



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# Standing Committee on Citizenship and Immigration

---

CIMM • NUMBER 129 • 1st SESSION • 42nd PARLIAMENT

---

EVIDENCE

**Tuesday, October 30, 2018**

—  
**Chair**

**Mr. Robert Oliphant**



## Standing Committee on Citizenship and Immigration

Tuesday, October 30, 2018

• (1530)

[English]

**The Chair (Mr. Robert Oliphant (Don Valley West, Lib.)):** I'm going to call this meeting to order.

This is the 129th meeting of the Standing Committee on Citizenship and Immigration, where we continue to study migration challenges and opportunities for Canada in the 21st century. It's quite a broad study. We are attempting to add some insights for Parliament's thinking in a general way on this broad topic.

Thank you, Mr. Boldt and Professor Bélanger, for joining us today.

We're going to begin with Professor Bélanger.

[Translation]

Ms. Bélanger, you have the floor for seven minutes.

[English]

**Professor Danièle Bélanger (Full Professor, Department of Geography, Université Laval, As an Individual):** *Merci.* Good afternoon, Mr. Chair and committee members.

It's really an honour to share my perspectives as a researcher on the issue of temporary migrants who work in Canada, many of whom may become permanent residents.

I'm a full professor at Université Laval in Quebec City, and I'm the holder of the senior Canada research chair in global migration processes.

The issue of migrant workers with temporary resident status is a very important one to examine because it holds strong impact for immigration, the labour force and the economy. On this topic I have conducted first-hand field research with temporary workers in agriculture, the IT sector, hospitality and administration in Ontario and Quebec since 2010. This involved more than 100 interviews with workers from different source countries and very extensive time spent in the field with temporary workers. I'm interested in the impact of policy on workers and in restituting their perspectives and experiences.

Let me mention first that some of my points reiterate the recommendations already published in the report on the temporary foreign worker program of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities. This committee was chaired by Brian May in 2016.

Let me first draw your attention to the increasing proportion and number of temporary residents in Canada over the past few decades. A large proportion of these temporary residents are work permit holders. They include foreign students and asylum seekers, as well as temporary workers, of course. I mention this because most studies, as well as the work of the previous standing committee, specifically focused on those who come under the temporary foreign worker program. Rarely do we have studies considering the impact of the presence of workers with temporary status, including all entry categories.

The increase is significant both in absolute and relative terms. I'll just bring one number to you. According to the 2016 census, the population of Canada increased by 10% between 2001 and 2016, but the proportion of the temporary residents increased by 155%. That's very important. Despite short-term fluctuations in temporary foreign worker admissions, which civil servants will certainly share with you, we need to keep an eye on the overall trend and the big picture of the situation.

Why should we care about the increase in temporary residents in Canada? Why does it matter? I will stress four reasons today.

First of all, temporary residents who work have fewer social rights than permanent residents. Not all of them have access to health care services, for instance, yet they pay income taxes.

Second, temporary residents who do not have the right to work—some of them don't—are likely to engage in unreported work to support themselves.

Third, temporary residents who do not renew their visa are likely to stay in Canada and increase Canada's undocumented migrant population.

Fourth, and very important, temporary residents in the labour market may have an impact on working conditions of all workers because they are often dependent on their employers for their right to stay, their right to return to Canada, as in the case of workers in agriculture, or the ability to become permanent residents. For these reasons, they are often willing to work under different conditions, such as lower wages or longer hours. This creates inequalities among workers and tensions in the workplace, and I've seen many instances in my field work.

My slide 5 shows you how it may have an impact. It shows you the median weekly income for temporary residents in the workforce relative to permanent immigrants. What we see from these analyses—we have a full paper with extensive analyses—is that temporary workers earn less than other immigrants. We found also that temporary workers work more hours on average per week than other immigrants. All other things being equal, resident status matters for income, and temporary residents may be disadvantaged, and it may have an impact on the workplace overall.

My first point was about the increase in temporary residents in the workforce and the impact on wages. Second, I would like to bring forward and specifically talk about temporary foreign workers, not all temporary residents.

●(1535)

The majority of these workers hold an employer-restricted work permit, a work permit that ties them to one employer only during their employment in Canada. All research is unanimous about the very problematic effects of these work permits on workers. It creates an imbalance of power between the employer and the worker, and it puts workers at risk of abuse, particularly those holding low-skilled positions. Much research has also indicated that women may be more at risk. I have witnessed many cases in my own research.

I bring this up simply to reiterate recommendation 14 of the 2016 standing committee report. It did say that these permits should be replaced by open permits. No other legal workers in Canada are subject to such measures and foreign migrant workers should not be either.

My third point is about pathways to permanent residency. Some temporary workers have this access to permanent residency, and this is a very positive policy, of course, but there are aspects that require improvement. I will mention three difficulties that many workers encounter.

First of all, temporary workers cannot access settlement services during their period as a temporary resident. This may have long-term impacts once they become a permanent resident, for instance, language acquisition.

Second, the procedures to make the transition from temporary to permanent status require the employer's participation. This provision makes temporary workers extremely dependent on their employer, including higher-skilled workers.

Third, the procedure itself is complex and many hire private consultants to assist them. Some find themselves in the stressful [*Technical difficulty—Editor*]

Can you hear me, Mr. Chair?

**The Chair:** I can hear you. Can you hear me?

**Prof. Danièle Bélanger:** Yes, I can hear you.

**The Chair:** We stopped at your third point with respect to the complexity of the system.

**Prof. Danièle Bélanger:** Should I stop now, or...?

**The Chair:** You can keep going. We'll give you more time.

**Prof. Danièle Bélanger:** Okay. I have maybe one and a half more minutes left.

This leads me to my last point, which was recommendation 16 in the previous report of the standing committee. It called for wider access to permanent residency for temporary workers.

The reality of temporary workers is that many of them do not fill temporary labour needs at all. Many of them work in the most difficult jobs that provide essential services to our communities. They pick the local fruits and vegetables that we eat, change the beds in our hotels, clean toilets in private homes, take care of our elderly and our children, and will increasingly do these tasks. These labour needs are much longer term.

To conclude, I'd like to stress that, in assessing the situation with respect to temporary workers in Canada, more space could be provided to workers themselves—Canadian-born, immigrants and temporary workers—to better understand the dynamics that their presence involves. Much of the focus, I find, is on administrative measures rather than on the bigger picture. The effects of policies on the workers' lives are extremely important for Canadian society and the labour market.

Thank you.

**The Chair:** Thank you very much.

Mr. Boldt, thank you for coming back.

**Mr. Randy Boldt (As an Individual):** Thanks very much for having me.

I'm going to be covering two topics today. One is parents and grandparents. The other is business immigration. I'm choosing those because they're somewhat controversial.

Many Canadians support economic immigration. They have an understanding of our obligations for humanitarian classes, but are bewildered by why so many parents and grandparents are being approved. They say things such as the last 10 years of somebody's life is where 80% of our health care costs rise, or that they're just here to collect old age security or the guaranteed income supplement.

Those of us working in immigration realize how important this category is for many families in Canada. We're aware of the cohesiveness it brings to immigrant families whose lives feel weaker and less stable without the support of their parents.

We also suspect that it leads to far better economic outcomes, due to things like reduced reliance on subsidized day care, large transfers of monies from parents to their children, more stable marriages and generally less reliance on social services—perhaps even allowing families to have more children, thereby reducing the need for more immigration to support job growth.

The world is much wealthier now, and the old Indian couple you see walking around the community may have sold their family farm and transferred half a million dollars to their Canadian children. The Chinese couple shopping with their grandchild in the supermarket looking earnestly for bargains may have sold a house in Shanghai for a million, and brought all of their money to Canada.

I travel to China a great deal. When I am there, I often go for a walk in the park in the morning. It could be any park, anywhere in China. In each and every park there are thousands of elderly Chinese who gather in the mornings. They're all doing amazing exercises and activities. They're singing, dancing, doing tai chi, weight training, and on and on. They all eat healthily and have good mobility.

When I go to a food court in any mall in Canada, I see hundreds of unhealthy Canadians drinking litres of sugar-filled soft drinks to wash down their plates of burgers and poutine. I note the absence of elderly immigrants consuming the same things. If they are at the food court, they are generally talking and socializing. If they are eating, it is with care and attention to what they consume.

Are these older people coming to Canada to take advantage of our health care system? The real truth is that our health care system is not that good, and is only ranked 30th by the World Health Organization. I know many Chinese who regularly go back to China for health care treatment. I don't know many who have immigrated to Canada for our health care system.

Many Canadians are not aware that parents who are sponsored by their children are not able to claim old age security for their first 10 years in Canada, and 20 years for the guaranteed income supplement. Of course, unless they work in Canada, they don't qualify for the Canada pension plan. That means the costs of their care must be borne by themselves and their children. By having these parents and grandparents come to Canada, they add to the lives of the whole family.

I also suspect that they have a net positive economic impact. How much, I really don't know. They bring money, buy goods and services, have overseas pensions and reduce social services costs for their children.

