

The Right Hon. Justin Trudeau
And Members of Canada's Federal Cabinet 2020
House of Commons
Ottawa, Ontario K1A 0A6

March 26, 2020

Dear Prime Minister Justin Trudeau, and Members of Cabinet,

Re: Regulatory changes to ensure Canada Emergency Response Benefit is available to migrants and undocumented residents

We are the representative body of almost all self-organized groups of non-permanent residents in Canada. Our members are agricultural workers ensuring Canada's food supply chain keeps running. We are cleaners, who are protecting everyone's health. We are domestic workers taking care of children, sick and the elderly. We are warehouse workers and truck drivers, ensuring goods get delivered in this pandemic. We are bakers, and construction workers, keeping the economy moving. We live here and we work here.

As you discuss developing regulations to implement the Canada Emergency Response Benefit (CERB), we urge you to ensure that all residents of Canada, regardless of immigration status or previous work entitlements, are able to get income supports.

1. The benefit is currently defined as available to "residents". 'Resident' must be broadly defined to include any resident of Canada, regardless of immigration status, including undocumented residents, refugee claimants, temporary foreign workers, study permit holders and others.
 - o There were 874,770 new temporary work, study or humanitarian permits issued in 2019. In addition, there are at least 500,000 undocumented residents in Canada.
2. The benefit is limited to residents who have earned at least \$5,000 in the previous 12 months. Specific measures need to be enacted to ensure workers who have not earned as much, have not been able to report their earnings and/or have not been in Canada that long, are protected.
 - o An average of 48,000 new residents arrived each month in the first quarter of 2019. The numbers are similar in Canada for January and February 2020.
 - o Many temporary foreign workers have been laid off from their jobs or seen their hours reduced in care work, retail, and tourism industries. Study permit holders have lost on-campus jobs, and seen hours reduced.
3. Workers who have seen their hours of work or wages reduced - which is many of our members - must be able to get income supports.

4. Specific tools should be developed to ensure that undocumented residents and other informal economy workers are able to access income supports.
 - There should be no requirement for Social Insurance Numbers.
 - Guarantees should be created so that information is not shared with immigration enforcement.
 - Proof of income should be interpreted widely, as cash economy workers do not receive paystubs, have bank accounts or pay regular taxes.
5. A dedicated delivery mechanism must be created in coordination with our groups to ensure that migrants are aware of and able to apply for income supports.
6. All workers who are facing job loss or a cut to hours of work should receive \$2000/month whether through CERB or Employment Insurance, including workers outside Canada, who are unable to come because of health concerns or border closures, and those in quarantine.
7. Benefits should be available to those who due to disability or other reason are unable to work.

Already thousands of migrant and undocumented workers in our communities, have lost their jobs. Many of them have children or elderly parents to take care of. As they have limited access to social security programs, they are not able to pay their rent, buy food and feed their families. They are at high risk of being evicted and becoming homeless,. They contribute so much to our society. We urge you to not let them behind. These are members of our communities, and their welfare affects us all.

It is critical that you take these very important steps to ensure economic stability and support for some of the most essential workers ensuring that Canada's economy continues to move. Workers who are essential must be first in line for income support, not excluded.

According to the last census, 42.9% of non-permanent residents are low-income (as compared to 12.5% of non-immigrants, and 17.9% of immigrants). A single missed paycheque is enough to push many of these workers into severe economic distress. A lack of income support for these workers will create massive ripple effects - the places they shop at, the homes they rent, and the care they provide will all be affected.

Right now, Canada needs workers who are sick or are potential carriers to immuno-compromised people to stay home. This will simply not be possible if migrant and undocumented residents aren't given adequate income supports.

To flatten the curve, to protect the economy, and to ensure human rights, we urge you to ensure income supports for all.

