

Gap Analysis – Information and other services provided to migrant workers in the Maritimes

Final Report

PREPARED FOR: **Atlantic Region Association of Immigrant Serving Agencies (ARAISA)**

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Acronyms Used

AIP	Atlantic Immigration Program
ARAISA	Atlantic Region Association of Immigrant Serving Agencies
ESDC	Employment and Social Development Canada
GARs	Government Assisted Refugees
GGI	Goss Gilroy Inc.
IRCC	Immigration, Refugees and Citizenship Canada
IMP	International Mobility Program
LMIA	Labour Market Impact Assessment
NOC	National Occupation Classification
NB	New Brunswick
NS	Nova Scotia
PEI or PE	Prince Edward Island
PR	Permanent Resident/Permanent Residency
SAWP	Seasonal Agricultural Worker Program
SPO	Service Providing Organization
TFW	Temporary Foreign Worker
TFWP	Temporary Foreign Worker Program

Executive Summary

The Atlantic Region Association of Immigrant Serving Agencies (ARAISA) engaged Goss Gilroy Inc. (GGI) to conduct a mapping and gap analysis regarding information and other services provided to migrant workers, especially temporary foreign workers (TFWs) in Nova Scotia (NS), New Brunswick (NB), and Prince Edward Island (PEI).

Context

Temporary Foreign Worker & International Mobility Programs

There are two main programs through which migrant workers enter Canada: the Temporary Foreign Worker Program (TFWP) and the International Mobility Program (IMP). The TFWP has streams for caregivers, agricultural workers, and other temporary foreign workers that are divided by wage categories. The overall goal of the TFWP is to "fill short-term labor shortages". The IMP includes a variety of different components such as the International Experience Canada component, which includes working holiday, young professional, and international internship visa options. The program "aims to promote Canada's broad economic and cultural interests".

While the TFWP requires employers to obtain a labor market impact assessment (LMIA) (i.e., they must demonstrate that they could not fill the position with local labor), the IMP does not require employers to obtain this assessment. For the TFWP, temporary foreign workers (TFWs) generally receive a closed work permit that only allows them to work for one specific employer; whereas, for IMP, TFWs generally (but not exclusively) receive an open work permit and thus have more flexibility in where they work and for which employer.

The TFWP's Agricultural Stream

The agricultural stream of the TFWP allows employers whose production is related to [specific commodity sectors](#) and [on-farm primary agriculture](#) activities to hire TFWs to address labour shortages that cannot be filled with Canadians or permanent residents. This stream allows employers to hire TFWs for up to **two years for low-wage positions and up to three years for high-wage positions**.

Seasonal Agricultural Worker Program (SAWP)

Another option to hire TFWs in the agricultural sector is through the Seasonal Agricultural Worker Program (SAWP). The SAWP is targeted to employers working in the agricultural sector and allows them hire TFWs to address labour shortages that cannot be filled by Canadians or Permanent Residents (PRs). The SAWP is built on bilateral agreements between Canada and participating countries. This means that Canadian employers using the SAWP can only hire TFWs originating from these countries. Moreover, the employers' production needs to be related to specific [commodity sectors](#) and the work performed by TFWs under this stream must be related to on farm [primary agriculture](#). As the title of the SAWP indicates, employment of TFWs under this stream is **seasonal or temporary**, i.e., TFWs can be hired for a maximum of 8 months, between January 1 and December 15" each year.

The High-Wage and Low-Wage Streams of the TFWP

In addition to the SAWP, the Temporary Foreign Worker Program also has streams for high-wage and low-wage positions. The **high-wage stream** is for positions that offer a wage “at or above the provincial or territorial median hourly wage”, whereas **the low-wage stream is for positions that offer a wage “below the provincial or territorial median hourly wage”**¹. While the process for employers to hire a migrant worker is similar in both streams (e.g., as with the SAWP, they have to apply for an LMIA), the length for which work permits can be granted as well as the specific program requirements vary slightly.

The Role of LMIAs

As noted previously, employers who want to hire a migrant worker through the TFWP have to apply for an LMIA. LMIA applications are processed by Service Canada (of the Department of Employment and Social Development Canada (ESDC)) and the whole LMIA process is intended to ensure that positions offered to a migrant worker cannot currently be filled by Canadians or permanent residents. The LMIA process is not only there to assess the impact that hiring a TFW has on the Canadian labour market but also to ensure that employers who are hiring TFWs are meeting all program requirements.

The Roles of the Federal and Provincial Governments in the TFWP and IMP

ESDC oversees the TFWP including the SAWP. As such, they are responsible for determining the rules and conditions of the program, ensuring that employers comply with this regulatory framework and processing LMIA applications. As a component of this latter duty, ESDC provides different platforms to [report abuse](#) and assesses and investigates these reports. Moreover, ESDC has authority to inspect employers under [certain conditions](#) to verify employers’ compliance with program requirements.

Immigration, Refugees and Citizenship Canada (IRCC) is responsible for processing work permit applications and determining whether workers are eligible to come and work in Canada. While the TFWP is overseen by ESDC, IRCC is responsible for overseeing the IMP. Thus, IRCC is responsible for determining the rules and conditions of the IMP and ensuring that employers comply. Therefore, similarly to ESDC, IRCC has the authority to inspect employers under [certain conditions](#) to verify employers’ compliance with program requirements. TFWs employed under the IMP who are experiencing abuse can use the same means as TFWs in the TFWP to [report abuse](#), and IRCC assesses and investigates these reports.

¹ Employment and Social Development Canada, “Hire a Temporary Foreign Worker in a High-Wage or Low-Wage Position.”

Provincial governments typically determine labour and employment standards which also apply to migrant workers.² These standards, for example, include hours of work, working conditions and termination of employment.

If employees, including migrant workers, face workplace health and safety concerns, they would therefore report these concerns to their respective provincial or territorial workplace health and safety offices, which are affiliated with departments at the respective provincial or territorial governments. Likewise, other employment issues such as unjust pay, unfair treatment or not respecting the employment agreement are to be reported at the provincial/territorial level to the provincial or territorial employment standards office.

How Many Migrant Workers are there in the Maritimes?

There are a few sources of data which can help to identify the number of TFWs in the Maritimes. ESDC publishes details on the number of positive LMIAs it has issued; however not all of those decisions will necessarily result in a worker coming to the Maritimes. Therefore, data published by IRCC, which indicates the number of work permits issued, offers a more accurate representation of overall numbers of TFWs.

In NS, the annual number of TFWP work permit holders has increased every year since 2015 (except for 2020). This has largely been driven by increases in TFWs in farming occupations. In NB, there has been a steep increase since 2020, due largely to TFWs in seafood processing. In PEI, annual TFW work permits have also been increasing, with both seafood processing and farming playing a role. NS has typically had the largest number of TFWs among the Maritime provinces, but in 2022 (based on data up to September), NB surpassed NS in this regard.

In the past 12 months for which data is available, in NB and PEI, there were more Low Wage stream approved LMIAs, while in NS, there were more Primary Agriculture stream LMIAs.

In 2021, the largest numbers of TFWs in agriculture in the Maritimes were from Jamaica, followed by Mexico.

Geographic Mapping

The data from ESDC on the number of positive LMIAs it has issued in the four most recent quarters (July 2021- June 2022) has been used to create an interactive map showing the locations of these positive LMIAs across the Maritime provinces. The interactive version of this map can be accessed at:



<https://www.google.com/maps/d/edit?hl=en&mid=15FkQpEQPfQnGBhkPwecwoksPKliCmLo&ll=45.92893293602221%2C-65.61692877663353&z=7>

² Note: There are some occupations that are federally regulated and these occupations therefore have to adhere to the rules set out in the [Federal Labour Standards](#).

Detail regarding the datasets which are available on TFWs in the Maritime provinces, where they can be accessed and what information they contain, is included in the body of the report.

Service Mapping

Overall, the research identified that most services for migrant workers are provided by community organizations and advocacy groups as well as Service Providing Organizations (SPOs). While many SPOs do have services available to migrant workers, some indicated that they do not undertake any specific outreach activities to these populations, i.e., they would not turn migrant workers away if they come to seek their services but also did not undertake any specific efforts to reach them as they did not have the capacities and resources to do so. Others mentioned that while their services are open to all migrants (including PRs and TFWs), they “may limit the timeframe they spend with migrant workers compared to PRs”. Moreover, having to navigate requirements such as hitting targets and/or key performance indicators linked to federal and provincial funding meant that it could sometimes be challenging for SPOs, who often receive most of their funding from IRCC, to focus their work on serving migrant workers. Finally, several SPOs mentioned that they are not able to provide migrant workers with support when they face immigration or workplace challenges. As such, this work is currently and exclusively undertaken by very few community and advocacy groups in the Maritime provinces.

Funding Sources

While IRCC is the main funding source for SPOs in Canada, the funding provided by IRCC is predominantly restricted to providing services to newcomers to Canada who arrive as PRs. IRCC funding can also be used to serve Government Assisted Refugees (GARs), immigrants entering through special programs that put them on the pathway to PR such as the Atlantic Immigration Program (AIP)³, as well as Ukrainian nationals who are currently arriving in Canada. **Thus, IRCC funding does not enable most SPOs to provide services to the vast majority of migrant workers.**

Funding from provincial governments often allows SPOs and other community organizations, particularly in NB and PEI, to provide services to migrant workers. NS seems to be an exception as the current [settlement funding guidelines 2023-26](#) do not include migrant workers other than those who currently hold a work permit but are PR applicants or those who have entered NS through the AIP as eligible clients for receiving settlement services.

According to discussions held as part of this research, it was also found that some SPOs and community organizations receive funding through their municipal governments, e.g., the city in which they are located. Additionally, several organizations, and especially grassroots community organizations, highlighted that they are able to deliver services to migrant workers with funds provided to them through foundations, donations and/or other fundraising efforts.

³ The Atlantic Immigration Program is a pathway to permanent residence for skilled foreign workers and international graduates from a Canadian institution who want to work and live in 1 of Canada’s 4 Atlantic provinces.

Migrant Workers' Awareness of Their Rights and Responsibilities

Opinions regarding whether migrant workers are aware of their rights and responsibilities varied among different stakeholders consulted for this research project. Some clearly identified that most migrant workers are not aware of their rights and more efforts needed to be undertaken to educate them on their rights. Others indicated that often migrant workers are aware of their rights or at least know where to find information on their rights. However, these stakeholders underlined that while migrant workers often know about their rights, they are not able to enforce their rights, and there were not enough tools and supports for them to do so. Some participants also mentioned that while they thought migrant workers are generally aware of their rights, there is a lack of knowledge of migrant workers' rights among employers.

Regarding the question whether the awareness of migrant workers with regards to their rights is measured, the research clearly indicated that this was not the case.

Challenges and Gaps in Services to TFWs

Challenges

Through the consultations held as part of this research, participants identified several existing challenges when providing information and services to migrant workers in Atlantic Canada. These include the following:

- **Lack of knowledge among SPO staff:** because the work of SPOs often focuses on PRs,, SPO staff sometimes lack knowledge and/or awareness around the services that are available to TFWs.
- **Need for networking and community planning:** While there currently exist some connections and networks between different migrant serving organizations in the Maritimes, these could be strengthened. Existing networks should be drawn upon and expanded to ensure that migrant workers receive the most responsive services.
- **Lack of funding available to provide services:** One of the biggest challenges in providing information and services to migrant workers was the lack of available funding that allows SPOs to provide services to migrant workers.
- **Capacity limits:** Providing migrant workers with information and services can be challenging due to capacity limits, e.g., related to the number of employees available to provide services and information. Lack of capacity to provide outreach activities presents a major challenge in reaching and supporting migrant workers.
- **Business hours of SPOs:** The opening hours of many SPOs do not correspond to the times in which migrant workers are free to seek out such services
- **Communication and language:** SPOs predominantly use email, phone or in-person communication, while it was identified that migrant workers typically seem to rely on

WhatsApp as their main form of communicating with each other and with the outside world. Additionally, language barriers also presented a challenge for some in providing services to migrant workers, especially to those who either do not speak or have limited English and/or French.

- **Geographical location of workers:** Often migrant workers, especially those working in seafood plants or agriculture, are located in more rural areas, where fewer services can be found. Migrant workers in these areas often have to rely on their employers for transportation and don't have access to public transportation.

Gaps

Additional gaps in services identified include the following:

- Lack of access to childcare support
- Not being able to access governmental benefit programs (e.g., daycare subsidies, income assistance), and/or difficulty applying for these benefits
- Limited access to language classes
- Limited access to legal services and aid
- Need for support for navigating immigration pathways
- Lack of access to open work permits and permanent residency
- Need for means and support to enforce their rights
- Limited access to health care
- Need for access to emergency housing and food
- Need for continuity of services
- Housing standards not always met
- Need for engagement with the employers of TFWs

Promising Practices and Opportunities

Some of the promising practices and opportunities identified include the following:

- Meet migrant workers where they are, on their 'turf', and in their terms
- Outreach, continuity of services and relationship building with migrant workers
- Outreach to community, creating community connections and relationships

- Guides to help migrant workers navigate important information
- Increasing knowledge exchange and sharing best practices among SPOs and other migrant serving organizations
- Collaboration between all levels of stakeholders
- Consulting migrant workers

Conclusion and Recommendations

Overall, while the numbers of migrant workers have consistently increased in all three Maritime provinces over the past few years, there are limited services and supports available to them. This is particularly true for those migrant workers who are the most vulnerable, namely those entering the Maritimes through the low-wage stream and the SAWP.

Based on the results of the mapping and gap analysis, the following are some recommendations on how to improve information and services to migrant workers:

1. Language and Communication

- Deliver services and provide information in more languages, including the native languages of the largest groups of migrant workers arriving in the Maritimes.
- When information can only be provided in English or French, make sure it is accessible in plain and comprehensive language.
- Use communication technology that is used by migrant workers, e.g., WhatsApp.
- Ensure that services and supports are accessible to migrant workers at times when they can access them, e.g., evenings and weekends after their regular work day.

2. Outreach, Continuity and Meeting Migrants Where they Are, on their Turf and in Their Terms

- Engage in outreach activities to ensure migrant workers, irrespective of their locations, know about their rights and services available to them.
- Ensure there is continuity in engagement with and services provided to migrant workers.
- Engage migrants and provide information and services at times and in locations that are convenient to them, e.g., integrate them in activities that migrant workers already participate in or enjoy doing.

3. Increase Networking and Collaboration

- Draw on existing networks and experiences of organizations that already provide services and support to migrant workers.

- b) Enable networking and sharing of best practices among SPOs and other migrant serving organizations, e.g., through creating a community of practice.
- c) Increase collaboration between different types of stakeholders (e.g., SPOs, community organizations, municipal and provincial government and IRCC).

4. Help Migrant Workers Enforce their Rights

- a) Establish more services that help migrant workers to navigate bureaucratic and administrative processes including, but not limited to, processes of applying for government funding and benefits, and filing taxes etc.
- b) Establish more services that help migrant workers enforce their rights, including but not limited to, helping them to file complaints about violations of their rights, applying for open work permit for vulnerable foreign workers.
- c) Establish more services that provide emergency housing and support for migrant workers escaping abusive employment and housing conditions.

Introduction

Introduction

The Atlantic Region Association of Immigrant Serving Agencies (ARAISA) engaged Goss Gilroy Inc. (GGI) to conduct a mapping and gap analysis regarding information and other services provided to migrant workers, especially temporary foreign workers (TFWs) in Nova Scotia (NS), New Brunswick (NB), and Prince Edward Island (PEI).

The intent of the mapping and gap analysis is to inform the Migrant Workers Support Project, which focuses on ensuring migrant workers are aware of their rights and the services available to them while working in Canada. Under this project, migrant workers are defined as “foreign nationals who have been or had been issued a work permit under the Temporary Foreign Worker Program, or have or had been issued an employer-specific work permit under the International Mobility Program”.

Project activities will include workshops on a variety of topics, as well as community events to better integrate migrant workers in the communities where they live and work in the Maritimes. ARAISA plans to enter into sub-agreements with community-based organizations that will in turn provide direct services to migrant workers. Funding for these sub-projects will be determined by an open call for proposals and a selection process.