I would love the Canadian government to analyze the effects, costs, and economic benefits of parents and grandparents. I think that if we were to analyze it, the results would be truly astounding. Parents and grandparents have a very different demographic impact on our society. They won't be having more children and their main purpose in life is simply to support their children here in Canada.

If we don't undertake an analysis based on facts, many Canadians will continue to not appreciate this important group of immigrants. Maybe the results will be different than I expect, and maybe they are a drain on our health and social systems. I doubt it, and I suspect all of you do, as well.

Please consider undertaking an economic analysis of this group. It will help the national discussion greatly and lead to greater acceptance of grandparents and parents in Canada. Such an analysis of economic data will add to the unity of our country and allow any government to develop better immigration policies.

I've been involved in business immigration for 20 years. When I was first hired by the Manitoba government, my job was to attract overseas investment to the province. I quickly discovered that most foreign direct investment to Canada came to invest in natural resources or in large manufacturing sectors in the Golden Horseshoe. Unfortunately, Manitoba has less than the national average of natural resources and doesn't have a city of several million to attract large manufacturers.

I was also tasked with managing the business immigration program, which was effectively handing out business cards and asking immigrants to come to Manitoba. At that time, there was a federal entrepreneur program. In a good year, Manitoba might get four business immigrants. This led us to decide to try a different approach.

We launched the Manitoba provincial nominee program for business in 2000. It was the first business immigration program under the nominee program. From the moment we launched the program, there were hundreds of business immigrants wanting to move to Manitoba. It has truly transformed our province, with hundreds of new businesses being started.

● (1540)

A subsequent program went to Saskatchewan and did the same thing there, and they have enjoyed similar or even more success.

Under Minister Kenney, the federal government effectively stopped their business immigration programs, both the entrepreneur program and the investor stream. Minister Kenney was able to obtain tax filings for a cohort of live-in caregivers and found that they actually paid more income tax than the federal immigrant investors did. Based on this result, he correctly closed down the program.

Sadly, the Quebec immigrant investor program continues to this day, with about 1,750 families per year being approved. It has three major faults. One is that very few of the approved applicants actually establish a business in Canada or in Quebec. Two, they pay very little income tax. Three, Quebec is effectively selecting immigrants for B.C. and Ontario, which is outside of their agreement with the Government of Canada. They are allowed to select Quebec immigrants but not immigrants from out of province. Estimates are that less than 10% of Quebec investors actually settle in Quebec.

I would encourage this committee to look at the abuses of this program. It is not a program that should be supported based on any analysis.

I'm here to advocate for real business immigration programs—both entrepreneur programs and investors. Most provinces have started entrepreneur programs with varying degrees of success. The most successful ones allow business people to come to Canada under a work permit, establish a business, and then obtain immigration once the business has been operational for six months. The process is working, and I would encourage the federal government to consider launching a similar national program. If it is done well, it would create thousands of new companies and tens of thousands of new jobs.

Similarly, the Quebec investor program needs to be wound down like the federal investor program was. In their place should be a real investor program, where applicants would invest \$1 million in real risk capital placed into privately run investment funds. These funds could be used to invest in the private sector, non-public companies in Canada, or in private-public partnerships, particularly those that have a social benefit.

This idea came to my attention from Olivia Chow, who is advocating for the establishment of a federal investor stream with some of the money being used for social development. This idea is worth considering. In my opinion, there is an appetite for about 3,000 of these kinds of visas per year for investors. If the required hold period was for seven years, and the risk capital per person was \$1 million, it would effectively raise \$21 billion in private sector investment over this time frame. That's a lot of private sector investment for Canada. All of these applicants would be screened to an even higher standard than our skilled workers.

A local politician in Manitoba recently asked me what I thought of business immigrants being “fast-tracked” into Manitoba. I laughed when he asked, as business immigrants to Manitoba or anywhere else in Canada need to provide at least five times more documents, take two to three times longer to process, and only get work permits when they've established a business. This process takes at least four years—not much of a fast track compared to the express entry, which is supposed to take about six months.

• (1545)

**The Chair:** I just need you to wrap up.

**Mr. Randy Boldt:** Okay.

Finally, if the government agrees to get back into business immigration, please recognize that unless you hire people with a business background, then it's very difficult to develop these programs, as all provinces do that.

Thank you very much.

**The Chair:** Thank you.

Ms. Zahid, or should we go back to Marwan?

**Mrs. Salma Zahid (Scarborough Centre, Lib.):** It's not me. It's in the second round.

**Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.):** I can go first. We were switching, and then...

**The Chair:** You're not now. Okay, you're going to go first.

Mr. Tabbara.

**Mr. Marwan Tabbara:** Thank you very much, Mr. Chair.

Thank you to both of the witnesses for coming here. Sorry, I'm losing my voice a little, so be patient with me.

For the first witness who spoke via teleconference, you mentioned the percentage of temporary foreign workers who come into Canada per year. We're seeing a lot of economic migrant workers across the globe. There was around 258 million in 2017. In 2000, that number was around 150 million, I believe. We're seeing a lot of individuals moving because of economic opportunities.

Perhaps you could elaborate. We've taken in roughly over 300,000 new immigrants per year, and I think it would be an easy way for us to capture a lot of these economic immigrants and ensure that they have a pathway to citizenship. They're already paying taxes within our country, and probably speak sufficient English or French. How do we ensure that we have these pathways?

Mr. Boldt, you mentioned business migrants and how to fast-track them. We did implement the global skills strategy. We can now get in economic migrants within a couple weeks, but they're generally high-skilled migrants. How can we make certain policies to harness a lot of these economic migrants who are already here, and get ones who are ready and have certain skills into Canada a lot faster?

• (1550)

**Prof. Danièle Bélanger:** That's a very good question. How do we ensure we keep more of our temporary workers who already have established networks, have Canadian work experience, some of whom have some of their family members here as well who are also in the workforce?

A recent study that was done by Statistics Canada in partnership with IRCC indicates that permanent residents who were here before as temporary workers do much better in the labour market than those who come directly into Canada as permanent residents.

That being said, one obstacle right now is that only those with higher skills and higher human capital are provided with the opportunity to stay. However, many of those in other occupations who have lower education, let's say, are likely to stay in those occupations because this is where they have acquired their Canadian experience. It would certainly be a very positive development to encourage the government to retain more of them regardless of their level of education, for instance, and value their Canadian experience more.

**Mr. Marwan Tabbara:** Thank you.

You mentioned also the dependency on employers. I want you to elaborate on that a little bit more. Is that a barrier for them to get permanent residency here? I want you to elaborate on the dependency on the employer.

**Prof. Danièle Bélanger:** The dependency in relationship to permanent residence may be a barrier because it's the employer who has to initiate that process with the temporary worker. The employer has to provide documentation about the worker and has to offer continuous employment after the acquisition of permanent residency. Of course, the individual doesn't have to stay with that employer, but what we see in the field is that with good employers, things go smoothly, but if you have employers who tend to be more abusive, they use that as a carrot. If the workers don't work overtime; if they don't accept those working conditions, they will not assist the workers with their transition to permanent residency. That dependency can be very problematic.

We hear a lot of workers say they are putting up with this but as soon as they have their permanent residency, they will certainly work elsewhere because this doesn't follow their contract, or the labour code is not respected, and it can be very tricky.

This is an issue for sure.

**Mr. Marwan Tabbara:** For my second question, Mr Boldt, at the very end of your testimony you mentioned business migrants and that they are fast-tracked. What other types of programs would you like to see considering that? I mentioned the global skills strategy, so that's one, but what else would you like to see?

**Mr. Randy Boldt:** Canada remains a very attractive place to come and establish a business. The Canadian government has very few programs to encourage that. We try to encourage foreign direct investment, but it's difficult for companies to come here and establish a business. There's a growing desire in many countries around the world to establish a base in Canada.

One of the advantages we have is that unlike I think any other country in the world we have a free trade agreement with both Europe and the United States and Mexico. To establish a base here in Canada gives that opportunity for companies. We don't have a program to allow that.

If you were a medium-sized business in Indonesia and you wanted to come here to establish a business here, the federal government doesn't have a program to allow and encourage that. You can do an intra-company transfer, which is a temporary work permit, but it really is not facilitating the movement of companies to come to Canada. It's not encouraging it. By getting rid of the entrepreneurs and investors program and not replacing it with something, we're not attracting companies to come here.

I think all of you are aware that foreign direct investment over the last couple of years has dramatically fallen in Canada, so it would be good to try to develop programs for that.

**Mr. Marwan Tabbara:** You mentioned the investor program. I could be mistaken, and maybe you can elaborate a bit more, but I believe the criterion was having a certain amount of funds within your bank account and when you did immigrate to Canada and wanted to start up a business or invest, a certain portion of those funds had to remain in the account. It was a significant amount. That was the barrier before, then, too.

•(1555)

**Mr. Randy Boldt:** The money wasn't used, sadly. I was the person responsible for that in Manitoba, and I administered those

funds in Manitoba. The money came from the federal government to the provinces to administer, and the provinces did nothing with those monies.

