be proactive in inspections;
b) pensions – OAS, CPP – there are already some agreements with countries such as Italy where pensions are carried over – we need to add more countries;
c) healthcare – should not tied to work permit – so everyone has access.

Connie – we need to build relationships within host communities – changes can only happen if the migrant workers’ situations are understood in community PLUS active participation of migrant workers who are experiencing it. Churches could be more welcoming, and proactive.

Alex – noted the PEI Labour Act – Article 9, Section 1: “every employee has a right to be a member of a union” and Article 10.1: “employers are not to interfere with employees in unions”

Hussan – he has heard loud and clear from workers what they want and is inspired by them.

4. Small Table Discussions:

What role can local communities have in supporting rights for migrant workers in Prince Edward Island?

Main points shared by participants (see appendix for detailed notes):

- Collective voices – if you feel you can’t come forward, join up with others – come through with one organization to speak out on migrant worker rights.
- Provide opportunities for workers to talk about their situations in safety, so they are empowered and protected. An example: PEI Association for Newcomers to Canada’s casual talks – networking, talking, discovering what can be done.
- Lobby all levels of government to change policies.
- Cross-pollinate – it doesn’t have to be a specific kind of group, just a natural gathering, a group in your community, where you can bring up the issues.
- Local communities could support migrant workers to get their rights, and the extension of health benefits.
- Connect migrant workers with employers, once their jobs are finished.
- A suggestion from migrant workers: Canadians should understand that we are here for work, respect us as workers and as part of the community – we are also asking for a commitment/action to help us get our rights.
- Unity among Filipinos, support among churches.
- Publish facts about migrant workers (Q & A) in local newspapers

5. Panel Presentation:

The Temporary Foreign Worker Program in PEI: How are we responding?

Rosalie Blanchard, of the PEI Association for Newcomers to Canada moderated the panel.

Marie Antoinette Pangan came to Canada from the province of Bataan in Philippines in 2010. She became a permanent resident in 2014.

Pastor Scott Herring of the Murray Harbour Baptist Church - one of his roles as minister and one of the highlights of his work has been to offer programs and hospitality to temporary foreign workers in the area.

Lora Ann MacPhee, a retired shop steward from Beach Point Fisheries presented the voice of organized labour on the panel.

a) Marie Antoinette welcomed everyone to UPEI where she is a nursing student. Being a migrant worker is challenging and sometimes scary and uncertain. It is good to be able to ask for help and advice from fellow Filipinos in PEI – some key issues:

- Full-time jobs are the most important thing – we need this for Permanent Residency.
- Transportation – we have no access to public transit
- Help with consular services, Service Canada, CRA for EI, T4's etc
- Help with paper work – LMIA's, contracts, etc.
- Some Filipinos who already resident here cannot extend help because of their own families, work – lack of communication among members of community

We cannot guarantee we can help with everyone, but it is important that people ask for help. Have faith. With help of community, we can change government policy.

b) Scott Herring started by saying he has been asking the question, “Who is my neighbour?” Three Filipino women have married into their congregation. As a group the church is interested in ministry to migrant workers. They connect with other congregations, for example in Shediac, and make the point that the Maritimes are changing for the better because of the migrant workers. Scott said many consider it a gift to families and the community, the exposure to multiculturalism that the migrant workers bring.

What can we do? Cultural sensitivity is important, and also, we must recognize that people are the same in so many ways.

Scott's church organizes: Karaoke nights, English classes, Movie Nights with subtitles, Field Trips, Shopping in Charlottetown, visits to Chinese church in Charlottetown, translations of scriptures (Spanish, mandarin), and maintains contact throughout the year, by FaceBook for example. The church hosts ESL classes. And they make a point of learning peoples' names.

c) Lora Ann MacPhee – At their plant, the first workers to arrive were Russian, and later Chinese workers arrived. On their first day they arrived, they were bubbly and bouncy, curious, easy to get to know – they had some English. To be working in unionized positions was of benefit – they could apply for higher-paying positions, and work reasonable hours.