This report is accompanied by two Excel files:

- “ESDC LMIAs compiled 2018-2022 Q2”
 - This file contains the data on positive Labour Market Impact Assessments issued from 2018-June 2022 for the Maritime provinces. These are originally published by ESDC in separate files each quarter; and so this Excel document compiles all of the data from many separate files together, so the information can be more easily searched and used.
- “For mapping – LMIAs”
 - This Excel file was used to create the Google Map showing positive LMIAs from July 2021-June 2022, as presented in this report. It is provided so that it can be used if ARAISA desires to create its own map using Google MyMaps.

Methodology

This project was undertaken using the following methods:

- A research and data review
- Participation in a two-day meeting of stakeholders

- A short online survey for stakeholders (18 responses received)
- Interviews with 11 stakeholders
- One focus group with migrant workers

Limitations

Due to time constraints and the challenges of arranging interviews with individuals often involved in shift work, there was only one focus group held with migrant workers, which was carried out by a consultant to ARAISA.

Findings

Context

A list of research questions was developed to guide this study, and is included in Appendix C. The research questions which will be discussed in each section are also presented in the format of Question 1 (below):

Q1 What are the Temporary Foreign Worker (TFW) program and other programs which bring migrant workers to the Maritimes?

- How do the TFW and other relevant programs work?
 - The role of employers
 - Labour Market Impact Assessments (LMIAs)
 - Roles of the federal and provincial governments
-

Temporary Foreign Worker & International Mobility Programs

There are two main programs through which migrant workers enter Canada: the Temporary Foreign Worker Program (TFWP) and the International Mobility Program (IMP)⁴. The TFWP has streams for caregivers, agricultural workers, and other temporary foreign workers that are divided by wage categories. The overall goal of the TFWP is to "fill short-term labor shortages"⁵. The IMP includes a variety of different components such as the International Experience Canada component which includes working holiday, young professional, and international internship visa options. The program "aims to promote Canada's broad economic and cultural interests"⁶.

While the TFWP requires employers to obtain a labor market impact assessment (LMIA) (i.e., they must demonstrate that they could not fill the position with local labor), the IMP does not require

⁴ Wen Ci, Feng Hou, and René Morissette, "Acquisition of Permanent Residence by Temporary Foreign Workers in Canada: A Panel Study of Labour Market Outcomes before and after the Status Transition," *IZA Journal of Development and Migration* 8, no. 1 (2018): 24-8:Art. 2<24, <https://doi.org/10.1186/s40176-017-0107-1>; Mylène Coderre and Delphine Nakache, "From Working Tourists to Permanent Residents: Experiences of Migrant Workers with Youth Mobility Schemes in Canada," *Journal of International Migration and Integration*, 2021, 1-18, <https://doi.org/10.1007/s12134-021-00873-7>; Feng Hou, Eden Crossman, and Garnett Picot, "Two-Step Immigration Selection: An Analysis of Its Expansion in Canada," *Economic Insights* 112 (2020): 1-11.

⁵ Hou, Crossman, and Picot, "Two-Step Immigration Selection," 2.

⁶ Hou, Crossman, and Picot, 2.

employers to obtain an LMIA⁷. For the TFWP, temporary foreign workers (TFWs) generally receive a closed work permit that only allows them to work for one specific employer, whereas; in the second case, TFWs generally (but not exclusively) receive an open work permit and thus have more flexibility in where they work and for which employer⁸.

Over the past two years, the IMP program has become the most common route for TFWs to enter Canada. Immigration, Refugees and Citizenship Canada (IRCC) data shows that in 2019, 306,960 work permits were granted under the IMP while only 98,335 work permits were granted under the TFWP (Coderre & Nakache, 2021).

Overall, since the 1990s, the number of TFWs has grown rapidly and since the early 2000s, the number of TFWs entering Canada has exceeded the number of people granted permanent residents⁹.

Table 1, below, summarizes some of the differences in characteristics of the various TFW streams. These streams and their requirements are also presented in more detail in the sections which follow.

⁷ Ci, Hou, and Morissette, "Acquisition of Permanent Residence by Temporary Foreign Workers in Canada."

⁸ Coderre and Nakache, "From Working Tourists to Permanent Residents"; Hou, Crossman, and Picot, "Two-Step Immigration Selection."

⁹ Charles Fleury, Danièle Bélanger, and Guillaume Haemmerli, "Les travailleurs étrangers temporaires au Canada : une sous-classe d'employés ?1," *Cahiers québécois de démographie* 47, no. 1 (July 11, 2019): 81–108, <https://doi.org/10.7202/1062107ar>; Yuqian Lu and Feng Hou, *Transition de l'état de travailleurs étrangers temporaires à celui de résidents permanents, 1990 à 2014* (Statistique Canada, 2017); Garnett Picot et al., "Transition to Permanent Residency by Lower- and Higher-Skilled Temporary Foreign Workers," *Economic and Social Reports* 2, no. 1 (2022): 2–15.

Table 1: Overview of TFW programs and streams

Conditions	Agricultural Stream	SAWP	High-Wage Stream	Low-Wage Stream	Caregiver
Duration of work permits	Up to 2 years (low-wage positions) Up to 3 years (high-wage positions)	Maximum of 8 months in one calendar year	Up to 3 years	Up to 2 years	Up to 2 years (low-wage positions) Up to 3 years (high-wage positions)
Transportation	Paid upfront by employer	Paid by employer (some costs can be recovered from workers)	Not required to be paid by employer	Paid upfront by employer	Paid upfront by employer for low-wage positions
Housing	Provided by employer on or off-site	Provided by employer	Not required to be provided by employer	Employer provides or ensures housing is available	Employer provides or ensures housing is available (low-wage)
Housing Inspection	Required	Required	Not required	Not required	Bedroom description section (live-in)
Health Insurance	Covers emergency medical care/provincial coverage	Emergency medical care included in contract until provincial coverage	Covers emergency medical care/provincial coverage	Covers emergency medical care/provincial coverage	Covers emergency medical care/provincial coverage
Employment agreement (signed prior to first day of work)	English or French	English or French + native language of worker if possible	English or French	English or French	English or French

The TFWP's Agricultural Stream

The agricultural stream of the TFWP allows employers whose production is related to [specific commodity sectors](#) and related to [on-farm primary agriculture](#) activities to hire TFWs to address labour shortages that can't be filled with Canadians or permanent residents. This stream allows employers to hire TFWs for up to **two years for low-wage positions and up to three years for high-wage positions**¹⁰.

Agricultural Stream Program Requirements

An overview of the program requirements for the agricultural stream is listed below¹¹:

- **Processing fee:** No LIMA processing fee is required for positions related to primary agriculture;
- **Recruitment fees:** Employers are not allowed to “charge or recover any recruitment fees, directly or indirectly,” from the TFWs;
- **Transportation:** Employers are responsible for arranging and paying the “round-trip transportation” of TFWs (i.e., from their home country to Canada and back) up-front. None of these costs can be recovered from the TFW;
- **Day-to-day transportation:** Where required, employers must provide free transportation between TFWs' accommodations and the workplace;
- **Housing:** “Employers must provide TFWs with adequate, suitable and affordable housing as defined by the Canadian Mortgage and Housing Corporation”. Housing can be on-farm or off-site but must always comply with maximum occupancy regulations. Employers are allowed to deduct some money from TFWs wages for housing, however, certain [regulations](#) apply;
- **Housing inspection:** Accommodations provided by employers need to be inspected by the “appropriate provincial, territorial or municipal authority” prior to applying for the labour market impact assessment (LMIA);
- **Health insurance:** In applicable provinces and territories, Employers must provide TFWs with “private health insurance that covers emergency medical care” until TFWs are eligible to receive provincial health insurance. Costs for private health insurance may not be “charged back to the worker”;
- **Workplace safety:** Employers must provide workplace safety insurance to TFWs that is either covered by “the provincial/territorial insurance provider, where required by law,” or a

¹⁰ High-wage positions are defined as those offering a wage that is “at or above the provincial or territorial median hourly wage” while low-wage positions are defined as those offering a wage that is “below the provincial or territorial median hourly wage” Employment and Social Development Canada, “Hire a Temporary Foreign Worker in a High-Wage or Low-Wage Position,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage.html>.

¹¹ For a detailed list of program requirements of the agricultural stream see: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural/requirements.html>

private plan that is equivalent or better than the coverage of the provincial/territorial insurance plan;

- **Pesticides and chemical use:** Employers must inform TFWs of the use of pesticides or other hazardous chemicals and provide “free protective equipment”, “appropriate formal and informal training” as well as “supervision where required by law”;
- **Employment agreement:** An employment agreement, drafted in English or French, must be signed by both the employer and the employee “on or before their first day of work” and a copy must be provided to the migrant worker. The agreement needs to “include information for employment in the same occupation, with the same wages and working conditions as those set out in the offer of employment”;
- **Union consultation:** For unionized positions filled by TFWs it is recommended that employers consult with unions;
- **Business legitimacy:** Employers must “demonstrate that their business and job offer are legitimate”;
- **Third-party representatives:** Employers are allowed to use third-parties (paid or unpaid) to help them with the application and/or recruitment process, however, [specific conditions apply](#); and,
- **New employers:** New employers (i.e., those “who have not employed a temporary foreign worker in the past 6 years prior to submitting a LMIA application”) have to undergo a review process before their applications are processed¹².

Seasonal Agricultural Worker Program (SAWP)

Another way to hire TFWs in the agricultural sector is through the Seasonal Agricultural Worker Program (SAWP). The SAWP is targeted to employers working in the agricultural sector and allows them hire TFWs to address labour shortages that cannot be filled by Canadians or PRs ¹³. The SAWP is built on bilateral agreements between Canada and participating countries, currently including, Mexico and Caribbean countries including Anguilla, Antigua and Barbuda, Barbados, Dominica, Grenada, Jamaica, Montserrat, St. Kitts-Nevis, St. Lucia, St. Vincent and the Grenadines and Trinidad and Tobago ¹⁴. This means that Canadian employers using the SAWP can only hire TFWs originating from these countries. Moreover, the employers’ production needs to be related to specific [commodity sectors](#) as listed on Employment and Social Development Canada’s (ESDC) website and the work performed by TFWs under this stream “must be related to on farm [primary](#)

¹² Employment and Social Development Canada, “Hire a Temporary Foreign Worker through the Agricultural Stream - Program Requirements,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural/requirements.html>.

¹³ Employment and Social Development Canada, “Hire a Temporary Worker through the Seasonal Agricultural Worker Program - Overview,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/seasonal-agricultural.html>.

¹⁴ Employment and Social Development Canada.

agriculture”¹⁵. As the title of the SAWP indicates, employment of TFWs under this stream is **seasonal or temporary**, i.e., TFWs can be hired “for a maximum of 8 months, between January 1 and December 15” each year¹⁶¹⁷.

SAWP Program Requirements

The SAWP has a number of program requirements. An overview of these requirements is listed below¹⁸:

- **Recruitment fees:** Employers are not allowed to “charge or recover any recruitment fees, directly or indirectly,” from the TFWs;
- **Transportation:** Employers are responsible for arranging and paying the “round-trip transportation” of TFWs (i.e., from their home country to Canada and back), however, they can “recover some of these costs through payroll deductions”¹⁹;
- **Day-to-day transportation:** Employers must provide free transportation between TFWs’ accommodations and the workplace;
- **Housing:** “Employers must provide TFWs with adequate, suitable and affordable housing as defined by Canada Mortgage and Housing Corporation”;
- **Housing inspection:** Accommodations provided by employers need to be inspected by the “appropriate provincial, territorial or municipal authority” prior to applying for the labour market impact assessment (LMIA);
- **Health insurance:** Employers must provide TFWs with “private health insurance that covers emergency medical care” until TFWs are eligible to receive provincial health insurance;
- **Workplace safety insurance:** Employers must provide workplace safety insurance to TFWs that is either covered by “the provincial/territorial insurance provider, where required by law,” or a private plan that is equivalent or better than the coverage of the provincial/territorial insurance plan”;
- **Pesticides and chemical use:** Employers must inform TFWs of the use of pesticides or other hazardous chemicals and provide “free protective equipment”, “appropriate formal and informal training” as well as “supervision where required by law”;
- **SAWP contract:** A “standard, non-modifiable contract” needs to be signed by the employer and the employee on the TFWs first day of work. The contract also needs to be signed by the “liaison officer for the foreign government [...] identified on the LMIA application”. Employers must provide a copy of the contract “in English or French and Spanish” to the TFWs they are hiring;

¹⁵ Employment and Social Development Canada.

¹⁶ Employment and Social Development Canada.

¹⁷ Note: For the 2022 season, the maximum stay of TFWs under the SAWP has been extended to 9 months to accommodate the required quarantine period.

¹⁸ For a detailed list with explanations see: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/seasonal-agricultural/requirements.html>

¹⁹ Payroll deductions for TFWs’ round-trip transportation is not possible in British Columbia.

- **Employment agreement:** Since September 26, 2022, employers also need to provide an employment agreement to TFWs in addition to the employment contract. The employment agreement needs to be signed by the TFW and the employer “on or before the first day of work” and has to be provided in either English or French and, if possible in the “native language” of the worker. Employers need to ensure to provide a copy of the employment agreement to the TFWs;
- **Union consultation:** For unionized positions filled by TFWs it is recommended that employers consult with unions;
- **Transfer of seasonal agricultural workers:** There are certain circumstances under which employers “can transfer a worker from one farm to another (i.e., they need to have “the worker’s consent, prior written approval from the foreign government representative in Canada [as well as] prior written approval from ESDC/Service Canada”);
- **Business legitimacy:** Employers must “demonstrate that their business and job offer are legitimate”;
- **Work permit fees:** Are to be paid directly to IRCC by the TFWs;
- **Third-party representatives:** Employers are allowed to use third-parties (paid or unpaid) to help them with the application and/or recruitment process, however, [specific conditions apply](#);
- **New employers:** New employers (i.e., those “who have not employed a temporary foreign worker in the past 6 years prior to submitting a LMIA application”) have to undergo a review process before their applications are processed ²⁰.

The High-Wage and Low-Wage Streams of the TFWP

In addition to the SAWP, the Temporary Foreign Worker Program also has streams for high-wage and low-wage positions. The **high-wage stream** is for positions that offer a wage that is “at or above the provincial or territorial median hourly wage” whereas **the low-wage stream is for positions that offer a wage that is “below the provincial or territorial median hourly wage”**

²¹. While the process that employers have to go through in order to hire a migrant worker is similar in both streams (e.g., as with the SAWP, they have to apply for an LMIA) the length for which work permits can be granted as well as the specific program requirements vary slightly and are therefore presented in more detail below.

²⁰ Employment and Social Development Canada, “Hire a Temporary Worker through the Seasonal Agricultural Worker Program - Overview.”

²¹ Employment and Social Development Canada, “Hire a Temporary Foreign Worker in a High-Wage or Low-Wage Position.”

Program Requirements for the TFWP's High-Wage Stream

The high-wage stream allows employers to hire TFWs for up to 3 years. Moreover, this stream of the TFWP has certain program requirements as briefly described below²²:

- **Processing fee:** An LMIA processing fee of \$1,000 for each position has to be paid by the employer and “cannot be paid by nor be recovered from the temporary foreign workers”²³;
- **Recruitment fees:** Recruitment fees cannot be charged or recovered “directly or indirectly, from the temporary foreign workers”;
- **Third-party representatives:** Employers are allowed to use third-parties (paid or unpaid) to help them with the application and/or recruitment process, however, [certain conditions apply](#) and costs cannot be charged or recovered from temporary foreign workers;
- **New employers:** New employers (i.e., those “who have not employed a temporary foreign worker in the past 6 years prior to submitting a LMIA application”) have to undergo a review process before their applications are processed;
- **Business legitimacy:** Employers must provide proof of the legitimacy of their business and the job offer;
- **Transition plan:** Employers have to develop and submit a transition plan that is valid for the period a TFW is hired and that “describes the activities [employers] are agreeing to undertake to recruit, retain and train Canadians and permanent residents and to reduce [their] reliance on the Temporary Foreign Worker Program”²⁴;
- **Recruitment and advertisement:** To be able to hire a TFW, employers must undertake recruitment and advertisement efforts to hire a Canadian or permanent resident first and submit proof of these efforts with their LMIA application;
- **Wages:** Employers must provide migrant workers with wages that are similar “to Canadian and permanent resident employees hired for the same job and work location, and with similar skills and years of experience”;
- **Job duties and working conditions:** TFWs are only allowed to “perform duties that correspond to the occupation they were hired for. Moreover, employers must “pay TFWs for all work (including overtime, where required by law), provide workplace safety insurance, offer TFWs the same benefits as other workers, and not take the TFW’s identification”;
- **Health insurance:** In applicable provinces, employers must provide TFWs with “private health insurance that covers emergency medical care” until TFWs are eligible to receive provincial health insurance;
- **Workplace safety insurance:** Employers must provide workplace safety insurance to TFWs that is either covered by “the provincial/territorial insurance provider, where required by

²² For all the details on program requirements for the high-wage stream of the TFWP see: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/high/requirements.html>.

