

Colour of Poverty



Colour of Change



JOINT SUBMISSION TO THE

By:

**COLOUR OF POVERTY - COLOUR OF CHANGE
CHINESE & SOUTHEAST ASIAN LEGAL CLINIC
ONTARIO COUNCIL OF AGENCIES SERVICING IMMIGRANTS
SOUTH ASIAN LEGAL CLINIC OF ONTARIO**

To:

**House of Commons: Standing Committee on Industry, Science and Technology:
Canada's Response to the COVID-19 Pandemic**

On:

June 19, 2020

About Us

The Colour of Poverty Campaign/Colour of Change (COP-COC) is a province-wide initiative made up of individuals and organizations working to address the growing racialization of poverty and the resulting increased levels of social exclusion and marginalization of racialized communities across Canada. For the past several years, COP-COC and its allies have been pushing all three levels of Government to develop concrete measures to address rising racial inequity and to promote racial justice. Among other things, COP-COC has urged the Government to apply a race equity lens to the creation of laws, policies, and programs.

The Chinese & South East Asian Legal Clinic (CSALC) is a community legal clinic mandated to provide free legal services to low income members of Chinese and

Southeast Asian communities in Ontario. Apart from providing legal services, CSALC also engages in systemic advocacy to advance the rights of immigrants, racialized communities and other disadvantaged members of society.

The Ontario Council of Agencies Serving Immigrants (OCASI) is a council of autonomous immigrant and refugee-serving organizations in Ontario. Formed in 1978, it is a registered charity governed by a volunteer board of directors and has 230 member organizations across the province of Ontario. OCASI's mission is to achieve equality, access and full participation for immigrants and refugees in every aspect of Canadian life.

The South Asian Legal Clinic of Ontario (SALCO) is a community legal clinic mandated to provide free legal services to low-income South Asian communities in Ontario. SALCO also engages in systemic advocacy on the issues that impact low-income South Asians and other disadvantage communities in Canada including poverty, systemic racism, immigration reform, faith-based discrimination, and gender-based violence.

CSALC, OCASI and SALCO are founding Steering Committee members of Colour of Poverty - Colour of Change.

Impact of COVID-19 on Black, Indigenous, and Racialized Communities

The COVID-19 pandemic and response to it by all orders of government more clearly exposed the persistent and ever-deepening inequities in Canada.

- **Income Insecurity:** Indigenous and racialized communities have always fallen into poverty at disproportionate rates to their white counterparts in Canada.¹ COVID-19 has created significant income insecurity for racialized and Indigenous communities that will widen that disproportionality and deepen poverty. A national survey by the Association for Canadian Studies, ranked racialized communities by economic

¹ <https://colourofpoverty.ca/fact-sheets/>

vulnerability finding that Black, South Asian, and Chinese communities all faced significant income insecurity.²

- **Labour and Employment:** The pandemic exposed major racial inequalities in employment. Some of the highest mass outbreaks have been in sectors characterized by low-waged and often precarious jobs that employed a disproportionate number of racialized workers, such as health care aides, janitors and support workers and workers in food supply. In long-term care facilities in the Greater Montreal which faced massive outbreaks, up to 80% of aides are Black and other racialized women. A significant number of aides and other support workers in the hard-hit long-term care facilities in the Greater Toronto area are similarly Black and other racialized women. They face working conditions such as years of chronic understaffing, lack of critical supplies and generally unsafe working conditions. They are certainly not the heroes of the pot-banging neighbourhood tributes to health workers, which have received lavish media attention from the start of the pandemic. In fact, they are completely invisible. Even worse, racialized workers with precarious immigration status - such as refugee claimants from Haiti employed in long-term care homes in Montreal, migrant agricultural workers from the Caribbean and Mexico, and meat plant workers from the Philippines - are treated with suspicion and hostility in their communities.
- **Precarious Immigration Status:** While many refugees and immigrants experience hardship like most other residents, those with precarious immigration status including refugee claimants, migrant workers, international students and those without any resident status are confronting a crisis in income, housing, food, water and healthcare. Most deeply impacted among these individuals are people who are racialized, women, LBTQI, and people with disabilities. These pre-existing inequities were made worse by a rapidly changing situation and shifts in government policy from week to week. People with precarious immigration status became more isolated, particularly those facing language barriers, literacy challenges and little or

² <https://acs-aec.ca/wp-content/uploads/2020/04/ACS-Covid-and-Economic-Vulnerability-of-Visible-Minorities-April-2020-1.pdf>

no phone or internet access. They became more vulnerable to exploitation and abuse by recruiters and others who sought to take advantage of their vulnerability and faced greater uncertainty and tremendous mental and emotional stress. At the same time, people with precarious immigration status were largely excluded from COVID relief measures including the CERB, the CESB, and other supports provided through Canada's tax system.