But Lora Ann said that when she visited their house, it worried the workers, they worried that they would be sent home. Sixteen people were living in a small 4-bedroom home. There were 2 beds in the sun porch, blocking off a second entrance. The supervisor responded to Lora Ann's complaint by saying “in China, this would not be a problem”. A year later, things were better, there was more room for workers – Lora Ann had 3 people live with her – shopping together, preparing meals. The company bought a bus – union helped by getting to know, hanging out with workers.

QUESTIONS/COMMENTS

- a) *Comment:* Lora Ann's story shows how strong one voice can be.
- b) *How many seafood-processing plants are there on the Island?*
12 but only one is unionized (the other 2 unionized plants closed)
- c) *Comment,* about the importance of unions:
The National Farmers Union is an ally and has seen that some workers coming to Canada from Mexico are farmers who have been put out of work in their own country by trade agreements – the NFU lobbied for everyone to be covered by Workers Compensation (will come into force in 2017). There is benefit to working across unions. The NFU supports the Migrant Worker Alliance.
- d) *Are there any activities in PEI to encourage people to join/form unions? Is the labour movement in PEI disseminating information to empower TFW to join unions?*
The PEIANC advises people on workplace rights, and lets people know ANC can support them in taking cases to Employment Standards.
- e) *What about services provided by settlement agencies to TFW? Given migrant workers are isolated in rural communities, lacking transportation, do you do outreach?*
Rosalie said ANC offers settlement, language training and she travels to plants, and has a satellite office in Summerside – they do as much outreach as possible.
- f) *What is the role of faith communities, churches?*
Marie Antoinette replied – they can help with permits and paperwork but also with understanding your rights behind those documents.
- g) *We seem to be living in society hostile to labour/organizing – governments are working hard to break unions – what about the challenge of working with governments who are hostile to unions? How do we change the narrative that unions are evil?*
Scott – in faith community, they speak to politicians about the dignity of the worker.
- h) *What is the role of provincial government?*
Josie – there is a need for regulation of recruitment, changes to PNP, and the province should ask federal government for a full review
Marie Burge – PEI Employment Standards has the responsibility for protecting rights of non-unionized workers – but the complaint process is difficult – plus we need standards that are high enough to protect all workers, long-time and short-term.

6. Workshops Divided by Sector:

Marie introduced this session by summing up some of the previous presentations/discussions, and listing some of the barriers that were identified:

Lack of national standards

Fear of being sent back home

Provincial nominee program – aimed at certain class of immigrants to PEI

Employers' power

Barriers to organizing

Everyone joined one of the sector workshops:

Labour
Communities of Faith
Filipino Community Sector

Worker Self Organizing
Agricultural sector
Local Community Sector

Each group used the following questions to guide their discussions:

- 1) *What policy changes are needed to address the gaps and barriers to migrant worker rights that were identified during today's forum?*
- 2) *What are two specific actions we can take as a sector to improve access to rights and services?*

REPORT BACK AND NEXT STEPS

Question #1: What policy changes are needed to address the gaps and barriers to migrant worker rights that were identified during today's forum?

(Filipino Community) – every migrant worker needs to pass an English literacy examination – the fees should be eliminated and/or the test should be modified. The English they are being tested on is not necessarily the same English needed in employment – perhaps an informal interview would suffice as a test.

(Worker Self Organizing) – Removal of the 4 in/4 out policy and removal of caps – these rules could result in some workers going back home. Also, make work permits open and not tied to one employer, and provide healthcare coverage for the whole year.

(Agriculture) – Inspections should happen routinely, and be proactive.

(Labour) – Reduce the \$1000.00 LMIA fee, and ensure that workers can participate in programs when they're not working (healthcare).

(Local Community Sector) - Status upon landing and provide more information about the policies and more information about recruiters and possibilities for regulation.

Question #2: What are two specific actions we can take as a sector to improve access to rights and services?