²³ Certain exemptions for processing fees apply for families or individuals hiring a caregiver.

²⁴ Certain exemptions for submitting a transition plan apply.

law,” or a private plan that is equivalent or better than the coverage of the provincial/territorial insurance plan”;

- **Employment agreement:** An employment agreement, drafted in English or French, must be signed by both the employer and the employee “on or before their first day of work” and a copy must be provided to the migrant worker. The agreement needs to “include information for employment in the same occupation, with the same wages and working conditions as those set out in the offer of employment”;
- **Language of work:** Employers can indicate whether the job requires English and/or French skills. Justifications for any other language required need to be provided. Special requirements apply when a position comes without language requirements; and,
- **Unionized positions:** TFWs hired for unionized positions need to be offered and receive “the same wage rates as those established under the collective agreement” and “the same terms and conditions as Canadian and permanent resident workers”. Additionally, employers need to “submit a copy of the section of the collective bargaining agreement on the wage structure”²⁵.

Program Requirements for the TFWP’s Low-Wage Stream

The low-wage stream allows employers to hire TFWs for a maximum of two years and comes with a number of program requirements. Because many of these requirements are identical to those that are applicable to the high-wage stream of the TFWP, below only those requirements that differ from the high-wage stream are described in more detail while the others are linked to the descriptions in the section on the program requirements in the high-wage stream²⁶:

- [Processing fee](#);
- [Recruitment fee](#);
- [Third-party representatives](#);
- [New employers](#);
- [Business legitimacy](#);
- **Cap on proportion of low-wage positions:** Since April 30th, 2022 employers are only allowed to hire up to 20% of the TFWs they hire through the low-wage stream at any of their specific work locations. The limit is up to 30% for employers hiring workers in the construction, food manufacturing, wood product manufacturing, furniture and related product manufacturing, hospital, nursing and residential care facilities, and accommodation and food services sectors. Certain exemptions to this cap apply, e.g., for “low-wage positions in seasonal industries that do not go beyond 270 calendar-days” or “on-farm primary agricultural positions”;

²⁵ Employment and Social Development Canada, “Program Requirements for High-Wage Positions,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/high/requirements.html>.

²⁶ For a detailed list of the requirements see: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/low/requirements.html>

- [Recruitment and advertisement](#);
- [Wages](#);
- [Job duties and working conditions](#);
- **Two-year employment duration for meat processors pilot:** See specific information on the [pilot](#) project;
- **Transportation:** Employers are responsible for arranging and paying the “round-trip transportation” of TFWs (i.e., from their home country to Canada and back). These costs cannot be recovered from the TFWs;
- **Housing:** Employers are responsible for providing or ensuring “that suitable and affordable housing [as defined by the Canada Mortgage and Housing Corporation] is available for” TFWs;
- [Health insurance](#);
- [Workplace safety insurance](#);
- [Employment agreement](#);
- [Language of work](#); and
- [Unionized positions](#) ²⁷.

The TFWP’s In-Home Caregiver Program

The in-home caregiver program is intended to support families or individuals in hiring “a foreign caregiver to provide care, in a private residence, to children, seniors or persons with certified medical needs” when these positions cannot be filled by Canadians or permanent residents ²⁸. TFWs can be hired “on a live-in or live out basis” and either for a two-year period or, if hired under the high-wage stream, for up to three years ²⁹.

In-Home Caregiver Program Requirements

An overview of the program requirements of the in-home caregiver program is presented below.³⁰ As some of the requirements are identical to those in the SAWP and the high-wage stream, these requirements will be just referenced:

- **Processing fee:** Employers are required to pay \$1,000 in processing fees for the LMIA application, however, certain [exemptions](#) apply;
- [Recruitment fees](#);

²⁷ Employment and Social Development Canada, “Program Requirements for Low-Wage Positions,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/low/requirements.html>.

²⁸ Employment and Social Development Canada, “Hire a Temporary Worker as an In-Home Caregiver - Overview,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver.html>.

²⁹ Employment and Social Development Canada.

³⁰ For a detailed description of the program requirements of the in-home caregiver program see: <https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver/requirements.html>

- **Language restrictions:** English or French are the only languages that can be used as a job requirement unless it can be demonstrated “that another language is essential for the job”;
- **Language proficiency:** TFWs need to be fluent enough in English or French “to communicate effectively and independently in an unsupervised setting”. It is the employer’s responsibility to ensure this;
- **Education, training or experience:** “Employers are responsible for ensuring that TFWs being hired have all the training, qualifications and experience required to successfully and safely perform the job duties of the position for which they are hired”;
- **Regulated occupations:** Employers are responsible to ensure any necessary certification, registration or licensing is undertaken with the appropriate regulatory body for any TFW working in a regulated occupation that they are hiring;
- **Multiple employers:** Up to a maximum of two employers can “share the responsibilities of hiring an in-home caregiver. While only one application is required in this case, “both employers must meet all of the program requirements and sign all documents”;
- **Canada Revenue Agency business number:** Individuals hiring a caregiver “must obtain a business number (BN) from the Canada Revenue Agency (CRA);
- **Record of Employment:** Employers must provide TFWs with “a Record of Employment (ROE) when an interruption of earnings occurs for an employee”;
- **Proof of individual requiring care:** Employers must provide a proof that care recipient is in need of care;
- **Proof of address:** If the employer and the care recipient do not live at the same address, a proof of address of the care recipient needs to be submitted,
- **Financial ability:** Only employers demonstrating “their financial ability to pay the caregiver’s wages” are entitled to hire a TFW;
- **Transportation:** Employers hiring a low-wage in-home caregiver are responsible for paying for the transportation of the TFW to and from the work location at the start of the contract and when the contract is finished. These costs need to be paid upfront and cannot be recovered from the TFW;
- **Housing:** While employers “cannot require a caregiver to live in their home”, if it is mutually agreed upon that living in is the best solution, the employer needs to adhere to certain [rules](#). Employers of TFWs hired through the low-wage stream “must ensure that suitable and affordable accommodation is available to the TFW” if they are not living in. This is not required by employers hiring a caregiver through the high-wage stream;
- **Ministerial instruction – Refusal to process an application:** LMIA applications “received on or after December 1, 2014” may be refused if the employer is “seeking to hire in-home caregivers exclusively on a live-in basis;
- [Health insurance;](#)
- [Workplace safety;](#)
- [Employment agreement;](#)
- [Union consultation;](#)

- [Third-party representatives](#); and,
- [New employers](#) ³¹.

The Role of LMIAs

Employers who want to hire a migrant worker through the TFWP have to apply for an LMIA. LMIA applications are processed by Service Canada (part of the Department of ESDC) and the whole LMIA process is supposed to ensure that positions offered to a migrant worker cannot currently be filled by Canadians or permanent residents, i.e., to demonstrate “that there is a need for a foreign worker to fill” a job ³². The LMIA, however, is not only there to ensure that there is actually a need to hire a migrant worker but also a process for ESDC to verify if the employer is “eligible to participate in the Temporary Foreign Worker Program”, “verify the consistency of the job offer with federal-provincial-territorial agreements”, and “assess the genuineness of the job offer” ³³. Thus, overall, the LMIA process is not only there to assess the impact that hiring a TFW has on the Canadian labour market but also to ensure that employers who are hiring TFWs are meeting all program requirements.

Depending on the stream through which employers apply for hiring a migrant worker, they have to submit certain documents which typically include proof of business legitimacy, proof of advertisement of the position (i.e., employers need to provide proof of minimum requirements of having advertised the job to Canadians and permanent residents)³⁴, as well as the employment offer and/or contract that outlines the position, work hours, salary and other working conditions. If the program requires employers to provide housing, a housing inspection report also needs to be submitted alongside other documents. If successful, the employer receives a confirmation letter which also “provides specific details about the job offer, such as the wages, working conditions and occupations” ³⁵. As such, the positive LMIA confirmation letter also becomes an important tool by which employers have to abide regarding the working and employment conditions of the TFWs that they hire.

Once a positive LMIA letter is received, employers need to share a copy of this letter as well as a signed employment contract with the TFW they are planning to hire. The TFWs need this letter and the employment contract to be able to apply for a work permit.

³¹ Employment and Social Development Canada, “Hire a Temporary Worker as a Live-in Caregiver - Program Requirements,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver/requirements.html>.

³² Immigration, Refugees and Citizenship Canada, “What Is a Labour Market Impact Assessment?,” 2022, <https://www.cic.gc.ca/english/helpcentre/answer.asp?qnum=163>.

³³ Employment and Social Development Canada, “Hire a Temporary Foreign Worker through the Agricultural Stream – Next Steps,” program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural/after.html>.

³⁴ This requirement is currently waived until June 30, 2023 for employers hiring TFWs in primary agriculture Employment and Social Development Canada, “Hire a Temporary Worker through the Seasonal Agricultural Worker Program - Overview.”

³⁵ Employment and Social Development Canada.

The Roles of the Federal and Provincial Governments in the TFWP and IMP

ESDC oversees the Temporary Foreign Worker Program including the SAWP. As such, they are responsible for determining the rules and conditions of the program, ensuring that employers comply by them and processing LMIA applications. As part of processing LMIA applications, ESDC assesses whether employers are eligible to participate in the program and whether the job offer is genuine. ESDC also verifies “the consistency of the job offer with federal-provincial-territorial agreements” and assess the overall “impact of hiring a TFW on the [Canadian] labour market”³⁶. As part of their duties to ensure that employers comply with the rules and regulations of the program, ESDC provides different platforms to [report abuse](#) and assesses and investigates these reports. Moreover, ESDC has authority to inspect employers under [certain conditions](#) to verify employers’ compliance with program requirements.

IRCC is responsible for processing work permit applications and determining whether workers are eligible to come and work in Canada or not. While the TFWP is overseen by ESDC, IRCC is also responsible for overseeing the IMP. Thus, IRCC is responsible for determining the rules and conditions of the IMP and ensuring that employers comply with them. Therefore, similarly to ESDC, IRCC has the authority to inspect employers under [certain conditions](#) to verify employers’ compliance with program requirements. TFWs employed under the IMP who are experiencing abuse can use the same means as TFWs in the TFWP to [report abuse](#) and IRCC assesses and investigates these reports.

Provincial governments typically determine labour and employment standards which also apply to migrant workers.³⁷ These standards, for example, include “hours of work, working conditions and termination of employment”³⁸. In New Brunswick, [employment standards](#) are regulated by the [Department of Post-Secondary Education, Training and Labour](#). In Nova Scotia, [labour standards](#) are regulated by the [Department for Labour, Skills and Immigration](#). Finally, in PEI, [employment standards](#) are regulated by the [Department for Economic Growth, Tourism and Culture](#).

If employees, including migrant workers, face workplace health and safety concerns, they would therefore report these concerns to their respective provincial or territorial workplace health and safety offices which are affiliated with departments at the respective provincial or territorial governments. Likewise, other employment problems such as unjust pay, unfair treatment or not respecting the employment agreement are to be reported at the provincial/territorial level at the provincial or territorial employment standards office.

³⁶ Employment and Social Development Canada.

³⁷ Note: There are some occupations that are federally regulated and these occupations therefore have to adhere to the rules set out in the [Federal Labour Standards](#).

³⁸ Employment and Social Development Canada, “Hire a Temporary Worker through the Seasonal Agricultural Worker Program - Overview.”

The Rights of Temporary Foreign Workers

ESDC has published online an overview of the rights of TFWs, accessible in eight languages (English, French, Spanish, Mandarin, Hindi, Korean, Tagalog and Thai language). The overview includes information on what the employers of TFWs are obliged to do and what they are not allowed to do. According to this list, employers of TFWs must ³⁹:

- Provide workers with information about their rights;
- Provide workers with a signed copy of their employment agreement on or before the first day of work;
- Pay workers for their work as stated in their employment agreement, including overtime work of that is included as part of the agreement;
- Make reasonable effort to provide workers with a workplace free of abuse, including reprisals;
- Follow the employment and recruitment standards of the province or territory where workers are working;
- Get and pay for private health insurance that covers workers emergency medical care until workers are eligible for provincial or territorial health insurance coverage;
- Make reasonable efforts to give you access to health care services if workers are injured or become ill at the workplace.

In contrast to that, employers of TFWs cannot:

- Force workers to perform unsafe work or work that the workers' employment agreement does not authorize them to do;
- Force workers to work if they are sick or injured;
- Pressure or force workers to work overtime not included in their employment agreement;
- Punish workers for reporting mistreatment, unsafe work, inadequate housing or for cooperating with an inspection by a government employee;
- Take workers' passports or work permit away from them;
- Deport workers from Canada or change their immigration status;
- Make workers reimburse recruitment-related fees that employers may have paid to hire workers.

In addition to this list of things that employers of TFWs are obliged and prohibited to do, the overview also presents further explanations related to the employment agreement, access to health care services, what to do if workers become injured or ill at their workplaces, general health and safety at work, what a workplace free of abuse means, what to do if a worker loses their job, changing employers, and housing rights.

³⁹ Employment and Social Development Canada, "Temporary Foreign Workers: Your Rights Are Protected," policies, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html>.

Finally, ESDC's overview of the rights of TFWs also includes information on how migrant workers can receive help if they are facing abuse or maltreatment. Specifically, information is listed on how to report abuse to Service Canada, applying for an open work permit for vulnerable workers who are victims of abuse, which support organizations exist for migrant workers, how to report a workplace health or safety problem at the provincial or territorial workplace health and safety offices, how to report other employment problems to the provincial or territorial employment standards office, how to report issues for workers who are employed in federally regulated sectors, and where to seek help and/or report issues related to human trafficking.

In addition to this information, ESDC also has a site that provides TFWs with specific instructions on [how to report abuse](#). This information is available in the same eight languages as the information on TFWs rights. Abuse can be reported online, via phone, in person or via mail. Online abuse report forms are available in the above-named eight languages. For the phone tip line that is run by Service Canada, it is indicated that callers can talk to "a live Service Canada agent in one of more than 200 languages" ⁴⁰.

IRCC has likewise published an [overview](#) of the rights of migrant workers who are in Canada through the IMP. As these rights as well the pathways to report abuse are fairly similar to the TFWP, they are not outlined in further detail here.

Employer Non-Compliance

IRCC publishes a [list](#) of any employers who have hired temporary foreign workers under the Temporary Foreign Worker Program or the International Mobility Program and who have been found to be in non-compliance with their responsibilities as an employer ⁴¹. For the TFWP, non-compliance is linked to not adhering to the conditions set out in the offer of employment to a temporary foreign workers, as well as the conditions set out in the LMIA decision letter, annexes to the letter and the [Immigration and Refugee Protection Regulations \(IRPR\)](#) ⁴². Employers who are found as being non-compliant, face either or both of the following penalties: 1. A monetary penalty, or 2. They are banned from hiring TFWs for a certain period of time ⁴³.

According to the "Employers who have been found non-compliant" list, there are five employers in New Brunswick, 18 employers in Nova Scotia, and one employer in PEI who have been found to be non-compliant ⁴⁴. While most of these incidents of non-compliance resulted in monetary penalties, there are two instances where employers in Nova Scotia received a 2-year-ban from hiring TFWs,

⁴⁰ Employment and Social Development Canada, "How to Report Abuse of Temporary Foreign Workers," program descriptions, 2022, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/report-abuse.html>.

⁴¹ Immigration, Refugees and Citizenship Canada, "Employers Who Have Been Found Non-Compliant," service initiation, 2022, <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/employers-non-compliant.html>.

⁴² Employment and Social Development Canada, "Employer Compliance," program descriptions, November 18, 2015, <https://www.canada.ca/en/employment-social-development/services/foreign-workers/employer-compliance.html>.