- **Gender-based Violence:** Increased incidents of gender-based violence have been reported across Canada. For racialized and Indigenous people, the problem is compounded by a lack of community-specific / language-specific supports and limited protections for those with precarious immigration status. For example, South Asian communities in Ontario are struggling to place South Asian women fleeing violence into shelters with language and other community-specific supports. In some cases, women from these communities are choosing to stay in situations of violence because of those lack of supports.
- **Racism:** Almost all racialized communities have reported an increase in incidents of hate crimes. Most notably, there has been a dramatic spike in anti-Asian racism and a Canada-wide focus on the impact of on-going anti-Black and anti-Indigenous racism.
- **Education:** Education outcomes for racialized and Indigenous children in Canada are disproportionately worse. The move to large-scale e-learning modules has had a significant impact of racialized communities. The combination of lack of access to technology / internet and the disadvantage of those learning models will significantly increase the gap in learning and education for racialized and Indigenous children in Canada.
- **Health:** Like in the United States, it is likely that racialized and Indigenous people in Canada are contracting and dying from COVID-19 at higher rates than white Canadians. However, across Canada there has been no uniform approach to the collection of disaggregated data to properly understand the health inequities of

COVID-19 on racialized and Indigenous communities. In addition, the shifting focus of Canada's immigration system, limiting and curtailing both low-skilled and family class immigration, has made it harder and harder to recruit people to work in sectors that serve racialized communities. For example, it is now extremely difficult to recruit Personal Support Workers in long-term care facilities that support racialized communities. These facilities exist because mainstream long term care homes are not providing the appropriate care for racialized seniors. At last check, facilities like Yee Hong have reported no outbreaks of COVID-19 because of their exemplary models of service but have continue to face a significant lack of government funding.

Canada's Recovery Plan from COVID-19

Systemic racism underlies almost every disparity face by racialized and Indigenous communities during COVID-19. These communities face disproportionate rates of poverty, unemployment, unsafe working conditions, education outcomes, and health inequities. **Canada's recovery plan must apply a racial equity lens to ensure that recovery in Black, Indigenous, and Racialized communities is prioritized.**

1. Data Collection:

- The Federal Government should require all Departments, Ministries, Divisions and relevant institutions to collect and track disaggregated data with respect to ethno-racial background and use this data to understand the disproportionate impact of COVID-19 on racialized and Indigenous communities in Canada; and
- A COVID-19 recovery plan must apply a race equity lens in the development of strategies for addressing recovery.

2. Income Insecurity:

- Remove all immigration status barriers from access to income supports for racialized communities;
- Create a basic universal income as part of the poverty reduction recovery plan for racialized and Indigenous communities;

- Cancel all planned penalties for the collection of CERB. This quasi-criminalization of CERB recipients will disproportionately impact racialized communities. Racialized communities, often in low-wage and service sector employment, have faced disproportionate levels of job loss during COVID-19; and
- Apply to amnesty to the claw back of CERB benefits for low-income people.

3. Labour and Employment:

- Strengthen the Federal *Employment Equity Act* and attach employment equity measures through Community Benefits Agreement to all federal investment and recovery programs to ensure racialized groups and other under-represented groups have equitable access to any new jobs created;
- Amend human rights legislation to protect individuals from discrimination, including discrimination in employment, on the basis of police records of conviction or non-conviction, and facilitate providing pardons and/or record suspensions;
- Work with provinces and territories to introduce and effectively enforce employment equity legislation; and
- Work with provinces and territories to remove barriers to recognition of international training by institutions, regulatory bodies and employers.

4. Gender-based Violence:

- Fund community-specific / language-specific supports for racialized and Indigenous people facing gender-based violence; and
- Make all pilot programs permanent (including programs for victims of domestic violence, caregivers, vulnerable workers) permanent.

5. Education:

- Create supports for Indigenous and racialized families to enhance access to technology including no-cost access to internet and to devices; and
- Create alternatives to e-learning for those communities who cannot access e-learning (like those who have limited internet connectivity).