What I think needs to be done is.... The provinces had to guarantee the repayment of those monies. If the investor deposited \$400,000, they were guaranteed to get \$400,000 back, so it wasn't risk capital. If we are going to have an investor program, the investor has to agree to invest in real risk capital.

**The Chair:** I need to end it there. I'm sorry, but we're a little over time.

Thank you.

Ms. Rempel.

**Hon. Michelle Rempel (Calgary Nose Hill, CPC):** Thank you, Mr. Chair.

I move:

That, pursuant to the Order of Reference of Wednesday, October 24, 2018, the Committee consider the Supplementary Estimates (A), 2018-19, before the reporting deadline set out in Standing Order 81(5); and that the Committee invite the Minister of Immigration to appear in view of this study. Debate arose thereon.

**The Chair:** Before we do that, are you going to bring a second motion, too?

**Hon. Michelle Rempel:** Let's deal with this one first, perhaps.

**The Chair:** I was going to give time for the other side to discuss both motions.

Could I just check to see whether there's unanimous consent to invite the minister to come for supplementary estimates?

(Motion agreed to)

**The Chair:** Thank you.

**Hon. Michelle Rempel:** Excellent.

I'll go on to the next motion.

**The Chair:** I suspected.

**Hon. Michelle Rempel:** We chatted. It happens.

I move:

That, pursuant to Standing Order 108(2), the Committee conduct a study of the United Nations' Global Compact on Migration; that this study examine the degree to which Canada was consulted; that the study also determine how the compact will affect Canada, including but not limited to potential impacts on immigration levels, resettlement cost supports, potential cost impact on social programs (such as social welfare systems, affordable housing stock, regional homeless shelters and food banks), sovereignty on decision making regarding immigration policy; that departmental officials be in attendance for at least one meeting; that this study consist of no fewer than two meetings; that the study be completed prior to Canada making a final decision to ratify the United Nations' Global Compact on Migration; that the Committee report its findings to the House; and that pursuant to Standing Order 109, the government table a comprehensive response thereto.

We're about to enter into this agreement, and there hasn't been a lot of discussion about it within the context of Parliament yet. I've had a lot of questions about the agreement in my office, and I'm assuming that colleagues of all political stripes have as well. I think it's incumbent upon us as parliamentarians to show the public, to get a better understanding of the intent of the agreement, and then, frankly, to discuss the agreement in the context of Canada's current immigration situation.

I moved the supplementary estimates motion first because there has been a considerable amount of taxpayer dollars spent on unplanned expenditures related to the situation at Roxham Road. As a parliamentarian, I feel, and I would hope everyone here does, too, that it's incumbent upon us to understand the full impacts of this agreement and perhaps also the global compact on refugees prior to ratification so that we can evaluate this in the context of the upcoming immigration levels plan, as well as in the context of the budget.

Frankly, I am a little tired of evaluating budgetary impacts related to the immigration system at this point in time after the fact. I'm also becoming frustrated about evaluating changes to policy related to immigration levels without looking at a broader context.

I do believe that this motion is in order, given the fact that we have moved similar rules in our routine motions. It's also related to the scope of this study. I think it is incumbent upon us to get this done prior to ratification in December.

Thank you.

• (1600)

**The Chair:** I'm going to suggest that strictly speaking, the motion is not admissible because it did not have 48 hours' notice. However, if we can find a way to weave it into our ongoing work, I think it would be acceptable.

**Hon. Michelle Rempel:** Okay. I have a point of order on that, just for clarification.

In our routine motions, it does say that 48 hours' notice is required "for any substantive motion to be considered by [a] Committee, unless the substantive motion relates directly to [the] business then under consideration". I would note that the business under consideration is a study entitled "Migration Challenges and Opportunities for Canada in the 21st Century" and, indeed, the preamble to the global compact on migration is something that directly relates to the study.

What I would not like to see happen is to have this study specifically on the global compact on migration be punted and have the committee report its findings or recommendations to the House post-ratification of the compact.

**The Chair:** I'm just going to say that we have a problem there, because it can't be both. It is either a part of the study under which we are engaged and doing that, or it's a separate study, which would come later and which I think is problematic because it would be coming after the ratification of the agreement.

I am trying to work with you on this. If we can work for a way to have it in this study, it would be an allowable motion, which I think we can do.

**Hon. Michelle Rempel:** On a point of order for clarification, the routine motions don't state that the study has to be part of a different study. It has to be that the content of the substantive motion is relevant to the subject matter at hand. Mr. Chair, I believe it would be incumbent upon you as chair to tell the committee, in ruling that it's out of order, how the ratification of the global compact on migration is irrelevant to the business the committee is currently studying, given the breadth and scope of current study.

**The Chair:** Yes, it does relate to the study, but a separate study would be different.

This is my exact issue. The way the wording is right now, it is to conduct a study of something which is outside the current study. If we want to keep that wording that it's a study outside the current study, I will require 48 hours' notice. If we're able to find a way to have the study within this study, which I'm very amenable to, then it would be acceptable.

**Hon. Michelle Rempel:** Just as a point of clarification, Mr. Chair, on the record, you just stated that the global compact on migration or the study of that is relevant to the business at hand—

**The Chair:** Absolutely.

**Hon. Michelle Rempel:** —so I've asked you to clarify how a study on the global compact on migration is not part of the business at hand. I ask this because the routine motion that we passed on February 16, 2016, states, again, that "the substantive motion relates directly to [the] business then under consideration". It is incumbent upon you to inform the committee on your decision on how the global compact on migration would not be relevant to the migration challenges and opportunities for Canada in the 21st century.

**The Chair:** I would argue and I will rule.... I don't argue as the chair—you'll hear in a minute—that a study of something is outside the scope of this study; however, the topic of this discussion would be ruled within the scope of the study. It's slightly nuanced.

**Hon. Michelle Rempel:** Just for—

**The Chair:** I won't recognize you yet, because I have other speakers.

**Mr. David Tilson (Dufferin—Caledon, CPC):** I think I'm first.

**The Chair:** No, you're third, and then fourth....

I will rule that on the issue of this, if we can phrase it as "the issue" and if you're acceptable with that, we would put it in the study and we would get it within the time frame of the December 10 ratification; however, a separate study outside this study would not be allowed.

I'm kind of giving you a little option there to say that if you want to just change that to "include in this study the topic of", then we can do it. It will get your work done, I think.

**Hon. Michelle Rempel:** If I may, Mr. Chair, as a point of clarification on what you're proposing today, would that allow for two meetings specifically on the topic of the global compact on migration as well as a report presented to Parliament with recommendations prior to the ratification of the agreement?



•(1605)

**The Chair:** I would say that it would be impossible to have that done before December 10; however, the committee could direct an interim report on this topic before that date. We could report, but the report would be an interim report, which could be done.

Am I correct?

**A voice:** [*Inaudible—Editor*]

**The Chair:** Yes, an interim report. We would send it to the House before December 10, but it would be an interim report on the study with one narrow focus, which would be the global compact.

**Hon. Michelle Rempel:** Okay, just so I don't have to argue this again down the road, would the motion need to be amended to make that formal?

**The Chair:** I think we should amend it, because I think it should be on the record. I think we will do it, but I would like to.... We can amend it once we're doing that.

I'd like to go to Mr. Sarai.

**Mr. Randeep Sarai (Surrey Centre, Lib.):** Could I ask to suspend so that the government side can discuss this for five minutes?

**The Chair:** Okay. We're going to suspend and have a little discussion.

•(1605)

\_\_\_\_\_ (Pause) \_\_\_\_\_

•(1605)

**The Chair:** Let's go.

Mr. Whalen, you're next.

**Mr. Nick Whalen (St. John's East, Lib.):** Thanks, Mr. Chair.

Ms. Rempel, I think this is really interesting. I think we should do it. It's good work.

In terms of what's being proposed, when amended—if we could figure out the exact words—it would be to dedicate at least two meetings to it.

You've only included the United Nations global compact on migration. You don't have the refugees there. I'm not sure if it's your intention to have both of the global compacts included in this sort of interim report period, in which case we might require four meetings instead of two to get it all fleshed out and then get the interim report in.

To clarify for people in the room, there is no government response in particular with respect to the interim report. We'll get the government response on the full report when it gets wrapped together.

I just want to make sure that we're clear about what we're agreeing to.

•(1610)

**The Chair:** There could be...if the committee directs it, but there are the usual timelines.

**Mr. Nick Whalen:** In which case, we are happy with doing that as part of the study that we have before us. If we could squeeze in four meetings on this topic, we could get it done before December 10.

As suggested by Ms. Rempel, I think it would be very worthwhile.

**Mr. David Tilson:** Are you agreeable to an interim report?

**The Chair:** The clerk has some suggestions.

I have Mr. Tilson next, but just before he goes, the clerk has suggested some wording. It would be, "That"—striking "pursuant to Standing Order"—"in relation to the committee study of migration challenges," etc., "the committee study the United Nations global compact".

