

Report Card

Migrant workers in Alberta

SUBJECT	GRADE	COMMENTS
Legislative protection of migrant workers	B-	2009 regulatory changes to the Alberta Fair Trading Act require recruiters and employment agencies to obtain licenses with the province, prohibit charging recruitment fees to workers, and provide for penalties for non-compliance. Alberta is one of only two provinces that deny agricultural workers the right to collectively bargain, with adverse consequences for migrant agricultural workers.
Enforcement of Employment Standards and related legislation	C	Proactive employer audits were initiated in 2007, but appear to have stopped. Enforcement of labour standards has become complaint driven rather than being proactive. Even when found to have violated the Employment Standards Code, employers only have to pay owed wages.
Access to permanent residence	C+	With the support of an employer, migrant workers in certain low-skilled occupations can access the Alberta Immigrant Nominee Program. The grade 12 education and provincial language requirements limit many.
Welcoming migrant workers (settlement and support services)	B+	Alberta funds information and referral services for migrant workers via settlement agencies in the six communities with the highest numbers of TFWs. Alberta is also the only province with a Temporary Foreign Worker Advisory Office as well as a helpline to provide information on rights and recourses for workers who have complaints. The province does not fund language instruction for migrant workers.
Access to information for migrant workers	B	Alberta has developed many useful resources for migrant workers about their rights and responsibilities. They are translated into several languages and are largely available online and at various points of contact mentioned above. Since they are not distributed to all migrant workers on arrival, they may not reach those who are more isolated.
Awareness raising of responsibilities among employers	B+	The province has developed a Guide for Employers, as well as an Employment Standards Guide, an Employment Standards Toolkit, and a Tip Sheet on the changes to the Fair Trading Act. The TFW Advisory Offices offer presentations for employers on their rights and responsibilities both on demand and proactively.
Access to healthcare services	B+	The Alberta government provides healthcare to all migrant workers with a 12 month or longer work permit on arrival. Coverage is tied to workers' work permits, but Alberta Health often provides extensions while work permits are being renewed.
Noteworthy	★	Alberta's TFW helpline and TFW Advisory Office are trailblazing initiatives.

Alberta and Migrant Workers: Innovations with unrealized potential

In 2012 there were 68,319 Temporary Foreign Workers present in Alberta, representing close to 2% of the population. With the province's booming economy, whole towns are relying on migrant workers to fill essential low-wage jobs. Alberta responded to this situation with some promising initiatives, including the creation of the TFW Advisory Office and TFW helpline to provide information to migrant workers and support them in making complaints to Employment Standards. However, the capacity of these projects was stretched and their effectiveness has been compromised. For example, a 2007 initiative to conduct employer audits became reactive and complaint-based due to lack of resources.

For support and orientation migrant workers can access provincially funded services in the six communities that have the highest number of Temporary Foreign Workers. However, language training is not included, and funding for support services has steadily declined, despite increasing numbers of migrant workers. Despite the useful resources available online and the support services, relatively few migrant workers can effectively pursue complaints based on labour laws. Employment Standards legislation places the burden of proof on workers to document their complaint, and imposes certain protocols that are difficult to follow for workers in precarious situations. In addition, because agricultural workers in Alberta are not permitted to unionize or collectively bargain, migrant agricultural workers have little opportunity to improve their conditions.

Recent regulatory changes under the *Fair Trading Act* aim to address the problem of unscrupulous recruiters, including recruiters outside Canada. While the revisions are a step in the right direction, no enforcement measures have been taken. Alberta should implement the recommendation to require employer registration, made in the 2011 report by the Parliamentary Assistant to the Minister of Employment and Immigration. There is also a need for proactive enforcement of Employment Standards and other labour laws.

Alberta has demonstrated initiative in its approach to dealing with the large influx of migrant workers entering the province in the last decade. However, more must be done to make these measures effective at protecting migrant workers. The province also needs to move away from reliance on vulnerable workers, who are used and then discarded. The aforementioned report also recommended that Alberta develop permanent solutions to labour shortages by expanding pathways to permanent residency for workers, for example by advocating for the federal Canadian Experience Class to expand to give low- and semi-skilled migrant workers the right to apply for permanent residence. The CCR encourages Alberta to follow up on this recommendation.

NUMBER OF TEMPORARY FOREIGN WORKERS IN ALBERTA

(ON DEC. 1)	2006	2011	2012
	21,979	58,193	68,319

