



However, as yet, Canadian officials have not provided any response.

"There has been no word at all from the Canadian government," he said. "If I have any kind of credible verification, then I would report it to the UN, but since I have not verified that, then I would not report it."

Asked on Monday how the government would be responding, Human Resources Minister Monte Solberg said he would have to see what the letters say.

"We haven't received any letter from him regarding migrant workers," Mr. Solberg said.

An official in Immigration Minister Diane Finley's office referred questions to the Department of Foreign Affairs. Calls to Foreign Affairs Minister Maxime Bernier's office over the past two weeks were not returned.

Reports of abuse and exploitation of migrant workers in Canada have become a concern for many in recent months, especially in light of the country's increasing reliance on such workers.

Just last week, the issue was raised by a witness at the Parliamentary Standing Committee on Citizenship and Immigration during a meeting in Moose Jaw, Sask.

### **Limits Bring Problems**

Testifying before visiting MPs on April 2, Eric Johansen, director of the Saskatchewan government's Immigration Nominee Program, said limits on the ability of migrant workers to move within the labour market puts them at risk.

"Temporary foreign workers are particularly vulnerable in our labour market as they don't have the mobility that other individuals in the labour market do," Mr. Johansen said. "So we think it's very important that we take extra measures to work with this group of individuals, ensure that they understand the protection afforded to them under provincial legislation.

"And we want to find mechanisms to ensure that commitments made by employers to temporary foreign workers are indeed, under a labour market opinion, being followed through."

Also testifying before the committee last week was Yessy Byl, a temporary foreign worker advocate at the Alberta Federation of Labour, who told MPs that brokers and employers are exploiting workers by illegally charging recruitment fees and housing them in poor conditions.

"Alberta's temporary foreign worker program is inherently exploitive and treats people as disposable. I can assure you that Canada's reputation in foreign countries has suffered a great deal," Ms. Byl told committee members.

In response to an increasing number of complaints received by the Alberta Federation of Labour, the advocate position was created last year.

In a six-month report, Ms. Byl, an Edmonton lawyer, reported opening 123 case files for foreign workers. The cases involved migrant workers reporting poor working conditions and lower wages than were promised.

In her conclusion, Ms. Byl wrote that "there are deep and troubling flaws in the program, both in its structure and operation."

"The rapid expansion of the program has been an unqualified disaster and it is the most vulnerable participants—foreign workers—who are feeling the brunt of the pain."

Over the last two years, the Conservative government has expanded the Temporary Foreign Workers program to admit a greater number of workers by easing the bureaucracy Canadian employers have to navigate in order to hire workers from abroad.

Rather than advertise a job for six weeks, most employers need only advertise through the government's "Job Bank" for seven days before seeking workers from abroad.

Tanya Basok, a professor of sociology and anthropology at the University of Windsor who has done extensive research on migrant workers, said the restriction on workers' freedom to change jobs is a major issue because under the agreement, these restrictions are not a violation.

Removing this restriction is a fundamental component to improving the program, said Ms. Basok, because workers rely on a good letter of recommendation from their Canadian employers, and a negative review could impede their chances of returning, "leaving many too afraid to speak out against their employer."

### **Changing Jobs Unrealistic**

Rodolfo Diaz, co-ordinator of political and migratory issues at the Mexican Embassy in Ottawa, said that once in the program, workers make a commitment to an employer, and that it is unrealistic to expect they can switch jobs once in Canada.

"That is part of this program, it is temporary, and as any temporary worker you have agreed you are to go back to Mexico," Mr. Diaz said. "We do believe that the program is successful, a great number of workers are re-hired, they have access to pensions from the Canadian government."

Mr. Diaz said there are already mechanisms in place to inform workers of their rights, their due pay, and an emergency number to call for help, such as pamphlets written in English and Spanish handed out upon arrival.

In addition, Mr. Diaz said there are regular meetings between regional and federal officials, and aspects of the program are constantly being reviewed.

He said the Mexican and Canadian governments are very proud of the Canadian Seasonal Agricultural Workers Program, which started in 1974 and has brought more than 162,000 Mexicans to work in Canada.

From 2002 through 2006, Mr. Diaz said, more than 56,000 workers came through the program; during this time, 73 cases were opened in response to letters from Mexican workers sent to the consulates in Toronto, Vancouver, and Montreal. Of the complaints received, Mr. Diaz said, most are based on conflicts and disagreements that require mediation, and that they are rarely about pay.

Mr. Diaz would not comment on the matter between the UN rapporteur and the Canadian government, except to say he trusts the Canadian government will respond at the right time.

Liberal Labour critic Judy Sgro, who served as immigration minister from 2003 to 2005, called the situation an embarrassment and a black-eye for Canada's reputation.

"For them to refer these issues to the rapporteur at the United Nations, this is not something that's done lightly by any of the people writing," Ms. Sgro said.

"Frankly, I'd like to see an immediate response and an investigation into their complaints. We have an obligation when we let these workers in under various categories, that they have safe working conditions."

NDP Labour critic Libby Davies said the massive increase in the number of foreign workers coming to Canada over the last 10 years has led to serious problems.

"We think the Conservative government must review the foreign workers program," Ms. Davies said. "It is developing so rapidly, there are so many complaints of exploitation, of abuse of foreign workers. There's not been any monitoring or enforcement mechanisms, there has to be a way to track where foreign workers are."

"So if the UN special rapporteur has taken note of it and sent a letter to the government, we're very glad to hear about that; the government needs to take note."

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