



RESPONSE TO PETITION

Prepare in English and French marking 'Original Text' or 'Translation'

PETITION No.: **421-01716**

BY: **MR. DAVIES (VANCOUVER KINGSWAY)**

DATE: **OCTOBER 18, 2017**

PRINT NAME OF SIGNATORY: **HON AHMED HUSSEN**

Response by the Minister of Immigration, Refugees and Citizenship

SIGNATURE

Minister or Parliamentary Secretary

SUBJECT

Immigration

ORIGINAL TEXT

REPLY

The Government of Canada has taken action to address many of the Parliamentary Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) recommendations put forward in September 2016. On April 10, 2017, the Government published the Path Forward Plan on the Temporary Foreign Worker (TFW) Program, responding to many of the HUMA recommendations. That plan can be found at <https://www.canada.ca/en/employment-social-development/services/foreign-workers/reports/plan.html>.

On Immigration, Refugees, and Citizenship Canada's part, this includes eliminating the "four-year cumulative duration" rule that limited the time a foreign national could continuously remain in Canada as a temporary foreign worker to four years. In addition, the Government has committed to reviewing pathways to permanent residence available to temporary foreign workers, and to working with stakeholders to act on the recommendations of the HUMA report. This analysis is ongoing and is expected to be finalized in the near future.

With regards to pathways to permanent residence, there are existing opportunities for temporary foreign workers to transition to permanent residence across all skill levels, with pathways available through federal and provincial/territorial streams.

Temporary Foreign Worker Program integrity falls under the purview of Employment and Social Development Canada (ESDC). ESDC takes great efforts to uphold the integrity of the TFW Program and simultaneously promote the protection of foreign workers as well as the Canadian labour market. ESDC has the authority to review the actions of employers to assess whether they meet TFW Program conditions. Employers who do not meet these conditions may be subject to administrative monetary penalties and/or bans preventing them from accessing the Program.

Since April 2017, ESDC has undertaken a number of initiatives to improve the TFW Program's compliance regime, including a new risk-based predictive model to help identify who to inspect and prioritizing the highest-risk areas of vulnerability within the Program.

As set out in the Path Forward, ESDC is working on several measures to further enhance protections for TFWs. Among other things, the TFW Program is engaging provinces and territories to improve information sharing, inform enforcement activities, and enhance the protection of temporary foreign workers.

The TFW Program has consulted with various stakeholders including migrant worker support organizations, foreign consulate liaison officers, temporary foreign workers and their employers as well as provincial and territorial governments to identify ways to improve existing worker protection measures. ESDC will continue to engage with stakeholders to identify and address worker protection issues to further strengthen the integrity of the TFW Program.

ESDC and IRCC have also updated the "Your rights are protected" pamphlet found on ESDC's website: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html> ESDC and IRCC will continue to strengthen and streamline information available to TFWs on their rights. The online content of the pamphlet is available in both official languages and will soon be available in Spanish.

Continuous efforts are made to establish partnerships with key stakeholders such as consulates and non-governmental organizations, who can also bring forward workers' issues and concerns. ESDC has also put in place an anonymous tip line and on-line reporting tool to assist the general public and foreign workers in reporting incidents of abuse or potential non-compliance with the TFW Program. With these tools, temporary foreign workers may be encouraged to come forward in exercising their rights, to provide information and submit an unidentified report, without fear of reprisal from their employer.