⁴³ Immigration, Refugees and Citizenship Canada, "Employers Who Have Been Found Non-Compliant."

⁴⁴ Immigration, Refugees and Citizenship Canada.

one instance where an employer in Nova Scotia received a one-year ban from hiring TFWs, and one instance in PEI where an employer received a two-year ban from hiring TFWs.



A list of the employers in the Maritimes who have been found non-compliant, the reasons for this, and the penalties implemented is included in **Appendix A**.

How Many Migrant Workers are there in the Maritimes?

Q2 How many migrant workers are there in the Maritimes, through the TFW program, now and over the past few years? In what geographic locations and industries do they work?

What data sources can be used to identify this on an ongoing basis?

There are a few sources of data which can help to identify the number of temporary foreign workers in the Maritimes. (Detail about these sources follows in the next section.) ESDC publishes details on the number of positive LMIAs it has issued; however not all of those decisions will necessarily result in a worker coming to the Maritimes. Therefore, data published by IRCC, which indicates the number of work permits issued, offers a more accurate representation of overall numbers of TFWs.

The following figure shows the annual number of TFWP work permit holders from 2015 to 2022, using IRCC data. It should be noted that the data for 2022 only includes up to September; therefore, it is likely that the final numbers for 2022 will be higher. For comparison purposes, the total number of LMIAs issued (according to ESDC data) is also shown.

Figure 1: TFWP work permit holders in Nova Scotia, 2015-2022

In **NS**, the annual number of TFWP work permit holders has increased every year since 2015 (except for 2020). This has largely been driven by increases in TFWs in **farming** occupations.

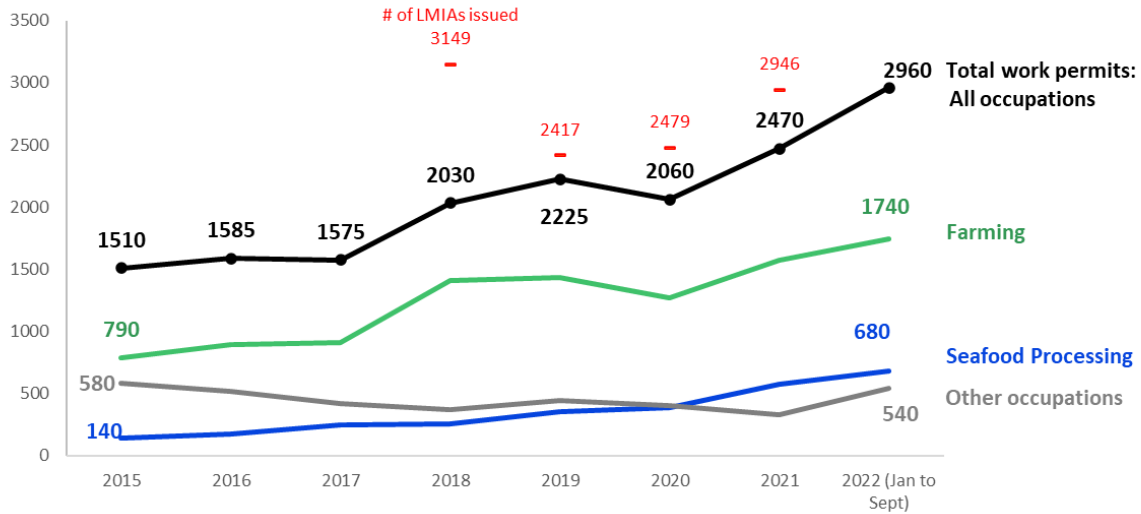


Figure 2: TFWP work permit holders in New Brunswick, 2015-2022

In **NB**, the annual number of TFWP work permit holders has increased steeply since 2020, driven by increasing numbers of TFWs in **seafood processing**.

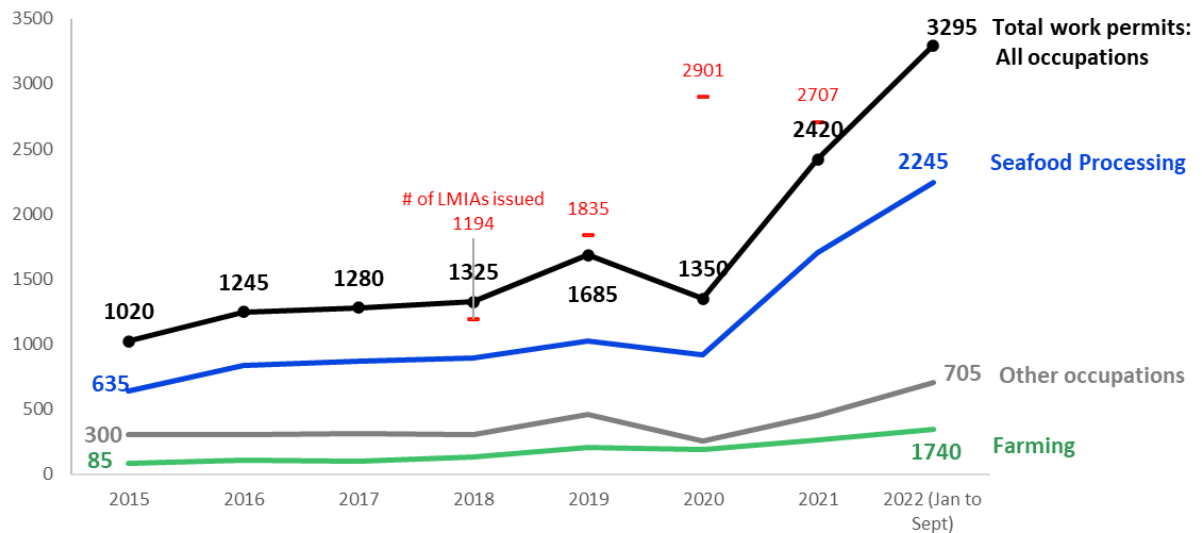
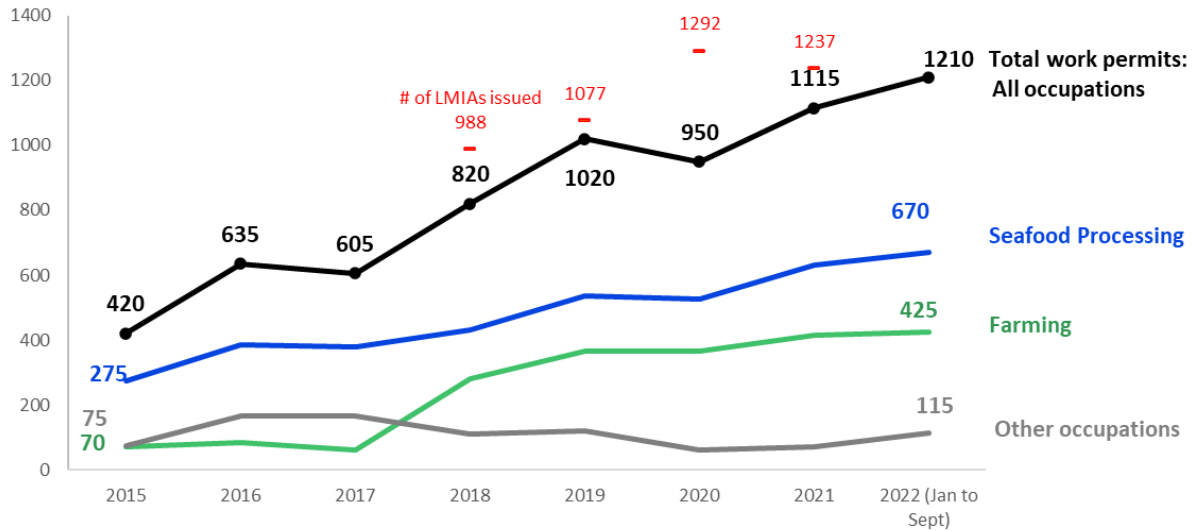


Figure 3: TFWP work permit holders in Prince Edward Island, 2015-2022

In PE, the annual number of TFWP work permit holders has been increasing since 2015, due both to increased TFWs in **seafood processing** and **farming** occupations.



Sources for Figures 1, 2 and 3:

Work permit data source: Monthly IRCC Updates on open.canada.ca

Farming includes occupations: 8431 - General farm workers, 8432 - Nursery and greenhouse workers, 8252 - Agricultural service contractors, farm supervisors and specialized livestock workers, and 8611 - Harvesting labourers

Seafood processing includes 9463 - Fish and seafood plant workers and 9618 - Labourers in fish and seafood processing

LMIA data source: ESDC on open.canada.ca

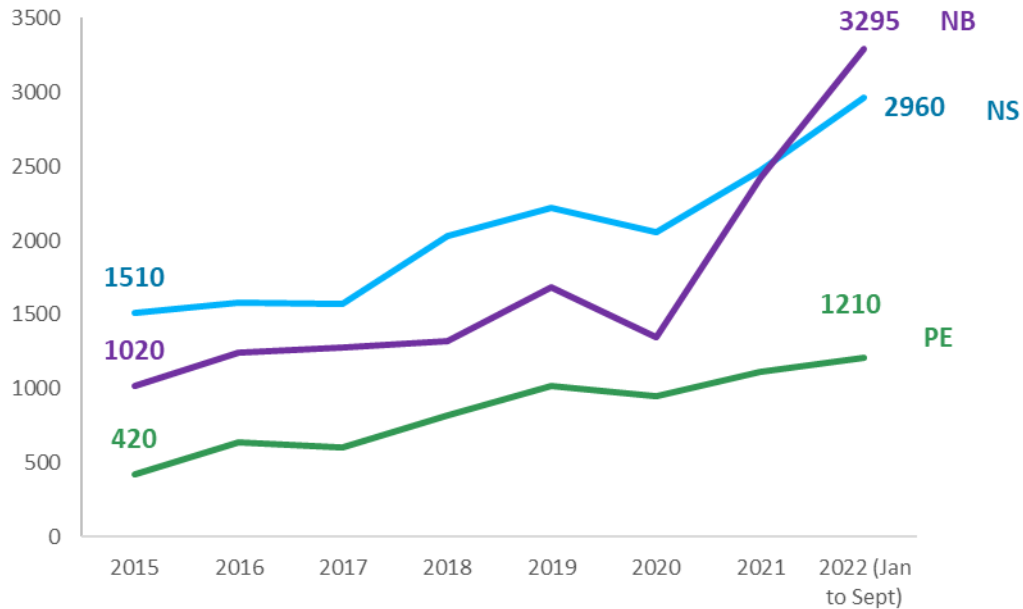


For more detail on the **specific numbers of work permits issued by occupation** (according to National Occupation Classification (NOC) code) in each Maritime province from 2015 through September 2022, see the data tables included in **Appendix B**.

Figure 4, below, brings together the data for each province, to show how the total number of TFW work permits compares from province to province. As can be seen, Nova Scotia had the largest number from 2015 through 2021. However, New Brunswick has exceeded Nova Scotia in terms of TFW work permits so far in 2022.

Figure 4: TFWP work permit holders by province, 2015-2022

In 2022 (so far), **NB** has had the highest number of TFWP work permits issued, exceeding numbers in **NS**.

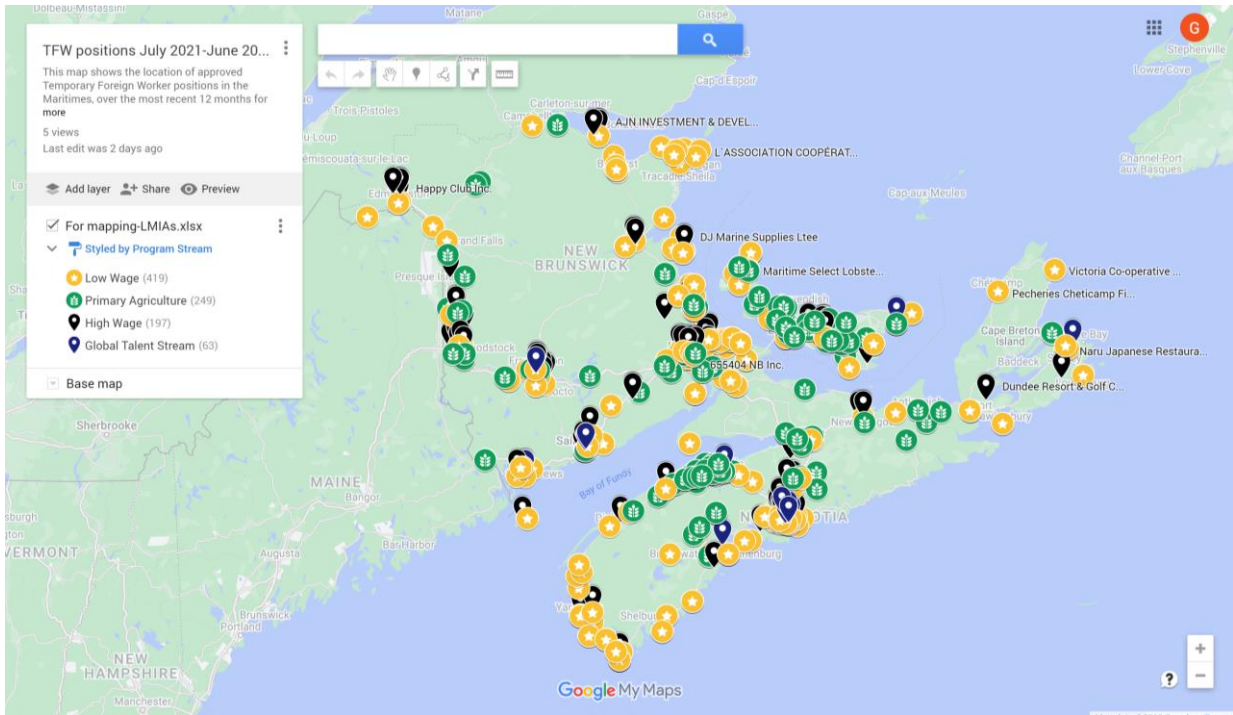


Geographic Mapping

The data from ESDC on the number of positive LMIA's it has issued also contains the addresses of the companies which received these positive LMIA's. Since these are the addresses of the companies themselves, it may be that the address of where a TFW is employed is different than that of the company's office; however, this represents the closest information on location of TFWP workers that is publicly available.

The data on the four most recent quarters that has been published (July 2021- June 2022) has been used to create an interactive map showing the locations of these positive LMIA's across the Maritime provinces.

The following is a still photo of the map:



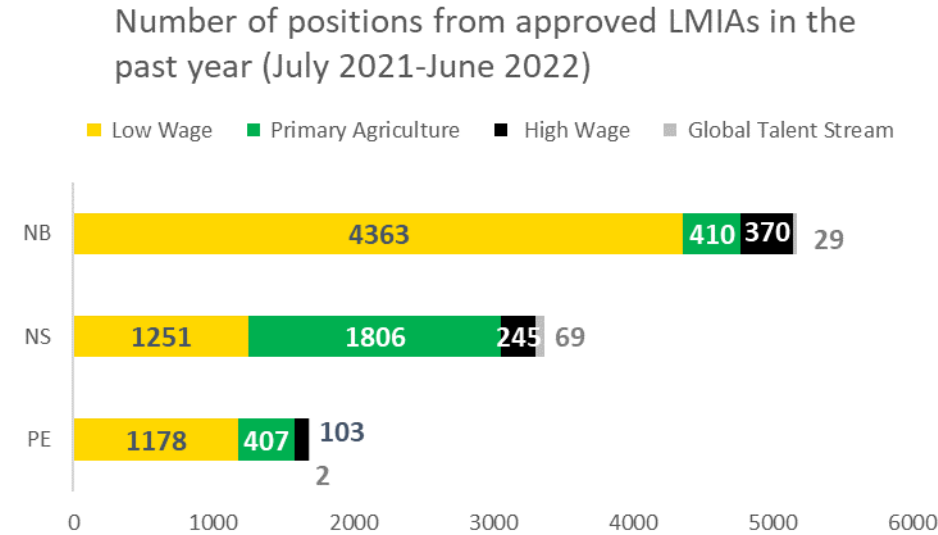
The interactive version of this map can be accessed at:



<https://www.google.com/maps/d/edit?hl=en&mid=15FkOpEQPfOnGBhkPwecwoksPKLiCmLo&ll=45.92893293602221%2C-65.61692877663353&z=7>

The ‘stream’ under which these LMIA’s were issued is included for each point on the map. Figure 5 shows the number of positive LMIA’s by stream in each province. In NB and PE, there were more Low Wage stream approved LMIA’s, while in NS, there were more Primary Agriculture stream LMIA’s.