Please also see as an addendum our letter of March 16th, 2020 with a full list of recommendations in this difficult time. We need healthcare, worker protections, community supports, permanent resident status and an end to detentions and deportations to stop the spread of COVID-19. Our full list of demands has been

MIGRANT RIGHTS NETWORK

endorsed by Canadian Labour Congress, CUPE National, Ontario Federation of Labour, CUPE Ontario, UNIFOR, Rights of Non-Status Women Network, Canadian Federation of Students, FoodShare Toronto, Council of Canadians, 350 Canada, Action Canada for Sexual Health and Rights, BC Federation of Labour, West Coast LEAF and Hospital Employees' Union.

Please contact Syed Hussan, Executive Director, Migrant Workers Alliance for Change at hussan@migrantworkersalliance.org for any questions and to continue this conversation.

Migrant Rights Network Members:

1. Asian Community Aids Services
2. Butterfly (Asian and Migrant Sex Workers Support Network)
3. Caregivers' Action Centre
4. Chinese Canadian National Council Toronto
5. Centre des travailleuses et travailleurs immigrants
6. Collaborative Network to End Exploitation
7. Cooper Institute/PEI Action Team for Migrant Workers' Rights
8. Durham Region Migrant Solidarity Network
9. FCJ Refugee House
10. GABRIELA Ontario
11. Fuerza Migrante Vancouver
12. Income Security Advocacy Centre
13. IAVGO Community Legal Clinic
14. Migrant Worker Solidarity Network - Manitoba
15. Migrant Students United
16. Migrant Workers Alliance for Change
17. Migrante Alberta
18. Migrante BC
19. Migrante Canada
20. Migrante Manitoba
21. Migrante Ontario
22. Migrant Workers Alliance – Niagara
23. No One Is Illegal – Halifax
24. No One Is Illegal – London
25. No One Is Illegal - Toronto
26. No One Is Illegal – Vancouver
27. Northumberland Community Legal Centre
28. OHIP For All
29. OCASI – Ontario Council of Agencies Serving Immigrants
30. PCLS Community Legal Clinic
31. Radical Action with Migrants in Agriculture
32. South Asian Legal Clinic of Ontario
33. Sanctuary Health
34. Solidarity Across Borders
35. UNIFOR
36. UFCW
37. Vancouver Committee for Domestic Worker and Caregiver Rights
38. Workers Action Centre.
39. Workers United

ADDENDUM

The Right Hon. Justin Trudeau
House of Commons
Ottawa, Ontario K1A 0A6

Cc: Minister of Immigration, Minister of Public Safety, Minister of Employment, Workforce Development and Disability Inclusion, Provincial Premiers

March 16, 2020

Dear Prime Minister Trudeau, Ministers and Provincial Premiers,

Migrants & Workers Deserve a Just Crisis Response During COVID-19

This letter is initially signed on by Migrant Rights Network members including Butterfly (Asian and Migrant Sex Workers Support Network), Caregivers' Action Centre, Chinese Canadian National Council Toronto, Centre des travailleuses et travailleurs immigrants, Collaborative Network to End Exploitation, Cooper Institute/PEI Action Team for Migrant Workers' Rights, Fuerza Migrante Vancouver, Migrant Students United, Migrant Workers Alliance for Change*, Migrante BC, Migrante Canada, Migrante Manitoba, Migrante Ontario, Migrant Workers Alliance – Niagara, No One Is Illegal – Halifax, No One Is Illegal – London, No One Is Illegal – Vancouver, OHIP For All, Radical Action with Migrants in Agriculture, Sanctuary Health, Solidarity Across Borders, Vancouver Committee for Domestic Worker and Caregiver Rights, and Workers Action Centre. *Migrant Workers Alliance for Change also includes Asian Community Aids Services, Durham Region Migrant Solidarity Network, FCJ Refugee House, GABRIELA Ontario, IAVGO Community Legal Clinic, Income Security Advocacy Centre, No One Is Illegal – Toronto, Northumberland Community Legal Centre, OCASI – Ontario Council of Agencies Serving Immigrants, PCLS Community Legal Clinic, SALCO Community Legal Clinic, UFCW, UNIFOR, and Workers United.