It's sort of a small "s" study. We would study the global compact on migration and the global compact on refugees. It continues until "that the committee present an interim report on its findings on these two topics to the House and that they table a report".

**Hon. Michelle Rempel:** Mr. Chair, on a point of order, have you deemed my motion admissible as it stands?

**The Chair:** I would have to rule it inadmissible, unless we can find....

I'm kind of moving outside procedure to not deem it inadmissible.

**Hon. Michelle Rempel:** On a similar point of clarification, if you rule it inadmissible today due to the 48 hours' notice, I can move it again on Thursday.

**The Chair:** Just to explain, when I discussed this with the analyst and the clerk today, we felt that this was urgent enough that I'd like to get it done today. That's so they have time to get the best witnesses, given our time frames. We have a break week in November.

We can wait until Thursday. I just wanted them to get going on it.

**Hon. Michelle Rempel:** Right.

My concern, Chair, is that if my motion is not moved as written, that the interim report will not have a government response tabled with it to Parliament, which I think is incumbent for us to have done prior to the ratification.

If the decision here is that you are trying to amend my motion, I would assume it's admissible. If you are attempting to edit it such that it is part of the study with an interim report, but there is no....

**The Chair:** We've left in that the government table a comprehensive report.

**Hon. Michelle Rempel:** I guess what I'm trying to say is if you try to amend my motion, I'm assuming it's in order.

**The Chair:** I'm trying to amend it to make it in order.

**Hon. Michelle Rempel:** Well, I don't accept that, unless there is an understanding from the government side that the request here is to have a government response tabled.

**The Chair:** The analyst is asking whether you are expecting a government response prior to December 10.

**Hon. Michelle Rempel:** Well, it's the Standing Orders.

**The Chair:** We won't have one prior to that. It's 120 days.

**Hon. Michelle Rempel:** Yes, but—

**The Chair:** We have no problem with a response, but—

**Hon. Michelle Rempel:** I would note that what I would not want to see happen through procedural technicalities is that we request to have no interim report, so say, “Don’t worry; this will be part of the response to the overall study”, and then we are in an election, which would be unfortunate. That is not the intent of my motion.

**The Chair:** The way the motion, as amended, would go is that the committee present an interim report on its findings on these two topics to the House, and that pursuant to that, the government tables a comprehensive response. It would be that. You’re not going to get a response before December 10.

**Hon. Michelle Rempel:** It would be before June 30—

**The Chair:** It’s 120 days.

**Hon. Michelle Rempel:** —one would presume.

**The Chair:** The tabling of the report will be before December 10. The government response could be up to 120 days.

**Hon. Michelle Rempel:** This is your opinion on that motion that has not yet been ruled in order.

• (1615)

**The Chair:** That’s right. I’m trying to help you get this through.

**Hon. Michelle Rempel:** I would be very curious, Mr. Chair, as to what the government members’ response would be to such an arrangement prior to your ruling that it is in order or out of order.

**The Chair:** They may just prefer me to rule it out of order.

**Hon. Michelle Rempel:** In which case, I will move it again when it is in order.

**The Chair:** That’s right, but then the analysts will have a harder time and the clerk will have a harder time getting this done before December 10.

It’s up to you.

**Hon. Michelle Rempel:** I would love to hear from my colleagues.

**The Chair:** Okay. I have Mr. Whalen, Mr. Tilson and Ms. Kwan.

**Mr. Nick Whalen:** That’s exactly what we’re proposing, as to whether or not...is it not possible to have a December 10 response?

**The Chair:** Not a response, but a report.

**Mr. Nick Whalen:** Yes, the report will be done by December 10. The response can’t be completed before then. As to whether or not the response to an interim report comes, I’m not sure of the rules. Did the analysts say they can’t have a response to a report...? Then presumably it comes before April 9, just doing the quick math on the number of days in each month. That should be acceptable to Ms. Rempel. Otherwise, it’s out of order and I guess we waste time on Thursday and likely come to the same conclusion.

**Hon. Michelle Rempel:** Would the government members, through you, Chair, accept asking for a government response on the interim report?

**The Chair:** Yes.

**Hon. Michelle Rempel:** Okay. Thank you.

I’m looking to the clerk for procedural appropriateness. Then perhaps I should move the motion....

**The Chair:** This is one of those situations where I’m trying to find a way to get this motion passed to honour the 48-hour notice, but if you make some changes to it, then it works and we’ll accept it, as part of the business today.

**Hon. Michelle Rempel:** If I have the floor, Mr. Chair, my understanding is that you are ruling my original motion out of order—

**The Chair:** However, if you wanted to substitute some language, we’ll rule it in order.

**Hon. Michelle Rempel:** Then, I so move, in an ode to Bosc and O’Brien, in relation to the committee’s study of migration challenges and opportunities for Canada in the 21st century, that the committee study the United Nations global compact on migration—

**The Chair:** And....

**Hon. Michelle Rempel:** No....

**The Chair:** You don’t want the other one.

**Hon. Michelle Rempel:** Just as an aside to my colleagues, I don’t feel it is as far along as the other global compact is. I’m fine to look at them both at the same time. I think it would be prudent.

**The Chair:** They’re both at the same level.

**Hon. Michelle Rempel:** I will continue on, “and the global compact on refugees; that the study examine the degree to which Canada was consulted; that the study also determine how the compact will affect Canada, including but not limited to potential impacts on the immigration levels, resettlement cost supports, potential cost impacts on social programs, such as social welfare systems, affordable housing stock, regional homeless shelters and food banks; sovereignty on decision-making regarding immigration policy; that department officials”—and the minister?

**A voice:** No.

**The Chair:** That’s not in the motion—

**Hon. Michelle Rempel:** You do not want the minister to be in attendance.

**The Chair:** Perhaps—

**Hon. Michelle Rempel:** What about a relevant minister?

**The Chair:** We can always request a relevant minister. They may or may not come.

**Mr. Nick Whalen:** Is it request or require?

**Hon. Michelle Rempel:** I will continue, “that the relevant minister be in attendance for at least one meeting; that this study consist of no fewer than four meetings; that the study be completed prior to Canada making a final decision to ratify either compact; that the committee provide an interim report on this aspect of the study to the House; and that, pursuant to Standing Order 109, the government table a comprehensive response to the interim report.”

**Mr. David Tilson:** When?

**The Chair:** The only thing I'd change is the second and last use of the word "study" to maybe "topic" or "issue" because we use the word study, but I think it's the topic within the big study. We're not going to do an interim report. We're going to do an interim report just on this topic.

**Hon. Michelle Rempel:** I would argue that it's *la même chose*.  
● (1620)

[Translation]

**The Chair:** It is the same thing.

[English]

I think we understand that what we're doing is a small *s* study.

We have a revised motion on the floor, which I believe is in order because it does relate to our current study under way.

I'm looking at Ms. Kwan.

**Ms. Jenny Kwan (Vancouver East, NDP):** [Editor—Inaudible]

**The Chair:** Mr. Tilson.

**Mr. David Tilson:** I wouldn't dare to interrupt this delightful debate, so I pass.

**The Chair:** Then we'll vote.

(Motion agreed to [See Minutes of Proceedings])

**The Chair:** Good.

I know that was an unusual procedure, but my goal was to get moving on this so that we can get our work done.

Now we go to our witnesses.

**Hon. Michelle Rempel:** I still have seven minutes.

**A voice:** No.

**Hon. Michelle Rempel:** Yes, I do, actually, pursuant to...

**The Chair:** You do have seven minutes, but you may generously give some of that to your colleagues.

**Hon. Michelle Rempel:** Thank you, Mr. Chair. It pays to know the rules, doesn't it?

Going back to the topic at hand, I am very interested with regard to the temporary foreign worker program, writ large. I think a lot of Canadians don't understand that the TFW program is broken down into different silos. There are high-skilled workers, low-skilled workers, and workers under the seasonal agricultural program. I find it's one of the biggest topics that I hear about in my work as a shadow minister. I find the term "temporary foreign worker" pejorative in nature. I think of the witness testimony here. In certain areas of the country, we are relying on this type of work, and I think it's incumbent upon us in this committee to understand why.

One of the potential changes that I've rolled out as an official policy from my party is that we would seek to completely revamp the program to do the following: We would make it less onerous on employers who require labour, by having better labour market data and by better tying the entry to that. To the testimony that was given here, we also recognize that in certain areas entire industries and regions are relying on this work, so rather than just looking at it year

over year, if the labour market data shows this, then we should be trying to offer a path to entry over time.

One of the concerns that I hear from a lot of Canadians is about ensuring that self-sufficiency and integration are key aspects of Canadian immigration policy. I think there's a lot of perception that we are offering paths to entry for people who are relying on Canada's social programs.

Dr. Bélanger, would you be amendable to looking at a path to entry in a revamped TFW program where that is actually tied to a record of employment over a set period of time? For example, let's say you have worked for three out of four years, and you have demonstrated that you have been employed in Canada and have not been a drain on the social assistance program. That would be a path to entry.

I'd like your comment on that.