Figure 5: Streams of positive LMIA’s in the past year, by province



Countries of Citizenship of Migrant Workers in Agriculture

Statistics Canada has an additional data set on TFWs in the agriculture and agri-food sector and, therefore, some additional information is available on these workers. For example, this data indicates the countries of citizenship for these workers, which is shown in the following figures. The most recent year for which this data is available is 2021.

Figure 6: Countries of citizenship for TFWs in the Agricultural sector in Nova Scotia

NS: In 2021, out of 1,541 Temporary Foreign Workers in the agricultural sector, 60% were from **Jamaica**, and 35% from **Mexico**.

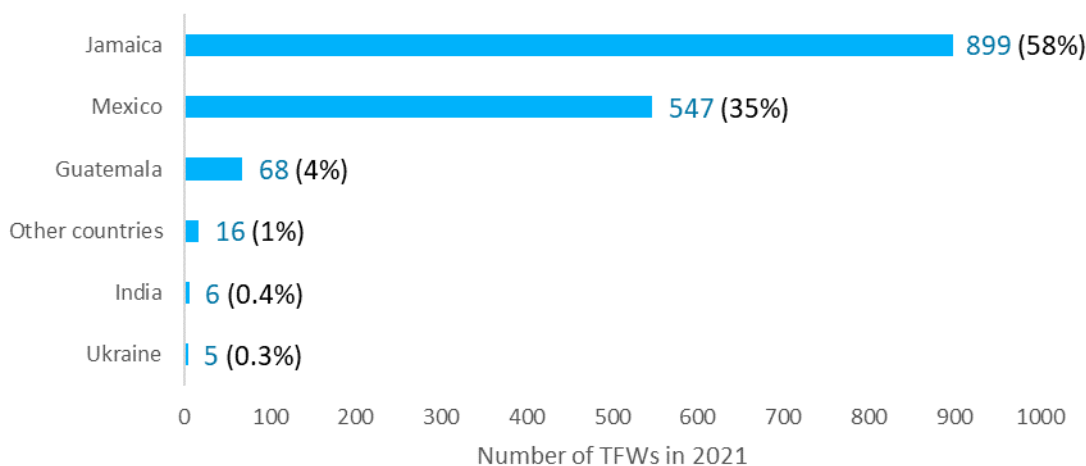


Figure 7: Countries of citizenship for TFWs in the Agricultural sector in New Brunswick

NB: In 2021, out of 299 Temporary Foreign Workers in the agricultural sector, 51% were from **Jamaica** and 27% from **Mexico**.

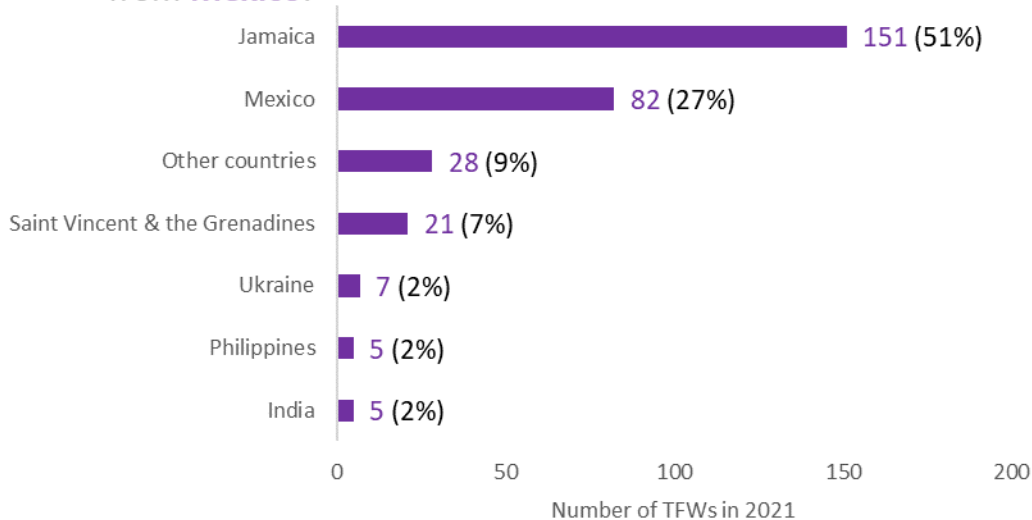


Figure 8: Countries of citizenship for TFWs in the Agricultural sector in Prince Edward Island

PE: In 2021, out of 559 Temporary Foreign Workers in the agricultural sector, 60% were from **Mexico**. **India** was the next most common country of citizenship.

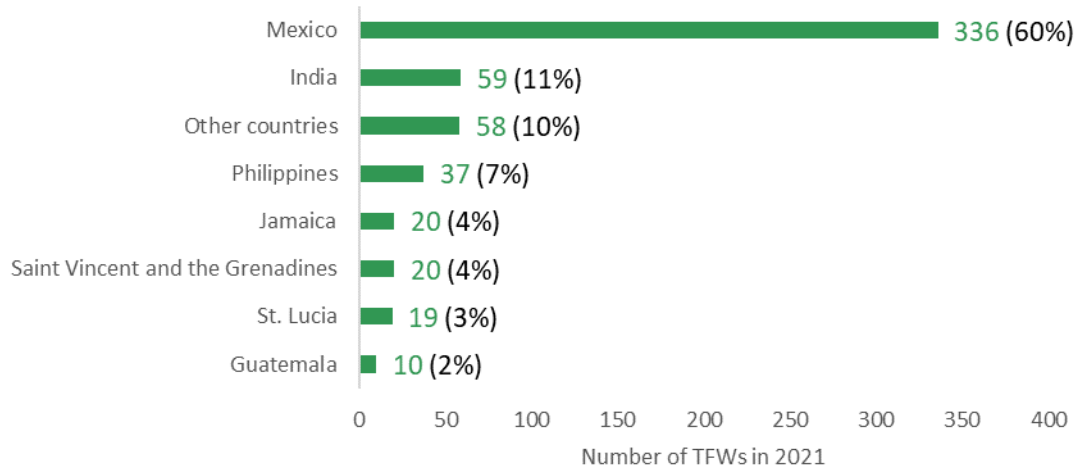
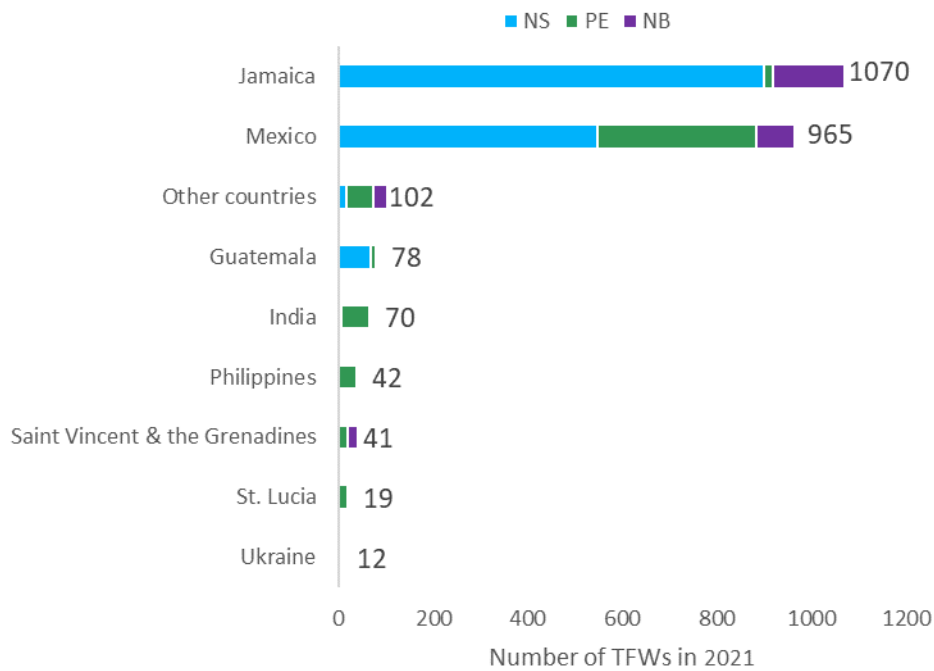


Figure 9: Countries of citizenship for TFWs in the Agricultural sector in the Maritimes

All together, the largest numbers of TFWs in agriculture in the **Maritimes** in 2021 were from **Jamaica** and **Mexico**.



Agriculture and Food Manufacturing Industries

Statistics Canada also provides data on the number of TFWs in agricultural industries, as well as food and beverage manufacturing. The most recent data available is for the year 2020. Despite the unusual circumstances of 2020, when the COVID-19 pandemic reduced the numbers of TFWs, the distribution of TFWs in agricultural industries is fairly similar to prior years.

Figure 10: TFWs in agricultural industries in the Maritimes

In 2020, many TFWs employed in **agricultural industries** were in fruit and tree nut farming, as well as vegetable and melon farming.

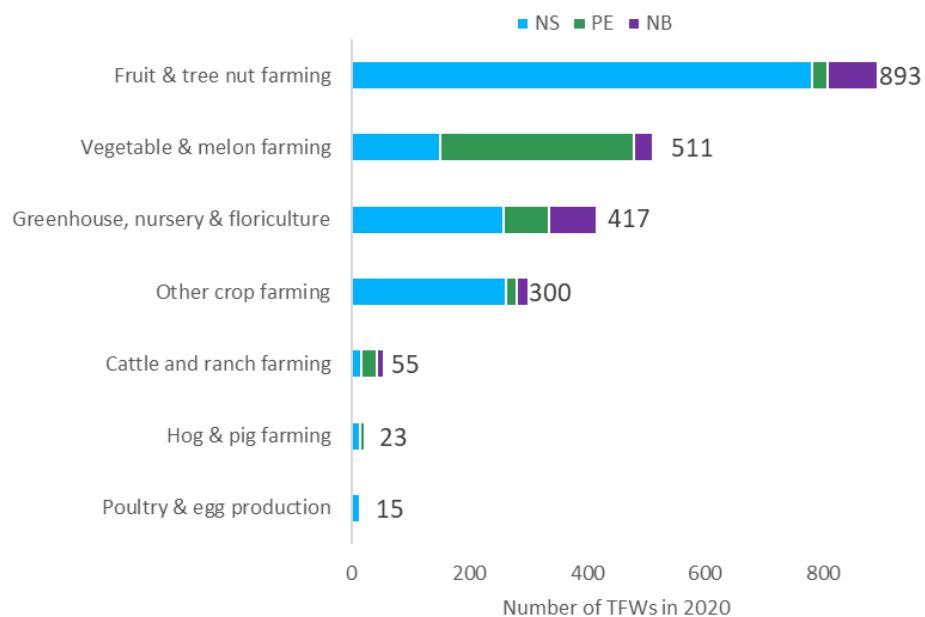
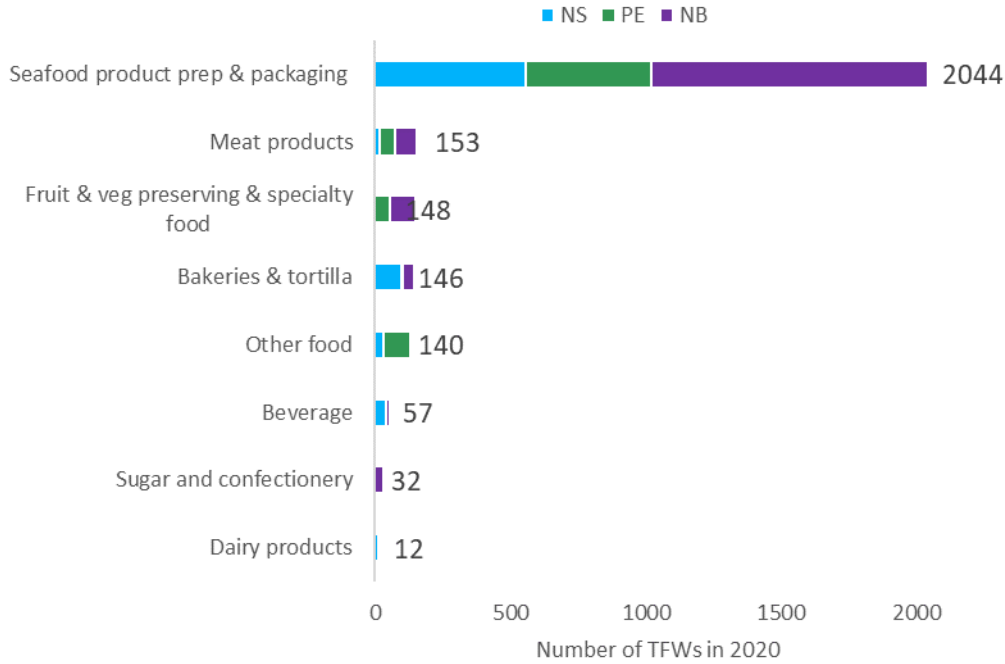


Figure 11: TFWs in food and beverage manufacturing industries in the Maritimes

In 2020, TFWs in food and beverage **manufacturing** industries were largely in seafood preparation and packaging.



Data Sources on Temporary Foreign Workers in the Maritimes

Detail regarding the datasets which are available on TFWs in the Maritime provinces, where they can be accessed and what information they contain, is included in the following table.

Data Sources on Temporary Foreign Workers in the Maritimes

Temporary Foreign Worker Program: Positive Labour Market Impact Assessment (LMIA) Employers List

Source: Employment and Social Development Canada's (ESDC) LMIA System.

Available at: <https://open.canada.ca/data/en/dataset/90fed587-1364-4f33-a9ee-208181dc0b97>

Information included:

The data provided in this report tracks TFW positions on Labour Market Impact Assessments only, not TFWs that are issued a work permit or who enter Canada. The decision to issue a work permit rests with Immigration, Refugees and Citizenship Canada (IRCC); therefore, not all positions approved result in a work permit or a TFW entering Canada. The data includes all positions on all positive LMIA's as issued, and therefore also includes any position that may have been subsequently cancelled by the employer.

- 2014 to present
- Province/Territory, Program Stream, Employer, Employer Address, Occupation (by National Occupation Classification (NOC) code), Incorporate Status, Number of Approved LMIA's, Number of Approved Positions

Not included:

This list excludes all personal names, such as employers of caregivers or business names that use or include personal names. For this reason, the list is not complete and does not reflect all employers who requested or received an LMIA.

LMIA's in support of Permanent Residence (PR) are also excluded from TFWP statistics reporting.

Temporary Foreign Worker Program and International Mobility Program Work Permit Holders – Monthly IRCC Updates

Source: Immigration, Refugees and Citizenship Canada

Available at: <https://open.canada.ca/data/en/dataset/360024f2-17e9-4558-bfc1-3616485d65b9>

Information included:

- Temporary residents who are in Canada on a TFWP or IMP work permit, by year in which permit(s) became effective or with a valid permit on December 31st.
- 2015 to present
- Total number of permit holders by province, program and occupation (by NOC code)

Not included:

- Locations, employers
- Gender, year and age not available by province

The figures have been suppressed or rounded to prevent the identification of individuals when the datasets are compiled and compared with other publicly available statistics. Values between 0 and 5 are shown as "--" and all other values are rounded to the nearest multiple of 5. This may result in the sum of the figures not equating to the totals indicated.

Employers who have been found non-compliant

Source: Immigration, Refugees and Citizenship Canada

Available at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/employers-non-compliant.html>

Information included:

- Business operating name, Business legal name, Address, Reason(s), Date of final decision, Penalty, Status

Statistics Canada: Temporary foreign workers in the agriculture and agri-food sectors

Source: Statistics Canada

This is part of the Agriculture and Agri-Food Labour Statistics Program, an annual census of all salaried employees who have worked in the agriculture and food manufacturing sectors. Statistics Canada combines the information from this survey and from its Longitudinal Immigration Database (IMDB), the Business Register and the Agriculture Taxation Data Program to identify temporary foreign workers and sectors.