Canada is seeing a rise in Coronavirus / COVID-19 cases, accompanied by growing levels of xenophobia and racism. Crises do not affect us all equally – migrant, poor, and racialized communities are being excluded from response measures and are the worst affected by the economic downturn. We are writing to demand collective responses that leave no one behind, including migrant workers, undocumented people, low-waged students, poor people, and refugees. Our priorities include:

1. HEALTHCARE FOR ALL:

Access without fear – regardless of immigration status – to free, universal, and expanded healthcare, including testing. This includes migrant workers who must travel here to work and may face quarantine periods. Remove health card and waiting period requirements. Enforce clear and precise guidelines to ensure language and community-specific accessible care. All forms of medical repatriation (deportation) and denial of immigration status on the basis of health status must end.

2. WORKER PROTECTIONS:

In times of quarantines and closures of schools and community spaces, the burden of care and cleaning work will fall disproportionately to migrant and racialized women. Most migrant and undocumented workers don't have access to paid sick leave and face reprisals for taking even unpaid sick days. Employment Insurance excludes most low wage migrants either explicitly, or because of administrative criteria. Campus closures will hit international students the hardest because they rely on on-campus work and housing to survive. Most migrant workers don't receive adequate protective gear. Measures enacted to protect workers must include: strong anti-reprisal protections for workers taking time off; income supports and open work permits for migrants who will lose wages or jobs because of sickness, quarantine or economic downturn, including those who must travel here to work; increased access to EI including special benefits; a federal emergency fund to provide non-repayable allowance for those experiencing a loss or interruption of earnings including those outside Canada; and access to paid emergency leave as needed, with a minimum of 21 days for all workers, regardless of immigration status.

3. STOP DETENTIONS & DEPORTATIONS, STATUS FOR ALL:

Enact an immediate moratorium on all immigration enforcement (detentions and deportations). Continued detentions and deportations will scare people away from the healthcare they need and separate people from their social support networks. Emergency measures are further limiting access to justice for migrants. Financial resources currently allocated to immigration enforcement must be redirected to emergency relief efforts and essential services. People detained in prisons and detention centres are exposed to increased spread of illness but are denied access to quality health care. They must be released. While non-essential travel is discouraged, border closures have real consequences – families need to reunite, many need humanitarian assistance, and workers' livelihoods depend on being able to travel. We cannot allow this crisis to be used to further the racist and xenophobic border policies. Work permit and permanent resident status rules must be relaxed or removed, and open permits granted swiftly to workers in transition, to ensure no one falls out of status because of job loss, school closures and travel restrictions. We need permanent resident status for all.

4. SUPPORT THE COMMUNITY:

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Community supports such as food banks, emergency shelters and other services are essential for poor, disabled, Indigenous and other marginalized communities, as well as migrants and non-status people and their families. These supports are already at a breaking point – immediate increased funding to expand these services must be a first priority. Migrant and non-status families and other excluded groups must be granted access to housing, shelter, universal child care, food, and other basic protections freely without economic barriers, or fear of immigration enforcement. Clear policies and mechanisms must be created to stop the rise of xenophobia and racism. Communications about crisis response measures, including income support, must be made accessible to communities whose first languages are not English or French.

5. THOSE THAT KNOW, LEAD:

Migrant and community organizations should be included in planning and implementation of the current response to ensure that no one is left behind. Migrant and undocumented workers, and their supporters, have long relied on and built effective mutual aid networks. They provide a road map out of this crisis, and must be learned from.

We urge you to take our requests seriously to ensure that this crisis does not have deadly consequences for the over 1.5 million migrant and undocumented people in the country. Please contact Syed Hussan, Executive Director of Migrant Workers Alliance for Change at hussan@migrantworkersalliance.org to continue this conversation.

Thank you,

Migrant Rights Network