**Prof. Danièle Bélanger:** Do you mean after people acquire permanent residence or before?

**Hon. Michelle Rempel:** What I'm trying to do is...and I mean, we would need to rethink resettlement services in rural communities and so on. Basically, it's a matter of saying that if they are coming here year after year to pick fruit, there's probably a need for that over time. However, the path to residency should be attached to proven employment. I think where Canadians are finding difficulty with our immigration policy right now is that there's a perception that low-skilled workers are entering the country, either through our humanitarian immigration system or through this program, and then becoming a drain on the social welfare system in Canada.

I'm just trying to eliminate that as a narrative, and offering that as an incentive for people to stay employed in Canada after they've entered the country as a low-skilled worker.

**Prof. Danièle Bélanger:** There is no study about this...actually, there are some studies, but I strongly think from having discussed this with so many temporary foreign workers, that people who are already employed continue to be employed. They're the most likely to be employed, more than direct entry. Some direct entry permanent residents who enter through some other category have difficulty finding employment or are on social assistance for some time. That's the narrative you're alluding to. Whereas people who are already in the workforce, who have work experience on their CV, have a good relationship with employers are very unlikely to be a drain on the Canadian social welfare system.

I think what some people are advocating for in the temporary resident period are sector-specific work permits rather than employer-specific work permits, and also maybe geographical limitations. If you're going to Alberta to work in food packaging, you have to work in food packaging in Alberta, but you may not stay with Maple Leaf. If you're not happy, you can go somewhere else. That could be an interesting move, a very positive move, I think. It could boost productivity, and it could be very positive both for workers and employers to facilitate more circulation of workers within that sector.

Once people have permanent residence, it's much trickier because our Charter of Rights is very complex. It limits their employment and forces them into a certain sector. However, as I said earlier, people with lower social capital are very likely to stay in that sector if they're happy with the employer. Large employers who have provided good service, including help with getting permanent residency, have a high retention rate. The issue is more with smaller employers and people who cannot offer assistance. I think overall it would be positive.

Agriculture is a sector with specific issues because it's seasonal. There would have to be bridge employment for these workers during the winter season, for instance.

• (1625)

**Hon. Michelle Rempel:** Thank you.

**The Chair:** Ms. Kwan.

**Ms. Jenny Kwan:** Thank you very much, Mr. Chair.

On the temporary foreign worker program, Dr. Bélanger, you mentioned the imbalance between the worker's perspective and that of the employer and the fact that the worker is entirely reliant on the employer and therefore is subject to potentially various pressures, and I would argue to some degree, abuses in the system.

To the issue about the suggestion that somehow these workers are a drain on our system, you noted in your presentation that these temporary foreign workers come into the country, work, and are not eligible for a variety of programs, including, for example, EI. They're not qualified to collect EI, but they pay into EI. I'll give that as one example. To make this fairer, you suggest we should have open permits.

What are your thoughts about the principle that if you're good enough to work, you're good enough to stay?

**Prof. Danièle Bélanger:** This was the last point in my presentation, and I didn't have much time.

Absolutely. Temporary workers who come to Canada undergo health exams and security checks. They are scrutinized and if they are good enough to come, as you said. I think it's our best pool of potential permanent residents, regardless of skill level. I think we should facilitate this transition for all of them.

Many of them might not choose to stay. I think that's the other message we need to get across. For instance, in the case of agricultural workers from Guatemala, who have an illiterate spouse in Guatemala and several children, they know that as minimum wage earners in Canada they would not do very well. They prefer to circulate. They want better working conditions and open permits.

I think we need to send that message, that if we offer that option, it doesn't mean that suddenly all of them will decide to stay; absolutely not. Some want to be here for a few years, raise some money, build a new house and move on, start a business back home. Some might elect to stay, but certainly not all of them.

• (1630)

**Ms. Jenny Kwan:** The restaurant industry, the hospitality industry, had a lobby week, I think last week, here in Ottawa. They met with members of Parliament and basically called for an adjustment in this regard. In fact, they said to me in my meeting that

they would like these workers to be able to come to Canada right at the outset and stay in Canada, not come as temporary foreign workers.

The reality is that the industry needs them. Our economy needs them. Some small businesses are unable to expand because they don't have the workers here. They don't have the necessary chefs and so on in the hospitality industry.

In terms of that suggestion of "good enough to work, good enough to stay", is the concept of allowing these temporary foreign workers to come to Canada as permanent residents, and to have permanent resident status at the outset, part of the solution here?

**Prof. Danièle Bélanger:** Yes, certainly, but it also begs the question that perhaps we should rethink our permanent immigration system and direct entry. It's currently very, very demanding in terms of human capital and the criteria. As our labour market primarily needs certainly large numbers of, but not only, low-wage earners, perhaps we should also consider letting the people who will take these jobs upon entry come to Canada as permanent residents. The other problem is that to favour this two-step migration, or to generalize that two-step migration process, it could also become an issue.

**Ms. Jenny Kwan:** By the way, the federal government used to have a program of low-skilled, middle-skilled and high-skilled workers. That's now been done away with. It's just high-skilled workers. Is it your suggestion to bring back low-skilled, medium-skilled and high-skilled immigration in a direct path?

**Prof. Danièle Bélanger:** That's certainly something to be considered to respond to labour market needs.

**The Chair:** Thank you. I'm afraid we need to end there.

Again, my apologies to the witnesses. The Standing Orders allow members to bring motions in the middle of testimony. That happens regularly, or somewhat occasionally, and we're sorry you didn't get as much time with us.

We do need to end this part of the meeting, suspend, and bring the next witnesses in for the second panel.

Thank you very much.

• (1630)

\_\_\_\_\_ (Pause) \_\_\_\_\_

• (1635)

**The Chair:** I'll call the meeting back to order.

I don't want to miss this at the end of the meeting, so I'll suggest this to the committee now.

For the meetings on the two UN global compacts, if you would like to have witnesses in addition to officials, I would request that you submit their names by Friday, November 2. That's four days from now. We're on a tight timeline. Any witnesses you would like to have who are not officials per se can be submitted to the clerk.

The other thing is I'd like to request your permission, and I'm hoping it will be unanimous, with regard to our deadline of November 1 for written submissions on this study. As Ms. Kwan noted, we may not get very many. We've only had one official submission. I'd now like to extend that deadline to the end of November. We can readvertise and request other written submissions.

Is everyone in favour of that?

**Hon. Michelle Rempel:** My recommendation would be to keep it open, Chair.

**The Chair:** I like a deadline. It's a month away. It's just to make people do it.

**Hon. Michelle Rempel:** Sure.

**The Chair:** I think we'll be flexible about the end of November. If someone submits it in December, we can accept it.

**Hon. Michelle Rempel:** Sure.

**The Chair:** We'll do that. The analysts hate it when I do that, but if we get something good, I don't want it to not get in.

Thank you to our witnesses for joining us today. We have officials from two different departments, our usual friends from IRCC and the Department of Employment and Social Development.

I think we'll begin with you, Ms. Kim and Ms. Panagakos, and then we'll go to ESDC.

**Ms. Natasha Kim (Director General, Immigration Branch, Department of Citizenship and Immigration):** Perfect.

Thank you, Mr. Chair, for the opportunity to discuss Canada's temporary foreign worker programs with the committee today in relation to the committee's current study on the migration challenges and opportunities for Canada in the 21st century.

*[Translation]*

I am the director general of the Immigration Branch at Immigration, Refugees and Citizenship Canada, or IRCC. I am accompanied by Helene Panagakos, the director of the immigration program guidance branch, the temporary foreign worker program and the international mobility program. I will deal with the subjects that, as I understand it, are the committee's main areas of interest for today's meeting.

First of all, I will provide an overview of our temporary worker programs. I will talk specifically about the responsibilities of various departments. Second, I will explain how the rights of temporary workers are protected in IRCC programs. Third, I will describe the current routes to permanent residency for temporary workers at all skill levels. My colleagues from Employment and Social Development Canada will then provide information specific to their program. After that, we will be pleased to answer your questions.

*[English]*

First, as members are likely aware, we'll give an overview of the temporary foreign worker programs, but there are two distinct programs under which foreign nationals can come to work in Canada.

With respect to the temporary foreign worker program, IRCC has a shared responsibility with ESDC. As my colleagues from ESDC will describe, their department issues labour market impact assessments under this program, which allow Canadian businesses to hire temporary foreign labour when there are no Canadians available. Once employers have a labour market impact assessment, they then come to IRCC to process a work permit, and then if needed, a visa in order to come to Canada as well.

IRCC also administers the international mobility program, which is distinct from the temporary foreign worker program, and this falls solely under our purview. This program, which was created in 2014, facilitates the entry of foreign workers to advance Canada's broader economic, social and cultural interests.

In some cases, these are employer-specific work permits, under which the worker can only work for the employer on the permit, and these are cases such as academic researchers, intra-company transferees, or those coming under international trade agreements. In some cases, these are open work permits, such as for post-graduate work permit holders for international grads who were studying in Canada who then get an open work permit to work for any employer in Canada for a limited amount of time. It also includes youth coming for working holiday experiences under our youth mobility exchange agreements with other countries.