The following data tables are available:

1) Temporary foreign workers in the agriculture and agri-food sectors, by industry

Table: 32-10-0218-01

Available at : <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3210021801>

Frequency: Annual, 2016-present

Description: This table provides the number of temporary foreign workers, the number of jobs filled by temporary foreign workers and the number of operations with at least one temporary foreign worker in the agriculture et agri-food sectors, by industry in Canada and in the provinces.

2) Countries of citizenship for temporary foreign workers in the agricultural sector

Table: 32-10-0221-01

Available at: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3210022101>

Frequency: Annual, 2016-present

Description: This table provides the number of temporary foreign workers in Canada and in provinces by their country of citizenship.

3) Jobs filled by temporary foreign workers in the agriculture sector, and agricultural operations with at least one temporary foreign worker, by province

Table: 32-10-0219-01

Available at: <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3210021901>

Frequency: Annual, 2016-2018 only

Description: This table provides the number of jobs filled by temporary foreign workers in the agriculture sector, and agricultural operations with at least one temporary foreign worker, by province in Canada.

Service Mapping

Q3 What services exist to help migrant workers and who offers them (including community organizations, advocacy or faith-based groups, municipalities, government departments, immigrant settlement organizations, etc.)?

- Roles of the federal and provincial governments
-

Overall, the research identified that most services for migrant workers are provided by community organizations and advocacy groups as well as SPOs. While community organizations and advocacy groups clearly identified that they are serving all migrant workers and often focus their work on those who are most vulnerable, i.e., migrant workers coming through the SAWP or the low-wage stream of the TFWP, obtaining information on which groups of migrant workers SPOs provide services to was a lot harder. Specifically, it was difficult to obtain information on whether the services of SPOs are also accessible to migrant workers entering the Maritimes through the SAWP or in other more seasonal industries such as seafood plants. Where we were able to obtain such information, it is included in the tables below.

It is also important to mention that while many SPOs actually do have services available to migrant workers, some indicated that they do not undertake any specific outreach activities to reach these populations, i.e., they would not turn migrant workers away if they come to seek their services but also did not undertake any specific efforts to reach them as they did not have the capacities and resources to do so. Others mentioned that while their services are open to all migrants (including PRs and TFWs) they “may limit the timeframe they spend with migrant workers compared to PRs”. Moreover, having to navigate requirements such as hitting targets and/or key performance indicators linked to federal and provincial funding meant that it could sometimes be challenging for SPOs, who often receive most of their funding from IRCC, to focus their work on serving migrant workers. Finally, several SPOs mentioned that they are not able to provide migrant workers with support when these face immigration challenges or workplace challenges which means that this work is currently exclusively undertaken by very few community and advocacy groups in the Maritime provinces.

Services Available to Migrant Workers in New Brunswick

Compared to the other two Maritime provinces, NB has a decent representation of SPOs across the province that provide service to newcomers including migrant workers. There are several SPOs who cover different rural areas of the province. According to interviewees, however, their work can be difficult as they often have limited staff and need to cover huge areas with their services. Currently there are only two organizations in NB that undertake **active outreach** to migrant workers, inform them about their rights and support them when they are facing immigration challenges or workplace challenges, namely the Filipino-Community of New Brunswick and Madhu Verma Migrant Justice Centre.

New Brunswick Organization	Municipality / Region	Settle-ment Services	Employ-ment Services	Lang-uage Classes	Comm-unity Connect-ions	Advo-cacy	Empl-oyer Support	Other	Resources available
<u>City of Moncton/The Greater Moncton Local Immigration Partnership (GMLIP)</u>	Greater Moncton					√		<ul style="list-style-type: none"> • Welcome events and settlement fairs to connect newcomers with services • Attraction missions • Offer annual immigration grants for seed programs that implement the city's immigration strategy 	<ul style="list-style-type: none"> • <u>Immigration Website</u> • <u>Newcomers Guide - Greater Moncton</u> • <u>Integration Services Brochure</u> • <u>Greater Moncton Local Immigration Partnership (GMLIP) Webinar Series</u>
<u>Multicultural Association of the Greater Moncton Area (MAGMA)</u>	Greater Moncton	√	√	√	√		√	<ul style="list-style-type: none"> • Care for children 	
<u>Le Centre d'accueil et d'accompagnement francophone des immigrants du Sud-Est du Nouveau-Brunswick</u>	Greater Moncton and south-east of New Brunswick	√							

New Brunswick Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
<u>Multicultural Association of Fredericton</u>	Fredericton	√	√	√	√		√	<ul style="list-style-type: none"> • Children and youth (SWIS-PLAF) 	<ul style="list-style-type: none"> • <u>List of different resources available to newcomers in Fredericton</u>
<u>Madhu Verma Migrant Justice Centre</u> *	Fredericton (serves all of New Brunswick)				√	√		<ul style="list-style-type: none"> • Support with work permit and immigration applications • Assistance with filing labour complaints • Direct assistance (e.g., emergency food, housing, health care and child care) • Supporting the creation of workers' associations 	<ul style="list-style-type: none"> • <u>Information on workers' rights</u>
<u>Centre de ressources pour nouveaux arrivants au Nord-Ouest</u> *	Edmundston	√	√		√		√	<ul style="list-style-type: none"> • Children and youth (SWIS) 	
<u>Comité d'accueil, d'intégration et d'établissement des nouveaux arrivants de la Péninsule acadienne (CAIENA Péninsule acadienne)</u>	Acadian Peninsula	√	√	√	√			<ul style="list-style-type: none"> • Raising public awareness of cultural diversity • Raising awareness among employers about hiring international workers • Raising awareness of multiculturalism among youth and schools 	

New Brunswick Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
<u>Multicultural Association Chaleur Region</u>	Bathurst and Chaleur Region	√	√	√	√		√	<ul style="list-style-type: none"> Youth services 	<ul style="list-style-type: none"> <u>Newcomers' Guide to the Chaleur Region</u>
<u>Restigouche Multicultural Association</u>	Campbellton and Restigouche	√		√	√				
<u>Miramichi Regional Multicultural Association</u>	Miramichi Region	√	√				√	<ul style="list-style-type: none"> Computer and printing services 	
<u>Multicultural Association for the Integration of Newcomers - AMINA</u>	Restigouche West			√	√				
<u>Saint John Newcomers Centre</u>	Saint John	√	√	√	√			<ul style="list-style-type: none"> Tax clinics Information sessions on life in Saint John Wellness Café Resource Centre (e.g., printing) Cultural competency training for businesses and government agencies 	
<u>YMCA of Greater Saint John</u>	Saint John		√		√			<ul style="list-style-type: none"> Needs and Assets Assessment Canada School School Supports Youth Supports Information Sessions Atlantic Immigrant Career Loan Fund 	<ul style="list-style-type: none"> <u>Service Map</u>

New Brunswick Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
<u>Multicultural Association of Carleton County</u> *	Woodstock/Carleton County	√	√	√	√			<ul style="list-style-type: none"> School programs 	
<u>Multicultural Association of Charlotte County (CCMA)</u>	St. George/Charlotte County	√		√	√			<ul style="list-style-type: none"> Translation and interpretation Youth Engagement 	
Rural Settlement Network - Kedgwick and Saint Quentin	Kedgwick and Saint Quentin								
<u>Village of Chipman and Area Community Integration Program</u>	Chipman/Queens County			√	√				
<u>Multicultural Association of Sussex</u>	Sussex	√	√	√	√		√	<ul style="list-style-type: none"> Youth services (e.g., developing skills for the future, youth mentorship and empowerment) 	
<u>Hola! New Brunswick</u>	New Brunswick	√	√					<ul style="list-style-type: none"> Family support 	
<u>Filipino-Community of New Brunswick</u> *	New Brunswick	√	√		√	√		<ul style="list-style-type: none"> Support with PR application Outreach Information sessions on workers' rights and other topics Emergency assistance 	
<u>New Brunswick Multicultural Council</u>	New Brunswick		√		√		√	<ul style="list-style-type: none"> Leads the Rural Settlement Network initiative 	<ul style="list-style-type: none"> <u>Learning Hub</u> is intended to help individuals, teams, and organizations

New Brunswick Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
								<ul style="list-style-type: none"> • The Atlantic Immigrant Career Loan Fund (AICLF) • Cultural competency training 	working in the Settlement and Inclusion sector within NBMC's member agencies to leverage best practices and strategically address challenges as they emerge in the ever-evolving space of immigration in New Brunswick.

* Services not currently provided to TFWs that are in the Maritimes through the SAWP.

* Serves all migrant workers including those entering the Maritimes through the SAWP.

Services Available to Migrant Workers in Nova Scotia

The service landscape for migrant workers is much less established in NS in comparison to NB. The main immigrant-serving SPOs in NS are ISANS and the Immigration Program of the YMCA. Both ISANS and YMCA provide services throughout the province, with nine local YMCA service branches across the province. However, most of the services that these two SPOs offer are not accessible to migrant workers, except for ISANS' TFW Support Program which offers some language training options and provides information. No One Is Illegal – Halifax/Kiipuktuk is the only organization that provides outreach to migrant workers, undertakes advocacy tasks on behalf of migrant workers and provides emergency help as well as support with immigration matters and complaints among other.

Nova Scotia Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
No One Is Illegal - Halifax/Kiipuktuk *	Based in Halifax but serve the entire province particularly North Shore, South Shore and Annapolis Valley				✓	✓		<ul style="list-style-type: none"> Public education on migrant workers and the issues they are facing Outreach to migrant workers Direct support and accompaniment in situations of abuse and workplace injuries (e.g., support with applying for vulnerable worker open work permits (VWOWPs), labour standards complaints, workers compensation, ESDC tip line complaints etc.) Support with access to healthcare (including vaccines) 	<ul style="list-style-type: none"> Migrant Worker Resources in Nova Scotia

Nova Scotia Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
								<ul style="list-style-type: none"> • Emergency support (e.g., food, housing) • Translation/interpretation • Workshops/webinars on a variety of topics (e.g., Nova Scotia Labour Standards, Workers' Compensation Board (WCB) of Nova Scotia, Workplace Health & Safety in Nova Scotia etc.) 	
<u>ISANS</u>	Halifax (delivers services throughout Nova Scotia)			√				<ul style="list-style-type: none"> • TFW Support Program • Two language programs and a volunteer tutor program for language are available to those on open work permits. • Offers guidance, support and immigration info (and translation services at low cost). 	
<u>YMCA of Greater Halifax / Dartmouth</u>	Main location in Halifax but has 9 local							Works with TFWs if they are eligible AIP participants, or post-	

Nova Scotia Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
	<p>sites, which cover the following areas:</p> <p>Lunenburg County, Cumberland County, Communities from Middleton to Windsor, Yarmouth County, Shelburne County, Colchester County, Annapolis County, Digby County, Pictou County, Cape Breton Regional Municipality, Victoria County, Inverness County, Richmond County, Mulgrave</p>							graduates with work permits.	
<u>Immigration francophone Nouvelle-Écosse</u> *	Halifax (provides services throughout Nova Scotia)	√	√	√	√			<ul style="list-style-type: none"> • Tax clinics • Youth services 	
<u>The Salvation Army - Halifax West Community Family Services</u>	Halifax (covers Spryfield and surrounding area)							<ul style="list-style-type: none"> • Help filling out immigration applications and family sponsorship applications 	
<u>Veith House Community Hub</u> *	Halifax	√		√	√			<ul style="list-style-type: none"> • Youth programs 	

* Not clear whether services are accessible for migrant workers.

* Serves all migrant workers including those entering the Maritimes through the SAWP.

Services Available to Migrant Workers in Prince Edward Island

PEI has several SPOs and community organizations that offer services to migrant workers. The biggest SPO on the island is Immigrant and Refugee Services Association PEI, located in Charlottetown, which serves newcomers including migrant workers throughout the province. Similar to the other two provinces, there is only one major community organization in PEI, namely the Cooper Institute, that is engaged in outreach to migrant workers and supports them when facing immigration and workplace challenges.

Prince Edward Island Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
<u>PEI Community Navigators (CBDC)</u> *	One coordinator each for Western (Alberton), Central (Kensington) and Eastern (Montague) PEI	√	√	√	√		√	<ul style="list-style-type: none"> • Help with navigating of employment, housing, transportation, language training, family supports, health, wellbeing, recreation and more as well as referral to relevant services and resources. • Educational programs to the community on the value of newcomers 	<ul style="list-style-type: none"> • <u>Business & Resource Directory</u> • <u>Resources</u>
<u>La Coopérative d'intégration francophone de l'Île-du-Prince-Édouard</u>	Charlottetown (provides services throughout PEI)	√	√	√	√		√		
<u>Immigrant and Refugee Services Association PEI</u>	Charlottetown (provides services)	√	√	√	√		√	<ul style="list-style-type: none"> • Youth services 	<ul style="list-style-type: none"> • <u>Guide for Newcomers to Prince Edward Island, Canada</u>

Prince Edward Island Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
	throughout PEI)								
Cooper Institute *	Charlottetown (provides services throughout PEI)				√	√		<ul style="list-style-type: none"> • Support in accessing services • Support with applications • Translation support • Other support as needed (e.g., emergency health support) • Research • Adult education 	<ul style="list-style-type: none"> • Guide for Migrant Workers: Living and Working in Prince Edward Island (low skilled streams) • Guide for Seasonal Agricultural Workers: Living and Working in Prince Edward Island • Information about COVID-19 for Migrant Workers • Leadership and Advocacy: A Toolkit for Migrant Workers • A Guide for Helping Temporary Foreign Workers in Prince Edward Island
BIPOC USHR *						√		<ul style="list-style-type: none"> • Community navigators provide information about services, provide practical supports, assist in filling out forms, accompany in meetings, reach out to their networks, and provide advocacy in 	

Prince Edward Island Organization	Municipality / Region	Settlement Services	Employment Services	Language Classes	Community Connections	Advocacy	Employer Support	Other	Resources available
								other ways as necessary (mainly related to topics of justice, education, health care, housing, employment, discrimination, and other needs as they arise)	
Open Homes by AirBnB								<ul style="list-style-type: none"> Free emergency housing (e.g., AirBnB hosts can sign up to offer free emergency housing for individuals in need, e.g., during medical stays or refugee housing) 	

* Not clear whether services are accessible for migrant workers.

* Serves all migrant workers including those entering the Maritimes through the SAWP.

Funding Sources

Q4 Many Service Providing Organizations (SPOs) receive funding from government to provide services to clients. Which funding sources or programs include TFWs as eligible recipients of services?

While IRCC is the main funding source for SPOs in Canada, the funding provided by IRCC is predominantly restricted to providing services to newcomers to Canada who arrive as Permanent Residents (PRs). IRCC funding can also be used to serve Government Assisted Refugees, immigrants entering through special programs that put them on the pathway to PR such as the Atlantic Immigration Program (AIP)⁴⁵, as well as Ukrainian nationals who are currently arriving in Canada. **Thus, IRCC funding does not enable most SPOs to provide services to the vast majority of migrant workers.**

ESDC sometimes provides funding to serve migrant workers. For example, during the pandemic, ESDC funded a project called “Empowering Temporary Foreign Workers during COVID-19” which was led by [Kairos](#) in collaboration with several community partners across Ontario, NS, NB, and PEI.

Funding from provincial governments often, also allows SPOs and other community organizations to provide services to migrant workers particularly in NB and PEI. In NB this funding is provided by the Department of Post-Secondary Education, Training and Labour. In their [2021-22 Immigrant Settlement Support Funding Guidelines](#) the Department clearly states that TFWs and their spouses are eligible clients for funding provided by the department and even underlines that “temporary foreign workers are valuable to the province and are potential provincial nominee applicants or future permanent residents”. In PEI the Department of Economic Growth, Tourism and Culture provides funding to some of the SPOs in the province that allows these organizations to also serve migrant workers. Nova Scotia seems to be an exception as the current [settlement funding guidelines 2023-26](#) do not include migrant workers other than those who currently hold a work permit but are PR applicants or those who have entered NS through the AIP as eligible clients for receiving settlement services.

According to discussions held as part of this research, it was also found that some SPOs and community organizations receive funding through their municipal governments, e.g., the city in which they are located. Additionally, several organizations, and especially grassroots community

⁴⁵ The Atlantic Immigration Program is a pathway to permanent residence for skilled foreign workers and international graduates from a Canadian institution who want to work and live in 1 of Canada’s 4 Atlantic provinces.

organizations, highlighted that they are able to provide services to migrant workers with funds provided to them through foundations, donations and/or other fundraising efforts.