(Labour)

- Unite unions through Canadian Labour Congress (CLC) to put forth voice for migrant workers – many people know what to do, helping migrant workers will help all workers
- Educate union members and general public – because people don't know what migrant workers go through

(Community)

- Look at what it means to actually embrace people as members of the community, to be welcoming –it's important to know what the experience is
- Focus on mutual benefit from having newcomers, new people coming into communities

(Agriculture)

- Find out how many people are here and how long they have been here
- Hold a solidarity event (for the Ontario march)
- NFU – issue press releases, support publicly the movement

(Faith Community)

- Put out an invitation to welcome people
- Ask for information, where migrant workers are living in PEI

(Filipino Community)

- More part-time work??
- Credentials – eliminate 310.00 every time you do the English exam
- Acknowledge previous work experience, skills, credentials
- Open picnics

(Worker Self-Organizers)

- Monthly skype call
- Work with different sectors, once a month meetings
- Task force in community to support efforts of workers

Chris made the point that we are not starting from nothing. Some people have done things before, for example, visit Members of Parliament. The advocacy guide that Josie developed is a useful tool.

7. Closing

Hussan spoke about the review, which starts May 16th. The Committee responsible will hold weekly meetings when parliament is in session. There will be 10 meetings, which will include 25-35 expert witnesses (possibly employers and advocates) selected by sitting parties. It is important that migrant workers are at the hearings speaking for themselves. He is compiling a list of workers to give to committee members. Our power is in our communities – while the committee is reviewing, there can be public actions and media work to make sure the issues are loud and clear.

On **May 5th** at 2 p.m. Atlantic there will be an **online meeting** for people from across the country to share ideas. PEI could come with a proposal for action. He urged people to call their MP's. We want to make sure changes affect all migrant workers, regardless of sector.

Josie thanked everyone for coming. She explained that there will be a report from this day, which will be used to create a submission to federal committee reviewing the TFWP. She noted that a similar forum was held in Fredericton, and a Task Force was struck at the end of the day. She invited people to sign up to continue to work on issues that have been raised.

Josie ended the day with another thanks to the sponsors who made it possible, especially given the short timeframe in which we had to organize.

8. Evaluation

Participants were asked to complete a written evaluation. Here is a sample of what they wrote.

Participants said they liked:

- The diversity of the participants, and hearing the voices of migrant workers,
- All of the presentations, different viewpoints, the enthusiasm & commitment of speakers
- The design of the forum, which allowed for expression of ideas and opinion

They said they felt:

- Enlightened, curious, challenged, energized, ready to act for justice
- Honoured, and hopeful – strong, knowing that there is companionship and support
- Happy to have one's voice heard
- Empowered, to support and advocate for migrant workers, ready to be an ally
- A little overwhelmed and sad that so little has been done

Participants said they learned:

- About specific obstacles – the 4X4 rule, costs of language tests, LMIA fee, tied permits
- That there are people willing to help
- The need for organizing activities to create community, unity, equality and power
- We (migrant workers) can speak out, in the community and with politicians – to achieve our goals and be part of the community
- About the need to connect migrant worker issues, local, national and global

They said they would like to learn more about:

- Policy gaps and barriers to the rights of migrant workers
- How to advocate for migrant worker rights and effect policy change
- Where workers are in PEI
- The plans of the PEI government to address concerns of migrant workers
- How to prevent abuse (such as by recruiters)
- How to find out about the status of changes that we request

As a result of the forum, participants said they had decided to:

- Focus on outreach and organizing, raise awareness and advocate in the community
- Not be afraid to speak up for my rights, and to pass along information to other workers
- Remain aware of changes to the TFWP
- Work with unions and church congregations to bring about change

Participants had suggestions for future events:

- Invite more people, especially policy-makers, employers
- More talk from migrant workers
- More mixing at the tables of migrant workers and other community members