Under both temporary worker programs, just over 300,000 work permits were issued in 2017, which covered a broad range of skill levels and occupations. Recognizing the important economic contributions made by migrant workers to Canada and Canadian businesses, ESDC and IRCC have been working closely over the last year to consult with key sectors and industries about the temporary foreign worker program.

In addition, in June 2017, we launched the global skills strategy, which aims to facilitate faster access to top talent so that companies can grow, create jobs and contribute to Canada's economy. As part of the global skills strategy, IRCC provides expedited work permit processing to temporary workers in high-skilled and management occupations and dedicated client support to companies making a significant investment in Canada. Since last June, we have processed more than 15,000 work permits under the global skills strategy, primarily in IT and engineering occupations.

While Canada benefits economically from temporary workers, budget 2018 recognized that Canada also has an obligation to ensure that temporary foreign workers are aware of their rights and are protected while working in Canada. ESDC will expand on the measures taken to improve communication with workers about their rights. In addition, the employer compliance regimes under both the temporary foreign worker program and the international mobility program are one of the government's main worker protection tools for migrant workers.

First, at the front end, the compliance regimes establish the program requirements to which employers must adhere. Under both programs, the employer is required to be actively engaged in the business, comply with all federal and provincial laws, provide the same wages and occupation as identified in the offer of employment, provide a workplace free of abuse, and keep documentation for six years. Then on the back end, the compliance regime inspects employers to ensure they are complying with those obligations.

● (1640)

[Translation]

The compliance regime is not designed to be punitive but rather to encourage compliance. Consequences can include warning letters, bans from the program, monetary penalties and the publication of the names of employers who do not comply with the regulations. In cases where criminal activity is suspected, the file is passed to our law enforcement partners.

Under the international mobility program, IRCC each year inspects about 25% of the employers recruiting migrant workers. Results tell us that, since the regime was put into effect in 2015, the rate of non-compliance is about 15% and that the vast majority of cases are unintended administrative errors that are corrected. As for the measures that correct them, compensation payments up to almost \$100,000 have been made to workers since 2015.

[English]

I understand the committee is also interested in pathways to permanence for migrant workers. Many temporary workers are transitioning to permanent residence. In 2017, Canada admitted over 34,000 individuals as permanent residents who had previously held a work permit, or about 43% of economic principal applicants.

At the federal level, express entry manages applications for our federal high-skilled programs and offers points for key human capital characteristics that increase the likelihood of someone becoming economically established in Canada. This includes points for prior work experience in Canada, increasing the likelihood that temporary foreign workers will be invited to apply for permanent residence. Top occupations for those who have been invited to apply through express entry currently include software engineers, information systems analysts and professors.

Importantly, though, transition pathways are not only limited to workers in the high-skilled occupations, but are available across all skill levels through different permanent residence programs.

For example, the provincial nominee program recognizes that provinces and territories are well positioned to determine their specific labour market needs and enables them to nominate permanent residents across all skill levels. The PNP sees an even

higher proportion of temporary workers transitioning to permanent residence, with about 64% of principal applicants from 2010 to 2015 being previous work permit holders. In fact, many jurisdictions have developed streams targeting temporary workers in specific occupations. Under the government's multi-year levels plan, no other program grows as fast or as much as the PNP.

Another permanent residence program offering pathways to permanent residence at various skill levels is the recent Atlantic immigration pilot. It was developed in concert with the Atlantic provinces and implemented in March 2017. We have worked to build strong partnerships between the business community and settlement service provider organizations in order to help fill labour gaps in the Atlantic region and, importantly, also sought to ensure better newcomer retention in these jobs and communities.

To conclude, Mr. Chair, I would note that our suite of temporary and permanent economic immigration programs is designed to contribute to Canada's economic growth and prosperity, while also balancing the interests of both workers and businesses. This includes offering access to foreign workers who can help businesses fill labour market needs in the short term, ensuring employers live up to their obligations to those workers while they are here, and offering pathways to permanence for those individuals who are likely to economically establish and succeed in the long term as new Canadians.

● (1645)

[Translation]

I hope that members of the committee have found that this information on the role that IRCC plays in temporary workers programs will be useful.

I will now yield the floor to my colleague, Philippe Massé.

**Mr. Philippe Massé (Director General, Temporary Foreign Worker Directorate, Skills and Employment Branch, Department of Employment and Social Development):** Good afternoon.

Mr. Chair and members of the Standing Committee on Citizenship and Immigration, thank you for giving Employment and Social Development Canada (ESDC) the opportunity to contribute to its study on migration challenges and opportunities for Canada in the 21st century. Joining me today is Tara Cosgrove who is the Executive Director of Integrity Services at Service Canada.

Given the emphasis of the study on how to enhance the health and safety of migrant workers while in host countries, I would like to focus my remarks on ESDC's efforts to protect these workers within the temporary foreign worker program.

I would like to begin with a broad overview of the program, then discuss some of the issues facing temporary foreign workers and finally outline some of the steps the department is taking to better protect these workers from abuse or exploitation.

My apologies in advance if I am repeating some of Ms. Kim's remarks in my comments.

[English]

The objectives of the TFW program are to enable employers to hire foreign workers when Canadians or permanent residents are not available, to ensure that Canadians and permanent residents are considered first for opportunities and to protect temporary foreign workers while they are in Canada.

The program is jointly administered by ESDC and IRCC with the support of the Canada Border Services Agency.

ESDC is responsible for processing and issuing labour market impact assessments, which I will refer to as an LMIA, at the request of employers who wish to hire temporary foreign workers. The LMIA process aims to ensure that employers do not have access to domestic labour when hiring foreign workers. As part of the process, employers agree to comply with program requirements, which include conditions aimed at protecting temporary foreign workers and the Canadian labour market. ESDC is also responsible for administering the program's employer compliance regime.

In 2017, ESDC approved approximately 35,000 employer applications, representing about 97,000 positions under the program, and 62% of those were in primary agriculture.

While in Canada, TFWs have the same rights to workplace protections under applicable federal, provincial and territorial employment standards and collective agreements as Canadians and permanent residents.

We know that temporary foreign workers coming to Canada under the primary agriculture and low-wage streams, in particular, caregivers, are the most vulnerable to mistreatment, abuse and exploitation. These groups are more vulnerable because of language barriers, isolation as they often work in remote areas, lack of awareness of their rights and protections, and limited access to support services and resources to exercise their rights. Some also fear retribution, including the threat of being returned to their home country if they speak out.

The Government of Canada takes the protection of TFWs very seriously. ESDC has a system of checks and balances in place to identify and prevent abuse and exploitation, which we are continually working to improve. ESDC has the authority to conduct administrative inspections to ensure that employers comply with program conditions. However, ESDC has no direction over criminal matters such as human trafficking, and we refer those to the appropriate authorities at CBSA and the RCMP.

[Translation]

In terms of ESDC processes, an employer must advertise positions to Canadians and permanent residents and must be registered on the Government of Canada's Job Bank service before they can request foreign workers.

Job Bank has developed security and validation practices to assess the genuineness of employers and employment opportunities advertised on its platform.

[English]

The LMIA process itself includes the assessment of the genuine status and past compliance of the employer. More specifically, Service Canada officers must consider four factors to confirm whether a job offer is legitimate: whether the employer is actively engaged in a business; whether the position being offered is a reasonable employment need; whether the employer can demonstrate that they are able to fulfill the conditions of the offer; and the employer's past compliance with federal, provincial and territorial laws that regulate employment and recruitment.

ESDC makes information available to TFWs about their rights through a number of channels. The government produces an online pamphlet entitled "Temporary foreign workers: Your rights are protected", in the three most-used languages among TFWs, which contains information on their rights while in Canada.

Since March 2018, Service Canada is providing key information directly to TFWs when they apply for their social insurance number and has developed a dedicated web page on TFW rights and protections.

Furthermore, we are facilitating efforts to better inform TFWs of their rights by working more closely with migrant worker support organizations. For example, in January 2018, ESDC provided a grant to the Migrant Workers' Dignity Association that was used to develop 17 different workshops aimed at educating temporary foreign workers on topics such as their rights and responsibilities, gender violence, and access to benefits including employment insurance benefits. These workshops will be used to support information sessions for both workers and employers going forward.

Budget 2018 also announced the establishment of a pilot project for a migrant worker support network in British Columbia for temporary workers dealing with potential mistreatment or abuse. The goal of the network is to better support temporary foreign workers to understand and exercise their rights, as well as to support employers in understanding and meeting their obligations and requirements.

Network members include temporary workers, migrant worker support organizations, settlement agencies, foreign governments, Government of British Columbia officials, academics and legal professionals, unions, industry representatives, employers, and federal government representatives. Members collaborate on key issues facing temporary foreign workers and make recommendations on prior initiatives that should be considered for funding.

ESDC has a comprehensive compliance framework in place to enforce employer compliance with program conditions and requirements, which in turn helps protect TFWs.