Below, an overview of funding sources for each of the organizations identified in the Maritimes as providing services to migrant workers is outlined, based on the information available on their websites. It should be noted, therefore, that this may not be a comprehensive list.

Funding Sources for Services Provided in New Brunswick

Name of Organization	Gov. of New Brunswick	IRCC	Other Funding Sources identified
<u>City of Moncton/The Greater Moncton Local Immigration Partnership (GMLIP)</u>		✓	
<u>Multicultural Association of the Greater Moncton Area (MAGMA)</u>	✓	✓	<ul style="list-style-type: none"> RBC Foundation
<u>Le Centre d'accueil et d'accompagnement francophone des immigrants du Sud-Est du Nouveau-Brunswick</u>	✓	✓	
<u>Multicultural Association of Fredericton</u>	✓	✓	<p>Federal</p> <ul style="list-style-type: none"> Department of Canadian Heritage Employment and Social Development Canada <p>Provincial</p> <ul style="list-style-type: none"> Working NB <p>Municipal:</p> <ul style="list-style-type: none"> City of Fredericton <p>Others</p> <ul style="list-style-type: none"> Atlantic Region Association of Immigrant Serving Agencies Atlantic Immigrant Career Loan Fund Canadian Council for Refugees Catholic Crosscultural Services Community Food Centres Canada Downtown Fredericton Federal Internship Newcomers Program Fédération acadienne de la Nouvelle- Écosse Fredericton Community Foundation Immigrant Services Association of Nova Scotia Judith Marcuse Projects Society New Brunswick Multicultural Council Inc.

Name of Organization	Gov. of New Brunswick	IRCC	Other Funding Sources identified
			<ul style="list-style-type: none"> • Planning for Canada • Second Harvest, Food Rescue • St. Thomas University • S.U.C.C.E.S.S. • United Way Central NB • University of New Brunswick
<u>Madhu Verma Migrant Justice Centre</u>			<ul style="list-style-type: none"> • Donations • Previously received funding from ESDC
<u>Centre de ressources pour nouveaux arrivants au Nord-Ouest</u>	√	√	
<u>Comité d'accueil, d'intégration et d'établissement des nouveaux arrivants de la Péninsule acadienne (CAIENA Péninsule acadienne)</u>	√	√	
<u>Multicultural Association Chaleur Region</u>	√	√	
<u>Restigouche Multicultural Association</u>	√	√	<ul style="list-style-type: none"> • Rural Settlement Network • Multicultural Council of New Brunswick
<u>Miramichi Regional Multicultural Association *</u>			
<u>Multicultural Association for the Integration of Newcomers – AMINA *</u>			
<u>Saint John Newcomers Centre</u>	√	√	<ul style="list-style-type: none"> • City of Saint John
<u>YMCA of Greater Saint John *</u>			
<u>Multicultural Association of Carleton County</u>	√	√	

Name of Organization	Gov. of New Brunswick	IRCC	Other Funding Sources identified
<u>Multicultural Association of Charlotte County (CCMA)</u>		√	<ul style="list-style-type: none"> • Opportunities New Brunswick (ONB) Community activities and projects are also funded by: <ul style="list-style-type: none"> • Community Economic Development Corporations and Cooperatives • Fundy Community Foundations • The Town of St. George • The Town of Saint Andrews • The Town of St. Stephen
Rural Settlement Network - Kedgwick and Saint Quentin		√	<ul style="list-style-type: none"> • New Brunswick Multicultural Council • Rural Settlement Network
<u>Village of Chipman and Area Community Integration Program</u>		√	<ul style="list-style-type: none"> • New Brunswick Multicultural Council • Rural Settlement Network
<u>Multicultural Association of Sussex</u>	√	√	<ul style="list-style-type: none"> • United Way Saint John • Town of Sussex
<u>Hola! New Brunswick</u>			<ul style="list-style-type: none"> • Donations
<u>Filipino-Community of New Brunswick</u>			<ul style="list-style-type: none"> • Previously received funding from ESDC as part of the “Empowering Temporary Foreign Workers during COVID-19” project
<u>New Brunswick Multicultural Council</u>	√	√	

* No funding information was found on website.

Funding Sources for Services Provided in Nova Scotia

Name of Organization	Gov. of Nova Scotia	IRCC	Other Funding Sources identified
<u>No One Is Illegal – Halifax/Kjipuktuk</u>			<ul style="list-style-type: none"> • Donations • Fundraising • Has previously received funding from ESDC as part of the “Empowering Temporary Foreign Workers during COVID-19” project
<u>ISANS</u>	√	√	<ul style="list-style-type: none"> • Atlantic Canada Opportunities Agency • Canadian Women’s Foundation • Colleges and Institutes Canada • Emera • Employment and Social Development Canada • Halifax International Airport Authority • Immigrant Employment Council of British Columbia • J and W Murphy Foundation • MEC Community Investment Grant • Nourish Nova Scotia • Nova Scotia Advisory Council on the Status of Women • Royal Bank of Canada (RBC) • Social Research and Demonstration Corporation • SUCCESS • Trucking Human Resources Sector Council Atlantic • United Way Halifax • WES Mariam Assefa Fund • World Skills Employment Center
<u>Antigonish Women’s Resource Centre</u> *			
<u>The Cape Breton Island Centre for Immigration</u> *			
<u>YMCA of Greater Halifax / Dartmouth</u> *			

Name of Organization	Gov. of Nova Scotia	IRCC	Other Funding Sources identified
<u>Immigration francophone Nouvelle-Écosse</u>		√	
<u>The Salvation Army - Halifax West Community Family Services</u> *			
<u>Veith House Community Hub</u>			<ul style="list-style-type: none"> • Donations • Ecclesiastical Insurance • Emera • United Way of Greater Halifax • Nova Scotia Department of Community Services • The Halifax Children's Foundation • TD Friends of the Environment • Halifax Assistance Fund • Stewart-McKelvey • MICCO • Cisco • Nova Scotia Economic Development • RRFB Nova Scotia • The Edwards Foundation • Home Depot Community Foundation • The Flemming Foundation • Halifax Regional Municipality Community Grants • Irving Shipyards Workers Union • Irving Shipyard • RBC • Chevrolet Canada • Walmart Canada • IKEA Halifax • Dramis Communications Solutions Ltd. • 24 Carrots Bakery

* No information on funding source provided on website.

Funding Sources for Services Provided in Prince Edward Island

Name of Organization	Gov. of Prince Edward Island	IRCC	Other Funding Sources identified
PEI Community Navigators (CBDC)	√	√	
La Coopérative d'intégration francophone de l'Île-du-Prince-Édouard	√	√	
Immigrant and Refugee Services Association PEI	√	√	<p>Federal</p> <ul style="list-style-type: none"> • Canadian Heritage • Health Canada • Human Resources and Skills Development Canada (HRSDC) <p>Municipal</p> <ul style="list-style-type: none"> • City of Charlottetown • City of Summerside • Town of Alberton • Town of Cornwall • Town of Montague • Town of O'Leary • Town of Souris • Town of Stratford • Community of Tignish <p>Grants and Donations</p> <ul style="list-style-type: none"> • Atlantic Lottery Corporation • Brown's Volkswagen • CapServCo Limited Partnership • Canadian Broadcasting Corporation (CBC) • CIBC Community Investment • Confederation Centre of the Arts

Name of Organization	Gov. of Prince Edward Island	IRCC	Other Funding Sources identified
			<ul style="list-style-type: none"> • Downtown Charlottetown, Inc. • Edward NewTech Ltd. • Friends of Montague Summer Days • Girls' Action Foundation • Greater Charlottetown Area Chamber of Commerce • Great Enlightenment Buddhist Institute Society (GEBIS) • Invesco Enterprise Services • Justice Options for Women • Kwik Kopy Printing (KKP) • Maritime Electric • MRSB Group • Provincial Credit Union Ltd. • RBC Royal Bank • Respon Wealth Management Corp. • Special Events Reserve Fund (SERF) • Summerside Lobster Festival • Tourism Accomodation Levy - Summerside • YMCA of Greater Toronto
Cooper Institute	√		<ul style="list-style-type: none"> • Foundations (e.g., CW Foundation, Law Foundation of Prince Edward Island, Community Foundation of Prince Edward Island, Cooper Foundation, United Way Prince Edward Island. Lush) • Unions (e.g., CUPE Prince Edward Island, UFCW) • Latin American Mission Program • City of Charlottetown • Has previously received funding from ESDC for certain aspects of their work
BIPOC USHR			<ul style="list-style-type: none"> • Donations
Open Homes by AirBnB			

Migrant Workers' Awareness of Their Rights and Responsibilities

Q5 Are migrant workers aware of their rights and responsibilities?

- Is awareness being measured? If so, how?

Opinions regarding whether migrant workers are aware of their rights and responsibilities varied among different stakeholders participating in the ARAISA stakeholder event as well as the consultations undertaken. Some clearly identified that most migrant workers are not aware of their rights and that more efforts needed to be undertaken to educate them on their rights. Others indicated that often migrant workers are aware of their rights or at least know where to find information on their rights. However, these stakeholders underlined that while migrant workers often know about their rights, they are not able to enforce their rights and that there were not enough tools and supports for them to do so. Some participants also mentioned that while they thought migrant workers are generally aware of their rights, there is a lack of knowledge of migrant workers' rights among employers.

Regarding the question whether the awareness of migrant workers with regards to their rights is measured, the research clearly indicated that this was not the case.

Challenges and Gaps in Services to Temporary Foreign Workers

Q6 What are the challenges when providing information and services to migrant workers in Atlantic Canada?

Challenges: Identified at Stakeholder Meeting and Consultations with Migrant Serving Organizations

Throughout the activities conducted as part of the stakeholder meeting, participants identified several challenges that currently exist when providing information and services to migrant workers in the Atlantic Canada. Some of these are related to structural internal or external issues. Below these issues are identified and discussed in further detail:

Lack of Knowledge Among SPO Staff

It was identified that because the work of SPOs often focuses on PRs, refugees that are resettled by the Canadian Government, or specific immigration programs and streams such as the AIP or the current arrival of Ukrainian nationals through the [Canada-Ukraine authorization for emergency travel measures](#), SPO staff often lacks knowledge and/or awareness around the services that are available to TFWs. Sometimes lack of knowledge on services and supports available to migrant workers is also the result of staff turnover, which at least one SPO identified as an issue. It was highlighted that SPO staff needs to receive consistent education/training on this topic to ensure that they are aware.

Need for Networking and Community Planning

While there currently exist some connections and networks between different migrant serving organizations in the Maritimes, participants underlined that these connections and networks could be strengthened. It was stated that there still often is a lack of understanding of what services other organizations provide and that organizations in different regions do not necessarily communicate with each other to coordinate their services. It was suggested that mapping out different services available in the different regions across the Maritime provinces would be helpful. Moreover, existing networks should be drawn upon and expanded to ensure that migrant workers receive the best services they can. These networks could not only include SPOs and migrant serving organizations but also municipalities as well as ethnocultural associations. Finally, those organizations with more experience or knowledge regarding the work with migrant workers should share their experiences to ensure other organizations can draw upon this knowledge. Specifically, for the “Better Together” project, one suggestion that arose was that the project should support a network approach, i.e., organizations that already have good relationships and connections with migrant workers in their respective province and/or region, should be responsible for outreach activities and function as a first point of contact for migrant workers. These organizations can then refer migrant workers to other organizations that deliver services and supports in the specific regions that migrant workers live in.

Lack of Funding Available to Provide Information and Services to Migrant Workers

One of the biggest challenges in providing information and services to migrant workers that was identified at the stakeholder meeting and during consultations was related to the availability of funding. Participants indicated that the funding they receive from IRCC does not allow them to provide services to migrant workers, with the exception of those who arrived through the AIP (and, thus, are on a pathway to PR), as well as Ukrainian nationals who are currently arriving in the Maritimes as a result of the conflict in Ukraine.

While most organizations receive some funding from provincial governments which allows them to provide services and supports to migrant workers, a few indicated that it was still challenging to serve migrant workers. For example, one participant stated that it was difficult to serve migrant workers because they have targets that the organization is expected to reach due to the funding they receive from IRCC. Specifically, the participant underlined that because IRCC funds the majority of this organization’s programming, and because the organization’s team has limited capacity, they often need to prioritize PRs, AIP applicants, refugees and Ukrainian nationals over other clients. However, at least one SPO indicated that while the majority of their funding was received from IRCC, they did provide most of their services to migrant workers. Another one mentioned that “it was a numbers game”, indicating that striking a balance between funding received and services offered to different groups of migrants was an ongoing issue that is being faced.

Finally, one participant at the stakeholder meeting indicated that one problem with the funding they actually do receive to serve migrant workers is that it is not sufficient to address the actual needs that migrant workers are having. Specifically, this participant pointed out that in their

experience, migrant workers often come to Canada without sufficient financial resources. Therefore, their needs are much higher than what an SPO can address by providing settlement and employment services, for example.

Capacity Limits

Providing migrant workers with information and services was not only challenging due to the funding restraints identified above but also due to other capacity limits, e.g., related to the number of employees available to provide services and information. For example, one organization underlined that while they do not turn away migrant workers if they come to their organization and, in fact, will provide them with the full range of services offered, they do not have the resources to seek out migrant workers to offer services. Another participant stated that because their organization has to cover a large rural area and has only limited staff available it is challenging to provide appropriate services to everyone. Thus, lack of outreach activities presented a major challenge in reaching migrant workers and providing services to them. This also became clear as several SPOs mentioned that most of the migrant workers they serve only became aware of their services through word of mouth. Some participants mentioned that as part of the “Empowering Temporary Foreign Workers during COVID-19 project”, migrant workers arriving in the Maritime provinces often received an information package which included information about the different organizations and services available to them and this had helped some migrant workers in finding their way to SPOs and accessing their services. However, since the project stopped in the fall of 2022, this was no longer the case.

Business Hours of SPOs

Another challenge in providing information and services to migrant workers that was identified during the stakeholder meeting was that the opening hours of many SPOs does not correspond to the times in which migrant workers are free to seek out such services. Specifically, participants highlighted that migrant workers often have to work long hours at their jobs which makes it difficult to access the services that are provided by SPOs during regular business hours. Participant who were engaged with community organizations providing help and support to migrant workers reiterated this and shared that often their work requires them to be available for answering questions or helping migrant workers in the evenings or during weekends.

Communication and Language

Closely linked to the above, two other challenges in providing services to migrant workers that were identified during the stakeholder meeting and the interviews were related to communication challenges. This was, on the one hand, linked to the means of communication, e.g., SPOs predominantly using email, phone or in-person communication, while it was identified that migrant workers typically seem to rely on WhatsApp as their main form of communicating with each other and with the outside world. Additionally, language barriers also presented a challenge for some in providing services to migrant workers, especially to those who either don't speak or have limited English and/or French. Not being able to speak the mother tongue of migrant workers presents a major challenge for migrant serving organizations in these instances.

Geographical Location of Workers

A few participants underlined that it could be difficult to provide services to migrant workers because of the geographical location of where these workers are living and working. Often migrant workers, especially those working in seafood plants or agriculture, are located in more rural areas, where fewer services can be found. Reaching these areas can prove difficult for migrant serving organizations due to limited staff available to cover these rural areas. Likewise, it is difficult for migrant workers in these areas to access services as they often have to rely on their employers for transportation and don't have access to public transportation. Moreover, one participant, highlighted, that their organization was facing difficulties at times, when trying to reach certain migrant workers living on the grounds of the factory they are working at, to provide services or support, because these factories "were almost like fortresses" and employers did not have any interest in ensuring that their workers could receive information about their rights or services and supports.

Gaps

Q7 What gaps are there in terms of services currently being delivered and services needed? What are the opportunities to address those needs?

Gaps: Identified in the Stakeholder Survey

According to the survey that was conducted among stakeholders participating in the ARAISA stakeholder meeting in Moncton on November 21st and 22nd, 2022, the three main barriers in terms of services currently available for migrant workers were related to **access to language classes** (mentioned by seven respondents), **access to health care services** (mentioned by five respondents) and **access to services in rural areas** (mentioned by five respondents). Regarding the first, barriers in access to both English and French classes were mentioned. Moreover, it was specifically indicated that TFWs do not have access to LINC (Language Instruction for Newcomers to Canada) classes with the exception of Ukrainian nationals. Finally, one respondent also stated that migrant workers do not have access to literacy classes and support.