APPENDIX A: PARTICIPANTS LIST

Alex Furlong
Alex Banaang, United Food and Commercial Workers
Ann Wheatley, Cooper Institute
Anne Mazer
Belle Ferrer
Bernie Conway
Bonz Villasis
Brenda Doucette
Chris Ramsaroop, Jusiticia for Migrant Workers
Chyrel Norberle
Connie Sorio, KAIROS
Craig Walsh, United Food and Commercial Workers
Eliza MacLauchlan
Epifania Aloquin
Gina Moreno, Filipino Canadian Community of New Brunswick
Gina Bajamunde
Grace Dawson, PEI Public Library Service
Grace Tividad
Greg Fekner
Hannah Gehrels
Hsiao Shu
Ifo Ikede
Irene Burge, Cooper Institute
Iva Luzviminda Juan
Jason Tangile
Jesson Reyes, Migrante Canada, IMWA
Jhen Tividad
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Jim Wicks, KAIROS
Joey Chen
Josie Baker, Cooper Institute
Kate Liu
Lora Ann MacPhee
Marie Burge, Cooper Institute
Marie Antoinette Pangan
Marifel Gueverra Mallari
Marilyn Yu
Marjorie Garcia
Mary Cowper-Smith, Council of Canadians, PEI Chapter
Maureen Larkin, Cooper Institute
Melanie Maynes
Melissa Munro-Bernard
Michelle Jay
Mildred Estopare
Myrna Wicks, KAIROS
Nora Danao
Philip Brown
Rev. Pix Butt, Margate Pastoral Charge
Princess Domingo
Rai Basalo
Reg Phelan, National Farmers Union
Ron Blue, CUPE
Rosalie Blanchard, PEI Association for Newcomers to Canada
Rose-Lynne Goulet
Ryan Dioso
Scott Herring, Murray Harbour Baptist Church
Shawn Murphy
Shawna Quinn, CUPE Global Justice
Syed Hussan, Migrant Workers' Alliance
Valentina Dulin
Wendy Johnston, CUPE
Zenaida Angeles

APPENDIX B: FULL REPORTS FROM TABLE & GROUP DISCUSSIONS

A. Table Discussions – morning - What role can local communities have in supporting rights for migrant workers in PEI?

Table 1:

- *Churches need to be challenged to support, need education. Know our neighbours.*
- *Connect with “like groups” in policy-making – e.g. National Farmers Union - which may have international connections as well. Connect with the justice seekers in our communities - Cooper Institute and Trade Justice PEI*
- *Contact local MPs – use social media and letters to newspapers*

Table 2:

- *Inform workers of their disadvantaged situation. PEIANC workers are not encouraged to provide information to workers. Solution: a community information session (could be hosted by community leader or religious leader).*
- *Employers often control what the workers can hear. For example, employers organize supervised group shopping. So reach them through social media: Viber, whatsapp, or approach them casually. El Contrato & Migrant Dreams: documentary films screenings.*
- *Address the myths of foreign workers, tell the public because there are many misconceptions about foreign workers, for example thinking they’re stealing Island jobs.*

Table 3:

- *Educate ourselves! Find out what’s happening, then educate others.*
- *Offer space for activities. Lessen isolation, invisibility. Connect. Welcome TFW to be part of communities.*
- *Social Media? What’s app? “El Contrato” & “Migrant Dreams” films.*

Table 4:

- *As Temporary Foreign Workers here in PEI we are all willing to cooperate at every forum like this to share our thoughts in regards with the changes we needed.*
- *Local Communities can have a role of Knowledge, Commitment, and Action.*
- *Canadians should be understanding & know that we are here for work and be supportive for our perspective as a worker and as a part of community.*

Table 5:

- *Hold info session so workers can know their rights for labour issues (and for employers)*
- *We need an advocacy and support group (on the ground)*
- *Connect employers with job vacancies with workers whose contract is up (need a new job)*

Table 6:

- *Sharing ideas, listening & talking to someone in local communities*
- *By the help of locals, they can help us to demand and to extend health benefits*
- *Conduct trainings when the season stops*

Table 7:

- *Community Forum to build awareness and promote education*
- *Join collective voices, i.e. “Faith-based organization” to spread awareness and publicly support the right of migrant workers.*
- *“Welcoming Communities” Host welcoming events, promote cultural sensitivity & awareness activities.*

Table 8:

- *Unity within Filipino community*
- *Support coming from the churches*
- *Help from members of the local community*

B. Notes from Small Workshops Divided By Sector - Afternoon

Each group was assigned a facilitator and note-taker, and was asked to discuss the following:

- 1) What Policy Changes are needed to address the gaps and barriers to migrant worker rights that were identified during today’s forum?
- 2) What are two specific actions we can take as a sector to improve access to rights and services?

a) Labour

Facilitator: Wendy Johnston/Reporter: Anne Mazer

Union Organizing – we have to better reflect membership - Cultural/Gender

AWA (Agricultural Worker’s Alliance) not allowed to collectively bargain

Farms not covered by labour laws (PEI worker’s comp to cover farmers in 2017)