6. Immigration:

- Allow all residents with precarious immigration status in Canada, including refugee claimants, migrant workers and international students to access permanent residence. This will give the government an additional pool of applicants for the permanent immigration program and support efforts to meet immigration targets set before the pandemic-related closures;
- Immediately remove all immigration status barriers to accessing income supports and other supports and benefits including CERB, Canada Child Benefit and Social Assistance (provincial/territorial);
- Release all immigration detainees held in provincial jails and end the use of tracking bracelets for immigration detainees. End all immigration detention and pursue alternatives in situations where detention is judged to be necessary, consistent with respect for human rights and dignity;
- Reset the economic immigration program to be consistent with real labour market needs and work deemed to be essential during the pandemic closures. Future immigration selection must include all occupations at all skills in the ten sectors in the National Strategy for Critical Infrastructure - including but not limited to all work in the food supply chain, healthcare and more;³
- Open eligibility for refugee and immigrant settlement and integration services to all who need it;
- Establish a fully resourced independent oversight body for Canada Border Service Agency;
- Amend regulations for Section 91 of IPRA to exempt non-profit settlement agencies and their employees from sanctions for providing free immigration services for their clients;
- Increase family class immigration to at least 35% of total annual immigration;
- Reinstate the parent and grandparent sponsorship program and remove the minimum necessary income criteria;
- Make all pilot programs permanent (including programs for domestic violence survivors, caregivers, vulnerable workers, and undeclared family members) while

³ <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/srtg-crtcl-nfrstrctr/index-en.aspx>

relaxing the rules for the agri-worker pilot program and expanding it to other workers and sectors;

- Repeal criminal inadmissibility in *IRPA* to remove double punishment, and amend the *Quarantine Act* to make sure temporary foreign workers are not penalized for their employers' failure to comply with quarantine measures;
- Repeal the Canada-US Safe Third Country Agreement; and
- Eliminate citizenship fees as promised by the federal government.

7. Systemic Racism:

- Adopt an anti-racism legislation to mandate the collection of disaggregated data, develop targeted strategies with measurable goals, timetables and an accountability structure with the intent to study and support racialized community recovery from COVID-19;
- Mandate the collection of disaggregated data on the basis of race, and other socio-demographic identities in order to better measure and understand the impact of government's policies, programs and practices on Indigenous peoples, peoples of African descent and other peoples of colour in the key areas of: The labour market, Economic inequality and poverty; The criminal justice system and access to justice; Child welfare; Environmental racism; Health and mental health; Housing; Social and cultural benefits; Education; Refugee protection, interdiction and immigration (including recruitment of migrant workers), citizenship legislation and policy; and Media, social media and mass communications;
- End the sharing of public health data with police;
- Fund efforts across Canada to address anti-Asian, anti-Black, and anti-Indigenous racism and Islamophobia;
- Create an *Anti-Racism Act* for Canada that gives a legislative foundation for the Anti-Racism Secretariat and helps to ensure that it receives ongoing, sustainable funding and resourcing. Ensure the Anti-Racism Act will name and address all forms of racism including anti-Asian racism, anti-Black racism, anti-Indigenous racism and Islamophobia;
- Create a National Action Plan Against Racism to accompany the national Anti-Racism Strategy, containing concrete strategies with actionable goals,

measurable targets and timetables, and the necessary resource allocation that accompanies each strategy and action to address all forms of racism including anti-Asian racism, anti-Black racism, anti-Indigenous racism and Islamophobia;

- Amend the Federal Poverty Reduction Strategy to have specific focus and actions on alleviating disproportionate levels of poverty in racialized and Indigenous communities, which are likely to increase because of the economic downturn from COVID-19; and
- Build capacity in media organizations to understand racism and racial inequality and apply it in media coverage, content creation, editorial decision-making and employment equity.

8. Health

- Study and develop strategies in health care that address the specific health inequities for racialized and indigenous communities exposed during COVID-19. The federal should make disaggregated data collection a condition for health funding transfer to provinces and territories and support jurisdictions across Canada to collect that data;
- Open up the immigration selection process to get more low and semi-skilled workers who can serve the needs of Canada's racialized communities; and
- Drastically increase investment in community care so that seniors do not all have to go to Long Term Care. This is particularly important for racialized seniors who face longer wait times for homes that serve their needs.

Conclusion

Canada must apply a racial equity lens for its Recovery Plan to effectively address the highlighted inequities of COVID-19 on Black, Indigenous, and Racialized communities. In doing so, Canada will be able to craft a recovery plan that supports those most marginalized by COVID-19. Our recovery plan SHOULD NOT recreate the systemic racism that has put Black, Indigenous, and Racialized communities into deeper poverty, with poorer outcomes in employment, health, education, gender-based violence, and across almost every other life outcome.