

Written Submission for the Pre-Budget Consultations in Advance
of the Upcoming Federal Budget By:
OCASI – Ontario Council of Agencies Serving Immigrants

Recommendation 1 – Revamp the immigration and refugee system as follows:

- All residents with precarious immigration status in Canada can access permanent residence; and all pilot programs for regularization are made permanent (including programs for domestic violence survivors, caregivers, vulnerable workers, and undeclared family members) while relaxing the rules for the agri-worker pilot program and expanding it to other workers and sectors.
- The economic immigration program is reset consistent with labour market needs and work deemed to be essential during the pandemic in all skills areas and skills levels. Future immigration selection must include all occupations at all skills and all skill levels in the ten sectors in the National Strategy for Critical Infrastructure.
- Family class immigration is reset to least 35% of total annual immigration intake; and re-instate the parent and grandparent sponsorship program and remove the minimum necessary income criteria.
- Open access to all federally-funded settlement and integration services for all who need it regardless of immigration status.
- Amend Section 91 of the Immigration and Refugee Protection Act and regulations to exempt non-profit settlement agencies and their employees from sanctions for providing free immigration services for their clients.
- Repeal criminal inadmissibility in the Immigration and Refugee Protection Act to remove double punishment, and amend the Quarantine Act to make sure temporary foreign workers and seasonal agricultural workers are not penalized for their employers' failure to comply with quarantine measures.
- End all immigration detention, and pursue alternatives in situations where detention is judged to be necessary, consistent with respect for human rights and dignity; and end the use of tracking bracelets for immigration detainees.
- Establish a fully resourced independent oversight body for Canada Border Service Agency.
- Immediately stop sending refugee claimants back to the United States and suspend the Safe Third Country Agreement (STCA); and accept the July 22, 2020 judgement of the Federal Court that the STCA is of no force or effect.
- Eliminate citizenship fees.
- Work with provincial and territorial governments and accrediting bodies to streamline the recognition of foreign credentials and experience.

Recommendation 2 – Advance racial equity and eliminate racial discrimination by implementing the following concrete measures:

- Mandate the collection of data disaggregated by race and other sociodemographic identities to better measure and understand the racial impact of government policies, programs, and practices in the labour market, economic inequality, and poverty; criminal justice system and

access to justice; child welfare; environment; health and mental health; housing; social and cultural benefits; education; refugee protection, interdiction and immigration and citizenship; and media, social media, and mass communication.

- Undertake a racial equity review of all COVID-19 emergency measures and end all civil liberties restrictions.
- Do not implement penalties for the collection of CERB. The quasi-criminalization of CERB recipients will disproportionately impact racialized communities who are overrepresented in low-wage and service sector employment and have faced a disproportionate job loss.
- Create an Anti-Racism Act for Canada that gives a legislative foundation for the Anti-Racism Secretariat, which will receive 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, Islamophobia, and anti-Semitism.
- 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.
- Amend the federal Poverty Reduction Strategy to have specific focus and actions on alleviating disproportionate levels of poverty in racialized communities.
- Strengthen the federal Employment Equity Act and attach employment equity measures through community benefits agreements on all federal investment and recovery programs, to ensure racialized groups and other underrepresented groups have equitable access to any new jobs created.
- Fund efforts across Canada to address anti-Asian, anti-Black, and anti-Indigenous racism and discrimination.
- Remove all immigration status and residence period barriers to accessing income supports and other supports and benefits including CERB, the Canada Child Benefit and Old Age Security.

OCASI is the umbrella for 237 agencies across Ontario who provide services and program to newcomers to Canada. During COVID emergency measures and until the present time, our member agencies were witness to the impact of existing economic, social, health and other inequities on the communities they serve. The greatest impact was felt by Black and other racialized refugees, immigrants and people with precarious immigration status. The combination of gender and gender identity, disability, sexual orientation, faith and country of origin created further disadvantages and barriers that limited or restricted economic opportunities, housing security, food security, access to health and mental health and the safety and security of residents.

Recommendation 1 – Revamp the immigration and refugee system

The COVID-19 pandemic and response to it by all orders of government more clearly exposed the persistent and ever-deepening inequities and contradictions in Canada's immigration program. The COVID-19 experience underlines the urgent need for a fundamental reset of Canada's immigration program.

If there is one thing we have learned during this pandemic, it is how much of what we consider essential work is unseen. We notice it only when it is missing – where there is no food on our table, when there is no one taking care of elderly Canadians in long-term care homes – cooking for them and cleaning up after them; when there is no one to package and deliver the food, medicine, toilet paper and other essential supplies we need. But these are not the jobs in our immigration selection program – which is skewed to highly skilled workers and highly educated students in certain sectors. We need people with those skills, and we also need these who grow and harvest food, work in meat and fish plants, build our homes, who work as caregivers, cleaners, general labourers, in call centres.