#1: Workers want citizenship. Make them immigrants, not temporary

- Workers should arrive here with rights – inform workers of their rights when they arrive
- Make TFWP an “immigration policy”
- \$1,000 LMIA should be reduced
- 4X4 policy not good
- Workers tied to one employer, who may own multiple businesses so workers get shuffled from one to the other.
- Can’t access any training possibilities through EI between seasons

#2: Human Rights Act needs to be looked at - people living in bad conditions need basic rights

#3: Enforce employment standards. Even the lowest standards are not enforced.

- Inspections – come in and make recommendations then go on their merry way and if there’s any doubt, they will side with the employer.

#4: Educate members

- We’re not as interested as we should be and most people don’t know about labour laws/unions – understand the reality of what is going on in the world of migrant workers

#5: Lobby - organize unions –

- What are the 3 top things we want? Joint demands. Speak with a more unified voice as labour. Focus on one thing to start. Target the upcoming Federal review.

TWO ACTIONS:

- Unite the Unions. Through CLC to put forward a voice for TFW. Unify our voice.
- Education of union members and general public. Belief that the general public will care.

b) Faith Groups

Facilitator: Rev. Pix /Reporter: Kate Liu

Policy changes needed:

- 4 years rule
- Permanent Residency on arrival
- Healthcare coverage
- Pensions
- Work permit tied to the employer

Specific actions:

- Further education for general public
- Activate our church congregation to learn
- Provide information about potential full-time employment opportunities
- **Develop one-on-one workshop guide**
- Once in a while – church hosts tea, invite over to speak & neighbourhood party
- Congregation finds the ministries for their faith communities. KAIROS provides info.
- Solve and improve the migrant worker's access - open door for them

c) Filipino Community

Facilitator: Marilyn Yu/Reporter:

Policy Changes/Gaps & Barriers:

- Eliminate 4 years in and 4 years out - can stay as long as the employer can hire us.
- Increase quota & eliminate caps
- Language tests
- Lower/modify the IELTS proficiency requirements
- Acknowledge the education/credentials
- Personal interview by a government to assess English capability or proficiency

Specific Actions:

- Improve access rights & Services

d) Migrant Worker Self-Organizing

Facilitator: Jesson Reyes/Reporter: Jhen Tividad

Question #1:

- Removal of 4in-4out rule
- Removal of Caps (percentage of TFWs)
- Open Work Permits
- LMIA's Fee
- Health Card even without work permit
- Landed immigrant status for all workers

Question #2:

- Monthly Checking
- Work with different sectors in the community, provide space for a meeting like this
- Form a task force to help the efforts of the workers

e) Agricultural sector

Facilitator: Eliza MacLauchlan/Reporter: Hannah Gehrels

Question #1:

- only being allowed to work for one employer gives too much power - workers who are tied to their employer will always under-report and hide their injuries
- Repatriation – when workers stand up for themselves or are injured, they are sent back to their home country.
- Workers compensation doesn't come through for agricultural workers in PEI but this is starting to change (starting 2017)
- There was a worker (in PEI) who recorded everything with plans to report it all when he got PR, but once he did get PR, he was too exhausted to go through with reporting.
- PEIANC is developing kits of info for employers
- language is also a barrier - supports for ESL is important
- TFW need to speak for themselves & locals need to put effort into understanding
- What can the farm community do to support TFWs? The NFU is supporting them we need to keep pushing and go to government with that power. Government also needs to hear from Church Groups & PEI ANC
- We should be pushing Employment Standards is the agency to do proactive inspections.
- Health and Safety aren't always doing their job well. Even unionized food processors.
- TFW are prohibited from going to school while they're here, which is a big problem.