Stemming from recommendations by both the HUMA committee and the Auditor General, we have taken a number of initiatives to improve the compliance regime. To better target our resources and efforts, we have launched a new risk-based predictive model to help identify which employers to inspect, prioritizing the highest-risk cases.

The department has significantly increased its on-site inspections, strategically focusing on employers of vulnerable temporary foreign workers. Since April 2017, the department has conducted more than 2,300 on-site inspections. For inspections completed since that time, approximately 50% of employers were found to require corrective measures to become compliant.

The department is strengthening its capacity to conduct on-site inspections. More specifically, winter 2018 saw the launch of unannounced inspections in response to recommendations from the OAG report, an additional tool in identifying and correcting non-compliant behaviour amongst employers. As of October 15, 2018, over 280 unannounced inspections have been launched.

While most employers will work with ESDC to take corrective action and become compliant, those who are found to be non-compliant face a range of consequences, including monetary penalties ranging from \$500 to \$100,000 per violation, and program bans of various lengths, including one, two, five and 10 years, or even permanent bans for egregious cases. Employers found non-compliant will also have their name and address published on our IRCC public list with details of the violations and consequences.

ESDC also operates an online fraud-reporting tool and a confidential tip line. These tools provide TFWs and the general public with a means to encourage disclosure of possible wrongdoing. All allegations are reviewed and appropriate action is taken. When warranted, matters are referred to the CBSA or RCMP for further investigation.

• (1650)

**The Chair:** I need you to wrap up very quickly.

**Mr. Philippe Massé:** The last point is around partnerships. We continue to collaborate with our partners in federal departments to further secure worker protections. We're also working more closely with provinces and territories, which regulate the labour market in many jurisdictions, to identify the roles of the various partners and fill some gaps.

I will leave it at that. Of course, I mentioned the migrant worker support network.

Thank you for allowing us to be here.

**The Chair:** Thank you very much.

Questioning begins with Ms. Zahid.

**Mrs. Salma Zahid:** Thank you, Chair, and thanks to all the witnesses for coming today.

My question is in regard to the labour market impact assessment. About a year ago our government waived the labour market impact assessment for two different categories related to caregivers: when the care is needed for persons with medical care and when the care is needed for children under 13 for families making less than \$150,000.

How has this change impacted the number of caregivers who are being hired and are coming to Canada?

• (1655)

**Mr. Philippe Massé:** The labour market impact assessment is still required for caregivers in those two categories.

**Mrs. Salma Zahid:** Yes, but exactly how many people has it impacted with this new change?

**Mr. Philippe Massé:** Since the fee was waived.

**Mrs. Salma Zahid:** Yes.

**Mr. Philippe Massé:** I'm sorry. I misunderstood the question.

I don't have that specific answer in terms of the impact of the fee change. That was fairly recently, in the last eight months, I believe. We can come back to the committee with a specific response to that.

**Mrs. Salma Zahid:** Yes, please.

The Minister of Immigration announced last year that the existing caregiver pilot programs would come to an end next year, in November 2019, and be replaced with a new, improved program. I understand some consultations are under way with the stakeholders on designing the new program.

Is there any direction and feedback you can share from those consultations?

This question would be for the IRCC staff.

**Ms. Natasha Kim:** To start off, and to be clear, the current pilots that are in place began in November 2014. Under IRPA there's a time limitation to pilots. It's a five-year pilot, so the natural end to that is November 2019.

Of course, we are turning our mind to what happens next. The minister has been clear that there will continue to be a pathway for caregivers in Canada.

You are correct that we launched consultations in the spring; I believe we heard from over 125 stakeholders. Most importantly, we heard directly from a number of caregivers themselves. We've also received a number of written submissions as part of that.



We've been taking that input and considering the very important stories we heard during those consultations from caregivers and others about some of the challenges they face in those occupations in that temporary stream, and we are developing options. As you said, I expect the minister will be looking to announce what will come afterwards before the current pilot's end in November.

**Mrs. Salma Zahid:** After a certain time, when the caregivers who are coming in have completed the requirements, they apply for permanent residency.

Could you share some numbers on how many caregivers have been coming into the country, and how many go on to apply for and receive PR status?

**Ms. Natasha Kim:** For sure. When the change was made in 2014, there was a grandfathering for the live-in caregiver program, which ended at the same time. We see a number of applications still coming through under that program, although it's winding down, and the minister has made a number of commitments in terms of our processing of that inventory. I can tell the committee that we are on track in terms of looking to eliminate that inventory very soon.

At the same time the pilots were launched, and the model that was put in place was that caregivers could come under the temporary foreign worker program. As they gained their work experience, they would then be able to apply for permanent residency under those pilots.

Because two years' work experience was required, the take-up under the program was slow going for the first few years while they applied, came in and gathered their work experience. However, I believe there were about 1,500 applications and admissions between 2014 and 2017. I don't have more recent numbers.

**Mrs. Salma Zahid:** There were 1,500 applications for the PR?

**Ms. Natasha Kim:** That's right, yes.

Helene can provide a few more numbers for you.

**Ms. Helene Panagakos (Director, Temporary Resident Program Division, Department of Citizenship and Immigration):** I'm just going to give you a couple of numbers that are a little more specific.

In 2017, we had 22,247 caregivers and family members who were admitted to Canada; 20,985 were under the live-in caregiver program and 1,262 were from the two pilots. From January 2018 to August 2018, we had over 14,000 caregivers and family members; so there were 13,090 under the live-in caregiver program and 1,140 from the two pilots who were admitted to Canada. Those are the numbers to situate you a little bit.

**Mrs. Salma Zahid:** Thank you for the numbers.

My next question is on the international students. I know attracting more international students to Canada is a priority for this government. In addition to their contribution to the economy, international students who decide to stay in Canada after graduation often make the best permanent residents and future citizens as they are already well integrated into Canadian society. However, international students often don't come solo: They bring a partner and children who will want to work and attend school as well.

Could you discuss how we are designing our international student programs to support not just the students but their families, so they can succeed as a unit? Family reunification is very important.

• (1700)

**Ms. Natasha Kim:** Yes, absolutely.

Under our current study, it's been estimated that international students bring about \$15.5 billion to Canada's economy every year through their contributions to our educational institutions. It's definitely a priority in terms of our permanent residents' programming for the reasons you mentioned—language capacity, education and Canadian credentials. That's why we've made recent changes when it comes to the pathway for international students. Of course, we do have our post-graduate work permit, which allows students who have graduated to work on open work permits for up to three years. During that time they can gain that work experience. I mentioned that we'll give them extra points under the express entry system. There have also been changes to express entry where additional points are given for Canadian study, so recently we've seen that the number of international students included is fairly high. It's about 30% to 40% of those invited to apply.

**Mrs. Salma Zahid:** Are you doing any specific TRP processing for the partners or the children?

**Ms. Natasha Kim:** Yes.

**Mrs. Salma Zahid:** Do they apply from abroad or do they apply from Canada for their work permits? In many situations that's not very clear.

**The Chair:** Very briefly.

**Ms. Natasha Kim:** Absolutely.

Their spouses as well do get open work permits when they accompany them while they're doing their studies.

**The Chair:** Thank you.

Mr. Tilson.

**Mr. David Tilson:** What are the current wait times for live-in caregivers with respect to gaining permanent residency?

**Ms. Helene Panagakos:** If I look at the numbers for 2017 and 2018, I don't have the exact processing times, but what I can tell you is we are on track to meet our ministerial commitment to finalize 80% of the new complete applications submitted on or after October 1, 2017.

**Mr. David Tilson:** I have no idea what that means.

**Ms. Helene Panagakos:** There was a commitment to process them within 12 months—

**Mr. David Tilson:** So the wait time is 12 months. Is that what you're saying?

**Ms. Helene Panagakos:** —for those that were submitted on or after October 1, 2017.

**Mr. David Tilson:** How large is the backlog?

**Ms. Helene Panagakos:** I don't have those numbers.

**Mr. David Tilson:** Can you undertake to get them for us and send them to the clerk?

**Ms. Natasha Kim:** Yes, we can.

**Mr. David Tilson:** How are the wait times trending?

**Ms. Natasha Kim:** If I can add, we can certainly provide that information—

**Mr. David Tilson:** The same thing?

**Ms. Natasha Kim:** —to the committee in writing, but I would just add that the numbers provided were in relation to the live-in caregiver program—

**Mr. David Tilson:** That's right. That's what my question is about.

**Ms. Natasha Kim:** The current standard for our pilot is six months, and we're seeing that it's actually much lower than that.

**Mr. David Tilson:** Are the wait times getting shorter or longer?

**Ms. Natasha Kim:** It depends on which cohort we're talking about. For the live-in caregiver program, we've committed to do a shorter service standard for those who have come in recently.

**Mr. David Tilson:** You've committed, but are they getting longer or shorter? I am not asking what you're committed to but whether they are getting longer or shorter.

**Ms. Natasha Kim:** I think overall they are getting shorter, but we'll come back with more details for the committee.

**Mr. David Tilson:** You'll provide that information to the clerk.

I have the same questions with respect to the live-in caregivers, when it comes to reuniting families here in Canada. What are the wait times? How large is the backlog? Perhaps you don't have that either.