The treatment of migrant workers during the pandemic by governments and employers was deeply problematic. Long-standing inequalities and injustices were exposed, as well as the contradictions of an immigration system that deems those sectors and jobs essential, but will not include them in the economic immigration program. The government allowed employers to bring in seasonal agricultural and other food chain workers as essential workers as long as they followed self-isolation requirements. Post-quarantine, workers were housed in unsanitary and crowded bunkhouses or other unsuitable housing, with severely limited access to water and sanitary facilities. Migrant workers were compelled to live and work in conditions that left them unable to comply with physical distancing requirements. Often personal protective equipment was not provided by the employer or was inadequate, with the result that most serious outbreaks were found among migrant workers.

Refugee and immigrant settlement services were declared essential and allowed to operate conditional on observing safety guidelines. However federally funded settlement services continue to be restricted only to permanent residents and convention refugees. Prior to the emergency Immigration, Refugees and Citizenship (IRCC) representatives used Section 91 of the Immigration and Refugee Protection Act (IRPA) to threaten community agencies with sanctions if they provided immigration-related services, even though such services are provided free of charge and continue to be desperately needed by low-income refugees and migrants who could not afford paid services anywhere else. With the onset of COVID closures of government offices IRCC relied heavily on community agencies to assist refugees, immigrants and migrants to address myriad needs, including immigration matters. During this period, the enforcement of Section 91 was seemingly not a concern for IRCC.

While not COVID related, the government had introduced a 'pause' in processing parents and grandparents sponsorship. The reopening is now delayed by COVID. Processing of permanent resident applications, renewal of work permits and study permits are slowed down. Refugee hearings and citizenship ceremonies are suspended. The slowdowns and suspensions have significantly affected people's ability to work or study, and access certain benefits. People with precarious immigration status have absolutely no access to government financial payments, social assistance or other benefits. This has left those working in the grey economy with no resources following loss of employment, and at risk of homelessness and worse.

People with precarious immigration status were made invisible and left out of all pandemic-related relief measures which put their health and well-being and the health of the community at large at great risk. They continue to be excluded from income support measures, despite living and working in Canada and paying taxes here.

More than ever, Canada needs immigration to help rebuild our economy and our country as we gradually recover from this crisis of the century. Let us use this opportunity to reflect on what we have learned during the pandemic and revamp the immigration and refugee system to better respond to real labour shortages and needs while eliminating contradictions and becoming more equitable.

Racial Equality

COVID-19 has significantly increased and deepened racial inequities that have existed in Canada for generations. Economic, social, and health related responses by different orders of government have exposed structural and systemic disadvantage along racial lines, as well as the over policing and criminalization of Black and Indigenous people.

Governments in Canada have long refused to collect race disaggregated data in health, which have made it virtually impossible to identify risk factors and populations most affected or disadvantaged, or to devise appropriate policy and practice remedies. The federal and various provincial and territorial governments have finally agreed to collect race-based health data, particularly on COVID-19 transmission, fatalities, and recoveries. Racialized health impacts of COVID-19 across Canada are yet to be fully determined. In Montreal and Toronto, the hardest hit neighbourhoods had the highest number of racialized residents as well as high levels of poverty and poor social and economic opportunities. As well, Indigenous peoples and peoples of colour continue to encounter systemic barriers in the health care system.

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 employ a disproportionate number of racialized workers.

A significant number of aides and other support workers in the hard-hit long-term care facilities are racialized women. Years of chronic understaffing, lack of critical personal protective equipment, and generally unsafe working conditions essentially condemned these workers at the beginning of the COVID-19 outbreak.

Racialized workers with precarious immigration status - e.g., refugee claimants from Haiti who are employed in long-term care homes in Montreal, migrant agricultural workers from the Caribbean and Mexico, and meat plant workers from the Philippines - were subject to racism and treated with suspicion and hostility in the communities where they work and live.

Governments across Canada have also given themselves new powers under emergency measures, using public health reasons to surveil and police the public. Indigenous people and Black people in particular faced heightened risk of profiling, police surveillance, and street checks.

Almost all racialized communities have reported an increase in hate attacks against them. There has been a dramatic spike in anti-Asian racism, with Chinese Canadians reporting an escalation in racist attacks related to COVID-19, from physical and verbal assaults to bullying and racist graffiti.

Even before COVID-19, racialized residents experienced structural disadvantages and systemic racism in all levels of education. These disadvantages were further exposed as different jurisdictions across Canada turned to online learning as a viable education option. Indigenous students and students of colour who are overrepresented among the low income population are least able to access online learning or successfully navigate this type of learning format. The impact will likely be felt for decades as their education is further delayed and opportunities further restricted.