

The gravity of the abuses to the Temporary Foreign Workers Program by employers is attested to by the very fact that two waitresses from Weyburn, SK who have been displaced are now sitting before you at this table.

My name is Sandy Nelson and my associate is Shaunna Jennison-Yung. As of March 29, 2014 both of us were left jobless after working for the same company for 28 years and 14 years respectively. In our place now are a TFW and a new landed immigrant. I would like to give you a brief overview of the events leading to this situation.

March 4, 2014 at a staff meeting letters of formal discharge were handed out to all attending Canadian employees and landed immigrants (see attached copies of letters). Our boss said the contract workers would receive a different letter later. Shaunna received her letter on March 11th after returning from holidays. The next day, March 12th, Shaunna questioned one of the bosses as to the content and

meaning of the letter. Subsequently she was subjected publicly to verbal abuse causing her to quit under duress after finally being told it was time she went somewhere else. I decided to stay and work until the last day, which for me was March 28th. On March 18th I did have a meeting with my boss Harry (see attached document) to which I took a witness. When the question was asked if I would be working after March 29 the answer was NO! When asked what Record of Employment would say Harry said lay-off which as you can clearly see from the attached ROE it does not. It does say dismissal which would impact my ability to collect unemployment insurance.

In regards to ROE's as the letter of discharge clearly states ALL staff were discharged. Service Canada should have been notified as per federal guidelines and ROE's should have been issued for all employees. We would like confirmation this did in fact occur or if it did not are the employers not then in violation of Service Canada's instructions for the

laying off of LMO's and/or TFW's in times of work shortage. It has since come to our attention the contract workers did not receive letters of discharge. Is this not a clear contravention of the federal guidelines? This is just one of the questions we would still like Jason Kenney to answer.

To our knowledge, and Weyburn certainly isn't that large of a metropolis, we now know they have three Canadians working part-time in the restaurant with one of them formerly working at the front desk of the attached hotel/motel. The second part-timer was originally hired only as a bartender. One employee is a new landed immigrant with full time hours which have not changed significantly since the restructuring. We would like to note this employee became a landed immigrant about a month prior to these letters of discharge and about a week before I left for a two-week holiday. Also please note this employee had a short meeting with the boss directly after the staff meeting on March 4th where we assume she was

assured the letter of discharge was a formality only. The other full time employee in the restaurant is a TFW, who has only been in Canada approximately nine months. Of the staff working in the kitchen, two Canadians are part-time, one landed immigrant is almost full time and three TFW's are full time. The one cook, now a landed immigrant, who was discharged and also not offered a position was our first TFW coming from the Ukraine. He too worked out his notice and on March 29th the bosses bought him a drink, said thank-you and goodbye. His original ROE also stated dismissal, but was reissued with a shortage of work/end of contract or season as they had no valid reason for his dismissal. This then is the background of the circumstances surrounding our situation.

Since losing our jobs we have scoured the federal websites looking for information about Canadian rights applicable to this situation. We have found some interesting facts which brings us to our next questions.

First, Canadians are apparently not to lose hours to TFW's. However, in January, 2014 I lost one hour per day and when I asked why I was told there wasn't enough work for two employees and the TFW **NEEDED** her 40 hours per week. Is this legal? Are employers allowed to make this decision within the federal guidelines?

Secondly, TFW's are hired for a very specific job, so how is it possible for someone hired as a waitress to assume full time housekeeping duties for five months in 2012 during the hotel/restaurant construction? Also, how can a TFW cook work full time construction during this same period? Currently, another TFW cook is now working part time as a dishwasher to keep her 40 hours per week.

This does naturally bring us to the hotel side with the using of TFW housekeepers routinely, as defined by their daily work orders, going to the bosses houses to do work such as yardwork, cleaning, painting, etc. We feel they are being taken advantage of and are

unwilling to say anything because of possible repercussions.

Our last question deals with Canadian applicants who apply for jobs. Shaunna can personally cite one incident where she saw an applicant sit and wait for an hour to speak to a boss about a prep cook position. After handing his resume in, which looked to have reasonable qualifications, the boss tossed it aside and stated the job would probably be filled by a new TFW they were applying for. He also stated they must advertise the position to gain a LMO approval. Again, I ask is this legal?

In conclusion we would like to say this program is broken and from the media attention it has been garnering lately it is affecting more Canadians than was generally thought. This program is not working for employees but does seem to be working for employers who know how and are willing to play the system.

We would also like to note that as Canadians upon trying to resolve these issues we contacted Labor Standards and Human Rights. Both departments told us it wasn't their department but a federal program monitored and policed by the federal government. Where is this policing and monitoring? Our local MLA said he would pass our information on to the appropriate people. The Program Integrity Services of Canada gave us an e-mail address for Jason Kenney's office to which we sent an e-mail on April 7, 2014 and we are still waiting for a response. We waited two weeks for a response from anybody and when nobody contacted us we felt we had no other option but to go to the media. It has been a frustrating journey over a devastating turn of events which at our ages we never expected to happen. This program benefits TFW's and employers but does absolutely nothing to protect Canadians from unscrupulous employers.