



Nan McFadgen – President
Donna Van Kroonenburg – Secretary-Treasurer

Dianne Frittenburg – Vice-President
Chris Melanson – Recording Secretary

October 18, 2022

The Right Honourable Justin Trudeau

Prime Minister of Canada
House of Commons
Ottawa, Ontario K1A 0A6
justin.trudeau@parl.gc.ca

The Honourable Sean Fraser

Minister of Immigration, Refugees and Citizenship
Confederation Building, Suite 110
House of Commons, Ottawa, Ontario, K1A 0A6
sean.fraser@parl.gc.ca

Dear Prime Minister Trudeau and Minister Fraser:

Re: We support Permanent Residence for All

Migration can be a deeply unsettling experience for anyone. This challenge is only exacerbated by the vulnerabilities structured right into Canada's Temporary Foreign Workers' ("TFW") program. Most prominently, the TFW program makes workers' immigration status reliant on their employer and restrict access to permanent residency. At CUPE Nova Scotia, we represent many members who are migrant workers. As Nova Scotia faces a crisis in healthcare, we expect to represent many more migrant workers in long term care and other care facilities. Our migrant worker members are often reluctant to report abuses, seek healthcare or to speak freely to regulatory agencies or investigators, including their own union, due to fear of employer retaliation or deportation.

Migrant workers contribute to every sector of our province's economy. Annually, 2,000 migrant workers come to Nova Scotia from Latin America, the Caribbean and Asia to plant, harvest and process fruits, vegetables and seafood - all products that our province prides itself on producing. Yet, these same workers, who have put their lives on the line during the pandemic so that we have food on our table, are denied basic protections under the Nova Scotia *Labour Standard Code* for overtime pay, holidays, day of rest, and call-in pay. As a racialized and "temporary" labour force, they routinely endure working and living conditions simply not permissible for other workers.

The interplay between provincial and federal law becomes apparent when, after suffering abuse and degradation, these workers cannot leave their employer without risking immigration consequences. Illegal migration is not an inevitability but is manufactured through laws that deny workers status because of issues with student visas, temporary work permits, or asylum claims. Those issues are borne out of an increasingly temporary immigration system, where

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271 Brownlow Avenue, Dartmouth, NS B3B 1W6



<http://novascotia.cupe.ca>



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workers struggle to extend short-term permits and gain permanent residency.

When undocumented workers are pushed into the underground economy, the wages and conditions for all workers depresses. That is because there is always somebody who will (out of necessity and not autonomy) take the job for less money and under worse conditions, and employers know this too well.

From Prime Minister Trudeau's mandate letter to Minister Fraser, we know that your government recognizes the problem and is committed to supporting migrant workers through a regularization program. In recent years, your government has introduced a number of positive measures: instituting a mechanism for monitoring, inspection and compliance enforcement associated with the TFW program; introducing an open work permit stream for some agricultural workers stuck in Canada due to COVID-19 travel restrictions; and accepting applications for permanent residence from refugee claimants working in the healthcare sector.

Yet, Canada already has the solution to the problems migrant workers face. Mechanisms for inspection, compliance and compensation for workers already exist through labour ministries, labour boards and the courts. We do not need a parallel labour regime if migrant workers can benefit from the same rights extended to all workers. A worker is a worker is a worker.

To be able to access this existing infrastructure, workers need permanent status in Canada. A sector-based approach to regularization is a failing strategy, as there will always be more workers who fall between the cracks. Instead, we call on your government to adopt a solution that would end the need for frequent piecemeal fixes: status for all. **We call on you to extend permanent residence to the 1.7 million migrants in Canada, including 500,000 undocumented migrants, without exception. We support the [Migrant Rights Network's recommendations](#) to develop a broad program with a simple and clear application process, no exclusions or inadmissibility, and no detentions or deportations, to be promoted through a comprehensive communications strategy.**

Permanent immigration status would bring undocumented workers out of an underground economy rife with wage theft and abuse, make health care and other social services more accessible, and help address record-high job vacancies. All workers have a right to fair and safe working conditions, and all workers' basic human rights must be respected. Our country's recovery depends on the expansion of equal rights and protections for all workers, not their restriction. The choice is yours.

Your truly,



NAN MCFADGEN
President, CUPE NS

- c: No one is illegal – Halifax/Kjupuktuk – info@migrantjusticens.ca
Migrant Rights Network - info@migrantrights.ca
Jenny Kwan, Critic for Immigration, Refugees and Citizenship - jenny.kwan@parl.gc.ca
Blake Desjarlais, Deputy Critic for Immigration, Refugees and Citizenship - blake.desjarlais@parl.gc.ca