

In the Matter of the Standing Committee on Citizenship and Immigration and

In the Matter of Representations concerning Bill C-11, An Act to amend

The Immigration and Refugee Protection Act

And the Federal Courts Act

To: David Tilson

Chair of the Standing Committee on Citizenship and Immigration

The Undocumented Workers Committee, of Toronto, hereinafter referred to as "the UWC", is honoured to recommend the following to your Committee:

1. The amendments proposed in Bill C-11 are a positive and balanced step forward in reducing the human misery, exploitation and economic costs associated with the movement of economic migrants posing as refugees. As such, the UWC endorses the letter and spirit of Bill C-11.
2. The UWC is concerned that economic migrants will continue to exploit refugee legislation, including the letter and spirit of Bill C-11, until such time as the administration of Canada's temporary federal skilled worker process is allowed to fully meet the needs of legitimate Canadian employers including those in the construction sector in the GTA.
3. Since 2006, Canada has established the world's leading skilled worker visa system (FSW). The UWC believes that a more consistent and reality based administration of the temporary FSW program, together with Bill C-11 will dramatically reduce the incidence of economic migrants finding support in seeking to exploit any downstream judicial challenges against C-11.
4. Since the failed amnesty of 1986 and the creation of the overly litigious refugee program in post 1989 the economy of the GTA has in several vital sectors, including construction, been driven by employers frustrated by a series of failed federal responses to the need for temporary foreign workers, especially from visa free countries. These employers, and unions, have for over 20 years turned to illegal workers and economic migrants posing as refugees to meet their

labour needs. The ongoing inability of GTA employers to retain temporary workers from visa free countries has fueled two decades of refugee abuse.

5. The only way to assure that the intent of Bill C-11 is not rendered useless, as have been so many past ,relevant initiatives, is to monitor closely the concurrent administration of the temporary FSW program in several sectors vital to the GTA.

6. Despite Canada's new and exceptional, FSW regulatory regime and talented regional administration within HR&SDC, CIC and CBS, too many GTA employers are frustrated by macro, pan Canadian temporary FSW policy decisions coming out of Ottawa that are unrealistically detrimental to the management of a significant number of the GTA's temporary foreign worker needs . A small, but critical, number of unrealistic administrative policy calls from Ottawa since the economic downturn of late 2008 have had the effect of undermining the integrity of the temporary FSW program amongst a growing number of GTA employers. Said frustration is made all the worse by the failure of the Province of Ontario to meet its responsibilities in advising Federal authorities of the GTA's ongoing manpower needs. Ontario stands alone among provinces failing to effectively manage its temporary foreign worker needs.

7. Continued failure, by both Federal and Provincial administrations, of the temporary FSW program will assure the practical evisceration of the intent of Bill C-11. Legitimate GTA employers will have no option but to provide practical assistance to those who will strive to render Bill C-11 useless. Meanwhile, those GTA interests which siphon off many millions of dollars annually through systemic abuse, will undoubtedly see to it that C-11 is challenged and destroyed. We have been down this path before.

8. The only way to assure that the intent of Bill C-11 is not rendered useless, as have been so many past ,relevant initiatives, is to monitor closely the concurrent administration of the temporary FSW program in several sectors vital to the GTA.

Delivered at Toronto this 26 th day of May 2010