

Report Card

Migrant workers in Saskatchewan

SUBJECT	GRADE	COMMENTS
Legislative protection of migrant workers	B+	The proposed Foreign Worker Recruitment and Immigration Services Act introduces compulsory registration of employers and licensing of recruiters, consultants and immigration service providers. It prohibits various abuses commonly faced by migrant workers, and introduces serious penalties, as well as both proactive and complaint-based enforcement.
Enforcement of Employment Standards and related legislation	B+	Saskatchewan's Program Integrity Unit responds to migrant workers' confidential complaints and concerns related to their employment. The new legislation will create powers to conduct random audits of employers, recruiters and consultants to check compliance with the Act. In addition, an Employer Engagement Unit monitors job offers and contracts for workers being nominated for permanent residence and occasionally conducts random audits.
Access to permanent residence	B-	Migrant workers in certain low-skilled occupations can access permanent residence via the Saskatchewan Immigrant Nominee Program (SINP). These occupations are limited to long-haul truck drivers and some hospitality workers.
Welcoming migrant workers (settlement and support services)	B+	Migrant workers in the low-skilled streams have access to provincially funded settlement services including language instruction in major as well as smaller urban centres. Access is a barrier for agricultural workers and others in rural areas.
Access to information for migrant workers	B	Several resources exist and have been translated into 24 languages. They give contact information for various support services and for recourses at the Office of the Workers' Advocate and the Human Rights Commission. The government plans to distribute information on the new legislation through service providers and ethno-cultural organizations. Access to information may remain problematic for migrant workers who are isolated or don't have internet access.
Awareness raising of responsibilities among employers	B	Government officials provide information through workshops across the province and on-site visits. During the upcoming registration of employers and licensing of recruiters and consultants, the province plans to emphasize public education of stakeholders.
Access to healthcare services	B	Migrant workers with a work permit of at least 12 months are covered by provincial healthcare, with no waiting period. Others, including seasonal agricultural workers, who rely on private insurance may be uncertain of what is covered or be reluctant to access health care for a variety of reasons associated with lack information on their rights.

Saskatchewan and Migrant Workers: Bringing legislative efforts to fruition

Saskatchewan's *Foreign Worker Recruitment and Immigration Services (FWRIS) Act*, expected to be passed and implemented this year, is the most progressive piece of legislation in Canada intended to counteract the vulnerabilities migrant workers face. The legislation, which builds on Manitoba's 2009 *Worker Recruitment and Protection Act*, was developed in consultation with migrant workers and community stakeholders. Under the legislation, recruiters, consultants and immigration service providers must obtain a license, while employers must register with the government. The *Act* gives the province the power to reject an employer's job offer, and thus have the final word on the federal Labour Market Opinion process.

The *Act* also prohibits certain practices commonly found in situations of abuse, such as threatening deportation or holding passports. The legislation provides for proactive enforcement to complement the complaint-based method already in place, and for penalties, including substantial fines for those who contravene the *Act*, in addition to compensation to affected workers. The province will publish the identities of the offenders, and can order the offender to reinstate a worker that was fired as reprisal for making a complaint. Finally, the *Act* provides for information-sharing across jurisdictions.

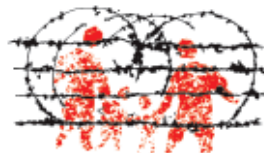
Of course, effectiveness will depend on awareness-raising about and enforcement of the legislation. Adequate resources must be allocated for this, and it will be important to monitor and evaluate successes and gaps, to ensure that all migrant workers, including those who are more isolated and are often the most vulnerable, are able to benefit from enhanced protections resulting from the *FWRIS Act*. More resources should go towards support services outside of big cities to ensure that everyone has access to support and recourses.

Recruitment fees paid in source countries, sometimes reportedly as much as \$15,000, continue to be a serious problem for some migrant workers in the low-skilled categories. To complement the protections promised through the *FWRIS Act*, Saskatchewan will need to seek legislative solutions to unfair recruitment practices abroad.

Saskatchewan views migrant workers as potential immigrants, giving many access to permanent residence. In the low-skilled streams, however, only truck drivers and hospitality workers have access. The province should extend this access to all migrant workers.

NUMBER OF TEMPORARY FOREIGN WORKERS IN SASKATCHEWAN

(ON DEC. 1)	2006	2011	2012
	2,167	6,992	9,349



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