**Ms. Natasha Kim:** No. It would be related to the actual finalization of the PR application, which is when their family members could join them.

**Mr. David Tilson:** Well, again, what are the wait times?

**Ms. Helene Panagakos:** Is that for the live-in caregiver program?

**Mr. David Tilson:** Yes, when it comes to reuniting families in this country.

**Ms. Helene Panagakos:** We don't have that but we can get it to you.

**Mr. David Tilson:** You'll get that too, and the same with respect to the backlog and whether the wait times are getting longer or shorter. You'll provide that to us too?

**Ms. Helene Panagakos:** That's correct.

The only number I can share with you, that I have with me, is that in May 2014, the backlog stood at 62,000 applicants. As of August 2018, the inventory has been reduced to less than 8,500.

**Mr. David Tilson:** Okay. Which of the streams of the temporary foreign worker program is having the most difficulty supplying the needs of employers?

• (1705)

**Mr. Philippe Massé:** I don't know if I can answer that directly. It's a demand-driven program, so the employers need to apply to the program and meet the conditions—

**Mr. David Tilson:** Some of them are more in demand than others.

**Mr. Philippe Massé:** Yes, so over the years there have been changes to the program to restrict access.

**Mr. David Tilson:** What about right now?

**Mr. Philippe Massé:** Currently the most restrictions are on those seeking workers in lower-wage positions. In 2014 a number of reforms were put in place over concerns that the program wasn't being used as intended. This included a \$1,000 fee on all employers outside of agriculture. In the low-wage space, for the lower-skilled positions, there are limits on the percentage of foreign employees a workplace can have, which is 10% if you've been in the program since 2014, and if you have already been in the program, it's 20%. We limit the duration of the work permit to one year.

As well, we refuse to process certain occupations in the hospitality industry in high unemployment areas. There are 10 occupations in restaurants and hotels and the like for which, if the unemployment rate in the economic region, according to Statistics Canada is 6% or above, we don't even process an application. So there are more restrictions around the low-wage component of the program.

**Mr. David Tilson:** What are you doing to encourage Canadians to pursue the most in-demand positions?

**Mr. Philippe Massé:** I can say that inside the program, one of the principles is that we require employers to demonstrate efforts to recruit Canadians first.

At the beginning they must advertise positions to Canadians at the median wage. In the low-wage space in particular, we require employers to reach out to specific under-represented groups which are underemployed in the Canadian labour market. They must advertise to two groups in particular. They must advertise nationally for their jobs. We do require employers to demonstrate that they have made efforts.

The other element is through Canada's job bank. As I mentioned, every employer must be registered on the job bank, and if you're advertising for the purpose of recruiting a temporary foreign worker, you must sign up for the job match feature, which basically enables workers to identify their competencies and skills, and the employer to set up a profile for the type of job, and there's an algorithm within the program that will suggest potential matches to employers. Employers must contact or attempt to contact those workers in the system who have been identified, and be able to report back on the outcomes of any interviews and why they were done.

Those are the elements that focus first of all on ensuring that Canadians have access to those opportunities, and those are within the program.

**Mr. David Tilson:** Thank you.

How much time do I have?

**The Chair:** You have 20 seconds.

**Mr. David Tilson:** I will gladly give my time to my NDP friend.

**The Chair:** Ms. Kwan.

**Ms. Jenny Kwan:** I owe him. Thank you very much.

CBC's *The Fifth Estate* just released an investigative report about the Canadian government blocking international adoptions from Muslim majority countries, focusing on Pakistan. Specifically, the Canadian government under Harper in 2013 implemented a ban on adoptions from Pakistan with no warning.

Internal documents obtained by CBC's *The Fifth Estate* revealed that officials said that it is impossible to adopt Pakistan children given Pakistan's prohibition on adoptions.

A follow-up call from CBC to the Pakistani High Commission was made and the press secretary said—

**Mr. Nick Whalen:** On a point of order, Mr. Chair, what's the relevance of this line of questioning to the temporary foreign workers study?

**The Chair:** I do believe that this is in the scope of the broad study

**Ms. Jenny Kwan:** It's on migration.

**The Chair:**—however, the witnesses were invited to speak about the temporary foreign worker program.

The member may ask the question. I think it's allowed within the scope of the study. However, witnesses, you may be very clear also that this is not within your jurisdiction, and so you may decline to answer.

The question is within the broad scope of the study, just not necessarily within the expertise of our witnesses.

• (1710)

**Ms. Jenny Kwan:** Thank you, Mr. Chair.

A follow-up call was made from CBC to the Pakistani High Commission and their press secretary responded by saying that the Government of Pakistan has not banned adoption at all; they do not have any restrictions, and as such, adoption is allowed.

What we know is that the ban is tied to Canada's interpretation of sharia law. The minister said in question period today that Canada needs to harmonize adoption laws with the country in question and the laws of Canada.

Canada does not practise sharia law. Pakistan does not follow it. In fact, international adoptions from Pakistan continue now to other countries—just as they did before 2013.

My question, then, is this: Why did the Canadian government begin using an interpretation of sharia law to block international adoptions from Muslim majority countries like Pakistan in 2013? When was the current minister made aware of this policy? Why is the current government continuing to use this policy? As a result of this, how many applications have been affected? That is to say, how many vulnerable children have been left in need? How many families have been broken up? How many families have been rejected since November 2015?

Finally, the government says that they're now reviewing this policy. What is the timeline for the review, and when will it be finished?

**Ms. Natasha Kim:** With regret, Mr. Chair, this is not within my area of expertise or the area of my mandate. Perhaps it's something we can take away and provide a written response.

**Ms. Jenny Kwan:** I would request that we receive a written response. This is within the scope of the study that we have undertaken.

Can I get that commitment?

**Mr. David Tilson:** They don't know the answer.

**Ms. Jenny Kwan:** I would like to add to that question.

When can Canadians expect that this ban be lifted, so they can bring their adopted children home to Canada?

I know of one family who has been blocked from this adoption for six years. She received approval for the adoption in 2012. This law came into place without any warning from the Conservatives in 2013. Six years later, she is still waiting to unite with her adopted son. The orphanage has actually given her an ultimatum. They pretty well said, "Take your son home to Canada or you have to abandon your application."

That is the choice Canadians are left with. That, to me, is absolutely outrageous.

I would love to get a response to my questions related to this issue.

On the question around temporary foreign workers, the caregivers program was talked about, with the deadline coming up in November 2019. The consultation has ended, so when can we expect a decision to be made?

**Ms. Natasha Kim:** Thank you for the question, Mr. Chair.

As the minister stated repeatedly, he expects to be able to provide a new pathway for caregivers well before the pilot's end in November 2019.

**Ms. Jenny Kwan:** Do you have any timelines?

**Ms. Natasha Kim:** That's the timeline I have.

**Ms. Jenny Kwan:** Okay, so it's before November 2019.

All right. Iranians are another group of individuals who are trying to gain a pathway here to Canada whose processing time is delayed extensively. Many of them are far beyond the standard processing time. This issue has been brought up with the minister on a number of different occasions, both at committee as well as in the House of Commons.

We also learned that with the Paris office, for some reason, even when people have been processed and approved, the applicants themselves have not been notified. Why is that?

**Ms. Helene Panagakos:** I don't have the details on that, but I can certainly come back to you around processing time for Iranians, and in particular, for that office that you mentioned.

**Ms. Jenny Kwan:** I would love to know what's going on with the Paris office. It just doesn't make any sense. Applications have been processed and for some reason, the applicant has not been notified. In the meantime, people are waiting and waiting.

Frankly, as we were talking about with the temporary foreign workers stream, Canada actually needs these talents. We want them here. Our industry folks want them here. The government itself had talked ad nauseam about how we need these particular workers with these skills. They're here in this country. They've studied here. Many of them have Ph.D.s. Some have double Ph.D.s, and grad studies and so on, but still the application is extremely delayed for I don't know what reason.

• (1715)

**Ms. Helene Panagakos:** Are we referring to students or other categories?

**Ms. Jenny Kwan:** These are primarily students who are already here in Canada and who studied here. They bring with them a wealth of knowledge and expertise. They are well integrated into the

country. Their permanent resident application process is far beyond the regular processing time of any other country. I'm wondering why that is and what we can do to resolve this. It's not good for Canada and it's not good for our—

**The Chair:** I need to end it there. I'm sorry.

Just for your awareness, that undertaking already has been requested of the department—

**Ms. Jenny Kwan:** [*Inaudible—Editor*] I would like to get the information specifically, as well as for the Paris office—

**The Chair:** The Paris office? Okay.

The bells are ringing. I need unanimous consent to continue for a few minutes.

**An hon. member:** No.

**The Chair:** I don't have it. I'm afraid the meeting is now adjourned. Thank you very much for your participation.

---







Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the House of Commons website at the following address: <http://www.ourcommons.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : <http://www.noscommunes.ca>