Question #2

- Workers Compensation
- NFU set up a migrant worker committee, send out press release and get support
- What kind of solidarity event can we do here locally to support the march in September?
- What can civilians do?
- Agricultural workers on PEI are mostly only here for a few months - collect information about when they are here and how long they stay, and how many there are
- There are tons of injured workers, need lots of reforms to workers compensation
- We can make recommendations to the federal review

Ontario concerns:

- Piece-rate systems are a big problem for the safety of the workers – they are trying to get it abolished in Ontario
- Liaison officers are ministry of labour employees from foreign governments that put up barriers and tell TFWs not to talk to groups like Justicia for Migrant Workers

SUMMARY:

Question #1

- Provincially – Employment Standards (submission in September)
- Federally – Participate in the Review
- Policy change – advocate for an open permit

Questions #2

- Find out how many TFWs in Agriculture in PEI
- Solidarity event for the March in Ontario – film screening of Migrant Dreams
- Press release and support for movements

f) Community Sector (non-profits, service groups, other interested community members)

Facilitator: Michelle Jay/Note Taker: Kate Dempsey

Question: 1:

- Change to either recognize migrant workers as equal to Canadians (status on landing) or provision to allow equal rights while they work here – change on federal level and clear responsibility
- enforce labour standards
- fill in gaps between federal program and provincial/municipal gaps
- accommodation and food and transport
- what happens to workers who try to organize?
- EI – some workers can access it sometimes, but all pay into it
- what is the legislation and enforcement for recruiters?
- Welfare system – province steps up- could TFWs qualify for this?
- Separate employer from work permit.
- Changes re: work permit – how does this impact other sectors in Canada – i.e. sectors that don't have trouble finding "Canadian" workers
- mutual benefit

Question 2:

- embrace workers as community members
- tell the human side of the story (point of connection)
- example of Shediac, NB (where access to PR meant retaining workers in fish plant jobs) - can we do it here?
- Relationship building – show that you can be trusted
- economic benefits & schools
- keeping communities alive - we need more people to support the lifestyle we enjoy - if we don't let people stay we won't get benefit

APPENDIX C: EVALUATION RESPONSES

Today I liked:

- the inclusive nature of the activities
- hearing the views of migrant workers and movement organizers - having Filipinos, Chinese, and Canadians sharing thoughts, cultures, beliefs and their knowledge that they have a right to live here in PEI, Canada
- the diversity of the Forum participants, connecting migrant workers and local people
- the unity of the Filipino workers
- all the topics, panels, and knowledgeable presentations from various viewpoints (10), the enthusiasm and commitment of the presenters
- the design of the forum which helped us to express our ideas and opinions (2)
- discussion about migrant workers rights and benefits (3)
- exchanging and sharing ideas; telling our different stories (2)
- broadening our thinking and aspirations for making a better life for ourselves & our families in Canada
- the call to be involved in direct actions, getting response from government
- the open discussion
- the opportunity to learn

Today, I felt:

- good, moved, enlightened, curious, ready to act for justice - challenged, energized, inspired
- hopeful about getting a Permanent Residence, with lots of help and with changes coming
- overwhelmed, honoured by discussions which showed that there are immigrants and locals willing to assist us (3)
- very happy because everybody exercised their voice and their concerns were heard
- more aware of policy and rights of TFW - aware that temporary foreign workers need supports to push forward on today's conversation
- so grateful to understand issues with, and about, migrant workers and grateful for the people who organized this forum (3)
- happy that I am learning about my rights and benefits as a foreign worker
- determined and happy because of the ideas and news I heard today that we have some hope of living here in Canada

- strong, determined, knowing that we have the companionship of so many institutions: “Together, we stand; Divided we fall. Together we climb to the top of the world”
- empowered to support, and advocate for, migrant workers; to act for change, to be an ally (3)
- knowledgeable about different migrants’ issues (2)
- disappointed by the absence of public policy makers, provincial and federal
- happy, grateful and confident that there will be changes in policy
- sad, overwhelmed that so little has been done to embrace international migrant workers as well as the length of time they are expected to stay (2)
- ignorant about so many of the obstacles to equality for TFWs
- more focussed on how to change things

Today I learned that:

- we need to organize around the issues
- the 4 x 4 rule and healthcare exclusion is a hardship for migrant workers (2)
- there’s a lot I don’t know about the issues affecting TFWs
- PEI Government has a division (Employment Standards Board) which is supposed to enforce the rights of non-unionized workers
- some long-time Canadians are willing and open-minded toward changes to public policies
- locals and fellow workers are willing to help us in their own special way. They can reach us: especially Cooper Institute, Newcomers, Kairos, Migrante Canada, Faith sector and other unions and Filipino-canadians
- migrant workers and local communities need to organize ordinary activities to create community unity, equality, and power (3)
- (reminded that) building relationships is a powerful tool for social change
- I am not alone with my concerns about status and I am not alone in fighting for my rights to become a Permanent Resident: we can aim to be Permanent Residents
- we, foreign workers, can share ideas, comments, suggestions and our problems with the Government representatives in our locality - every TFW should speak about our feelings and knowledge our working conditions, how to achieve our goals and be part of the community (2)
- temporary foreign workers, migrant workers have equal dignity and rights to workers here in Canada: I can make a difference (4)
- English Language Proficiency costs (\$310) are not fair for Filipino workers
- there are a lot of loopholes in policies, as well as gaps and barriers which are against temporary foreign workers—these must be changes (5)
- history is being repeated with foreign workers and their treatment

- TFW can be members of a union so that their rights can be protected
- I have a lot to learn about the Temporary Foreign Worker Program (2)
- there is a need to look at the TFW Program more globally and nationally
- there are many different nationalities and cultures involved as migrant workers working for their rights in Canada
- although all workers are entitled to organize, very few migrant workers in PEI belong to a union
- some temporary foreign workers live in horrible conditions, pay into CPP and get no benefit, and sometimes need help with language barriers.

I would like to know more about:

- temporary foreign worker issues and culture
- the multitude of policy gaps and barriers: the rights of migrant workers (2)
- how community groups and individuals can best support migrant workers (4)
- how to effect policy change
- how we can educate the community with more forums like this one
- where temporary foreign workers are located in PEI and how can churches reach out to them
- the policies in PEI about temporary foreign workers and the changes in the Program
- how past Canadian governments offered solutions, or not, to the problems faced by temporary foreign workers
- the plans of the current government to address the concerns of temporary foreign workers, especially with respect to Permanent Residency
- the Temporary Foreign Worker Program in PEI in relation to rights and benefits (8)
- employers, agencies and working relationships; how to prevent abuse by recruiters (2)
- how to advocate for the same rights for foreign workers as for local workers
- the new changes in government policy around TFWs
- how government understands the problems and concerns of migrant workers (2)
- the opportunities for TFWs to find full time jobs in PEI
- our rights as TFWs to go to school or to upgrade their professional training
- other issues relating to newcomers to PEI and about the process for Permanent Residency
- the policy changes and how our tax dollars will be spent to address these ongoing issues (2)
- what will happen with regard to immediate action coming from today's discussions (2)
- what updates, progress reports, there will be on the status of the requests of changes we made today e.g. removing the caps, the 4 x 4, etc.

Today, I decided that I will:

- focus on outreach and organizing
- do what I can to support change, raise awareness and advocate in the community, especially with natural allies (3)
- communicate to the Filipino and Canadian community
- encourage my immigrant friends to join or create a group to support migrant workers
- not be afraid to speak up for my rights as a worker
- be more active in committees by joining groups like this Forum and other actions
- be more involved in the community (4)
- join the (Ontario) march in the Fall
- fight against capitalism
- pass on to other temporary foreign workers the message and knowledge I learned
- remain aware of new and current developments re temporary foreign workers(2)
- follow the Canadian Government's process in implementing their own policies
- stay in contact with fellow Filipinos and other communities
- bring these new learnings to my two Congregations and find ways to meet and welcome all TFWs in our area
- work with unions to bring about change

For next time, let's:

- keep on going, talk and do more (2)
- do it all the same; this went great—follow-up on any changes in the situations (3)
- invite more participants, especially government policy makers employers, more migrant workers, more Filipinos and more supporters of TFWs (16)
- have a monthly forum
- look forward to policies and implementation
- support all the ideas and be aware that working for temporary workers in PEI is supporting the rights of others in PEI and elsewhere
- find a way to integrate the temporary foreign workers and the rest of us at the tables. We tended to sit in our own groups
- have more foreign workers talk about the obstacles they face
- organize to march in PEI in solidarity with the march in Ontario in the Fall