Regarding access to health care, two respondents clarified that obtaining a provincial health card and, thus, being able to access provincial health care services, can be challenging for some migrant workers, especially those entering Canada through seasonal programs, due to the limited length of their work permits.

Regarding gaps in services accessible to migrant workers residing in rural areas, it was indicated that a major challenge migrant workers face in rural areas is lack of access to public transportation. This means that they are often dependent on their employer for getting anywhere. Moreover, one respondent each stated that language testing is not available in rural areas and that migrant workers in rural areas do not have access to the full range of settlement and support services as many of these services can only be delivered virtually in these areas.

Additionally, other gaps in services currently available to migrant workers that were identified in the survey, related to **access to childcare support and daycares** (mentioned by three respondents) and not being able to **access certain social benefits** provided by the federal or provincial government such as provincial income assistance, child tax or daycare subsidy (mentioned by three respondents). Moreover, **language barriers** (e.g., lack of information, such as on workers' rights and services, on government websites available in other languages than English and French), access to appropriate **housing**, access to **legal services and aid**, support with applying for **government benefits** (e.g., parental benefits, pensions) or filing **taxes**, and information and support for **navigating immigration pathways** including applications for PRs were identified as gaps (each of them mentioned by two respondents).

Finally, some of the gaps mentioned less frequently (i.e., by one respondent each) are listed below:

- Access to settlement services;
- Ability to bring family with them⁴⁶;
- Whistle-blower process for migrants facing abuse;
- Community inclusion;
- Support for youth (e.g., Youth English Development and Youth Engagement);
- Labour rights issues; and,
- Bridge between newcomers and employers.

Gaps: Identified at Stakeholder Meeting and Consultations with Migrant Serving Organizations

The gaps identified from the data collection at the stakeholder meeting as well as through the consultations with migrant serving organizations are similar to those identified in the survey.

Language

Specifically, similar to the survey results, language was highlighted as a major barrier in regards to information and services available to migrant workers. On the one hand, this related to lack of access to English and French classes. It was indicated that getting access to language classes would be important for migrant workers to improve their language skills, which would ultimately empower them as it would allow them to better understand currently available information, to navigate bureaucratic processes and to enforce their rights as this is often linked with having to fill out long and complicated application forms, among other things.

⁴⁶ Note: On December 2nd, 2022 Canada's Minister of Immigration, Refugees and Citizenship announced that starting in January 2023, Canada is expanding eligibility of migrant workers to bring their immediate families over to Canada. While currently this is only an option for migrant workers in high-skilled positions, eligibility characteristics will be expanded in a phased approach under this new temporary (i.e., 2-year) measure. For more information see: <https://www.canada.ca/en/immigration-refugees-citizenship/news/2022/12/employers-and-temporary-workers-to-benefit-from-family-work-permits-to-address-labour-shortages.html>.

On the other hand, the issue of language refers to the accessibility of information for migrant workers (e.g., on their rights, on labour laws, the health care system etc.). It was highlighted that while quite a number of resources and information are available to migrant workers, this information is often (though not exclusively)⁴⁷ available in English and French only which makes it difficult to access it for those migrant workers who are not proficient in either of the two languages. Moreover, even if migrant workers have good English and/or French language skills, participants underlined that it was still hard to comprehend the information because of the way it is written. Thus, it was suggested that there is not only a need to provide information in more languages but also to provide this information in a more comprehensible way, e.g., in plain/simple language.

Access to Open Work Permits and PR

It was voiced that closed work permits and the resulting dependency on employers was a big issue as it makes it very difficult for migrant workers to leave an abusive relationship with their employer due to fear of deportation or not being able to return to Canada in the future. This dependency on employers makes it difficult for migrant workers to enforce their rights.

Moreover, several participants and interviewees also identified that there are only very limited pathways to receive PR for most migrant workers. Access to PR was easier to obtain for highly skilled or higher skilled TFWs, with lower skilled individuals facing major barriers and seasonal workers being pretty much completely excluded from this option. However, access to PR was seen as important for all migrant workers because, on the one hand, PR means that migrant workers have security and do not have to fear not being able to return to Canada, and, on the other hand, it provides them with important rights that they otherwise cannot access.

Helping Migrant Workers to Enforce Their Rights

There was consensus that another major gap in the services provided to migrant workers is centered around helping them to enforce their rights. Several participants, including a former TFW, for example, emphasized that while there is quite a bit of information available to migrant workers that explains their rights, and, in their opinion, migrant workers are often relatively well informed about these rights, they are not provided with the means and support to enforce these rights. Particularly, it was voiced that the long and complicated forms for filing a complaint or applying for a [vulnerable worker open work permit](#), language barriers in filling out such paperwork and/or calling the tip line presented a major hinderance to migrant workers to pursue such steps. Moreover, due to the power imbalances between migrant workers and their employers, migrant workers are often fearful of filing complaints as they fear repercussions such as losing their position, not being able to return to Canada on a different contract, not being able to obtain their PR status⁴⁸ or even physical harm. It was voiced by some that while providing migrant workers with information on their rights was important, this would not be doing anything to address the underlying structural issues and systemic barriers that migrant workers

⁴⁷ For an exception see information on the [rights of temporary foreign workers](#) which is available in eight languages.

⁴⁸ Note: This applies to migrant workers who are eligible to apply for PR, predominantly.

are facing. As pointed out by one participant: “Providing migrant workers with their rights is great, but then what? How do we support them to exercise their rights? That is a major gap and needs to be addressed.”

Access to Health Care

Several participants emphasized that access to health care is a major gap in services currently available to migrant workers, especially for those who are in Canada on a more seasonal basis. It was mentioned that in order to be able get access to provincial health care migrant workers have to stay in the province for a certain amount of time before being eligible. However, according to these participants, employers would often provide workers with a contract that is just a few days short of being able to access free health care. While employers must provide workers with insurance coverage until the workers qualify for provincial health care, this coverage often predominantly focuses on accident insurance and does not cover other health care services that are accessible under the provincial health coverage. Access to free health care was also one of the top five priorities that was identified as part of a survey that No one is illegal – Halifax/Kjipuktuk conducted among over 100 migrant workers in NS in 2021.

Access to Employment Insurance

In addition to the lack of access to health care, a few participants also mentioned that many migrant workers do not have access to employment insurance (EI) when residing in Canada. Specifically, it was stated that some workers who are working in Canada seasonally decide to stay in Canada because of fear or not being able to return and work here again during the next season. However, during the time they are off work, predominantly in the winter months, they do not have access to any supports or services, such as EI to help them cover that period.

Access to Legal Aid

Lack of access to legal aid was identified as another gap in services to migrant workers. This was both related to receiving and navigating accurate advice and information for immigration matters as well as advice and help with other matters, e.g., when migrant workers get charged with offences. Not being able to access and afford legal services puts migrant workers in a vulnerable position. Some organizations are able to connect migrant workers in situations of need with lawyers who provide pro bono work, but this is not the case everywhere.

Access to Emergency Housing and Food

It was identified that access to emergency housing and food was another gap in the services available to migrant workers. Especially for migrant workers experiencing abusive situations and who need protection immediately, access to emergency housing and food would be essential but is currently lacking.

Lack of Continuity of Services

Several participants highlighted that continuity in providing services and resources was an important factor that is currently lacking and needs to be addressed. For example, it was highlighted that simply presenting information on rights and services to migrant workers on a one-time basis is not enough. Instead there needs to be follow-up opportunities and continuous

outreach so that migrant workers can develop a trustful relationship and understand that organizations are there to help and support them. Often, however, there is a lack of resources for this kind of continuous outreach.

Housing Inspections

For workers entering under the SAWP, employers are responsible for providing accommodation to them. While housing has to be inspected prior to the arrival of migrant workers, a few participants underlined that standards for housing are often not met and that migrant workers face precarious situations due to the lack of appropriate housing accessible to them.

Engagement with Employers

While opinions around the question of engaging employers to improve access to information and services to migrant workers were disputed, several participants did highlight that the lack of engagement with the employers of TFWs presented a gap that needs to be addressed. These participants underlined that employers often lack knowledge on the rights of migrant workers as well as their responsibilities as employers to migrant workers. However, several participants, and particularly those working directly and exclusively with migrant workers, were highly critical of the idea of engaging employers because they felt it would break the trust that migrant workers have developed in their organizations.

Promising Practices and Opportunities

Q8 Are there promising practices or case studies of effective service delivery to migrant workers?

Results from Data Collection at Stakeholder Meeting and Consultations with Migrant Serving Organizations

Meet Migrant Workers Where They Are, on Their Turf, and in Their Terms

Several participants at the stakeholder meeting and during the consultations raised that migrant workers, and especially those who are working in lower-skilled positions in fish plants or the agricultural field, often are working long hours, sometimes even on weekends, and have little time off. The little time, these workers do have off, they often want to rest or spend on activities they enjoy. Therefore, it was difficult to reach migrant workers at time and to provide them with information on their rights as well as information on which services and supports are available to them. A few participants therefore highlighted the importance of meeting migrant workers where they are, on their turf and in their terms. For example, it was suggested to incorporate outreach activities and information sessions with other activities that migrant workers might participate in, e.g., basketball or other sport games. Another suggestion was to arrange gatherings where food is provided and people can interact and use these gatherings as a way to also share information

about migrant workers' rights and the services or supports that are available to them. A third suggestion included incorporating information or other outreach session with social activities such as canoeing trips that some SPOs organize. Moreover, a few participants and interviewees stated that not only the location of where services and information are provided was important but that migrant serving organizations also need to consider the means of communication they use. Specifically, it was highlighted that migrant workers often use WhatsApp as their main means of communication. Therefore, using WhatsApp would be an important tool for anyone who wants to ensure that migrant workers can reach their organizations.

Outreach, Continuity of Services and Relationship Building with Migrant Workers

Specifically, interviewees from the community organizations that are already heavily involved in providing help and support to migrant workers, emphasized the importance of engaging in continuous outreach and relationship building with migrant workers. These interviewees highlighted that it was important to first of all build up trust with the migrant workers. Showing up continuously, interacting with migrant workers and demonstrating that an organization is there to support them and not just there once, were important factors that were mentioned in this regard. This ensured that migrant workers were comfortable approaching the organization for help and trusting them in often dire situations. Participants from these community organizations also made it clear that for the work they are doing they cannot have any relationships with employers as this would result in the workers not trusting them.

Outreach to Community and Creating Community Connections and Relationships

An important factor for ensuring better services to migrant workers that was identified by a few participants related to outreach activities in the community that migrant workers are living in and creating community connections. This was seen as particularly important in rural areas, but also elsewhere. Having the support from other community members and making them understand the important contributions that migrant workers make to these communities can generally create more support and/or assistance for providing services. For example, if SPOs aren't able to provide certain services due to capacity limits, they might be able to refer migrant workers to other individuals or organizations in the community who can help them out instead. One interviewee provided the example of sometimes reaching out to local churches when additional help and support is needed. Community outreach might also result in opportunities to connect migrant workers with locals to foster connections and inclusion. It was highlighted that building a social network and having connections with community members can make a significant difference for migrant workers and community members. Moreover, connections to cultural groups/organizations that already exist within communities were seen as important collaboration partners. Not only are these groups/organizations familiar with the culture, traditions and way-of-thinking that are typical for people coming from a specific country or region but also, they are able to speak the native language and can thus help with translation and interpretation which is crucial.

Guides to Help Migrant Workers Navigate Important Information

The Cooper Institute in PEI has developed guides with information for migrant workers in the low-wage and the SAWP streams to help them understand the law and their rights as well as providing them with information on resources and services available to them. These guides are available in English, Spanish and simplified Chinese and present a great resource that provides information in an accessible way.

Increasing Knowledge Exchange and Sharing Best Practices

A few participants underlined that in order to serve migrant workers better, it would be helpful to increase the knowledge exchange between SPOs working with migrant workers so that they can learn from each other and share best practices (e.g., what works and what doesn't work). Specifically, because some organizations have more experience working with migrant workers, drawing on their expertise would be valuable.

Collaboration Between All Levels of Stakeholders

Closely linked to the above, one participant from an SPO in NB highlighted that at least in their region and in their experience, something that is working well is the collaboration between all levels of stakeholders including the SPOs, municipal and provincial governments, IRCC and even a Minister of Parliament's office. Specifically, this participant highlighted that through this collaboration and the existing good contacts with individuals at all of these levels, they had been able to find quick and successful solutions to problems faced by migrant workers.

Consulting Migrant Workers

Finally, one interviewee underlined the importance of consulting migrant workers to better understand their needs and learn from them what services and supports they want to have access to or what information they require or want to learn more about. Involving migrant workers in the work undertaken contributes to making them partners not merely passive receivers. Involving them and hearing their perspectives and what they need is therefore crucial in any work undertaken to help and support migrant workers.

Conclusion and Recommendations

Overall, while the numbers of migrant workers have consistently increased in all three Maritime provinces over the past few years, there are limited services and supports available to them. This is particularly true for those migrant workers who are the most vulnerable, namely those entering the Maritimes through the low-wage stream and the SAWP.

Based on the results of the mapping and gap analysis, the following are some recommendations on how to improve information and services to migrant workers:

1. Language and Communication

- e) Deliver services and provide information in more languages, including the native languages of the largest groups of migrant workers arriving in the Maritimes.

- f) When information can only be provided in English or French, make sure it is accessible in plain and comprehensive language.
- g) Use communication technology that is used by migrant workers, e.g., WhatsApp.
- h) Ensure that services and supports are accessible to migrant workers at times when they can access them, e.g., evenings and weekends after their regular work is over.

2. Outreach, Continuity and Meeting Migrants Where they Are, on their Turf and in Their Terms

- d) Engage in outreach activities to ensure migrant workers irrespective of their locations know about their rights and services available to them.
- e) Ensure that there is continuity in engagement with and services provided to migrant workers.
- f) Engage migrants and provide information and services to them at times and in locations that are convenient to them, e.g., integrate them in activities that migrant workers already participate in or enjoy doing.

3. Increase Networking and Collaboration

- d) Draw on existing networks and experiences of organizations that already provide services and support to migrant workers.
- e) Enable networking and sharing of best practices among SPOs and other migrant serving organizations, e.g., through creating a community of practice.
- f) Increase collaboration between different types of stakeholders (e.g., SPOs, community organizations, municipal and provincial government and IRCC).

4. Help Migrant Workers Enforce their Rights

- d) Establish more services that help migrant workers to navigate bureaucratic and administrative processes, including but not limited to process of applying for government funding and benefits, doing taxes etc.
- e) Establish more services that help migrant workers enforce their rights, including but not limited to, helping them to file complaints about violations of their rights, applying for open work permit for vulnerable foreign workers.
- f) Establish more services that provide emergency housing and support for migrant workers escaping abusive employment and housing conditions.

References

- Ci, Wen, Feng Hou, and René Morissette. "Acquisition of Permanent Residence by Temporary Foreign Workers in Canada: A Panel Study of Labour Market Outcomes before and after the Status Transition." *IZA Journal of Development and Migration* 8, no. 1 (2018): 24-8:Art. 2<24. <https://doi.org/10.1186/s40176-017-0107-1>.
- Coderre, Mylène, and Delphine Nakache. "From Working Tourists to Permanent Residents: Experiences of Migrant Workers with Youth Mobility Schemes in Canada." *Journal of International Migration and Integration*, 2021, 1–18. <https://doi.org/10.1007/s12134-021-00873-7>.
- Employment and Social Development Canada. "Employer Compliance." Program descriptions, November 18, 2015. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/employer-compliance.html>.
- . "Hire a Temporary Foreign Worker in a High-Wage or Low-Wage Position." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage.html>.
- . "Hire a Temporary Foreign Worker through the Agricultural Stream – Next Steps." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural/after.html>.
- . "Hire a Temporary Foreign Worker through the Agricultural Stream - Program Requirements." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural/requirements.html>.
- . "Hire a Temporary Worker as a Live-in Caregiver - Program Requirements." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver/requirements.html>.
- . "Hire a Temporary Worker as an In-Home Caregiver - Overview." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/caregiver.html>.
- . "Hire a Temporary Worker through the Seasonal Agricultural Worker Program - Overview." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/seasonal-agricultural.html>.
- . "How to Report Abuse of Temporary Foreign Workers." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/report-abuse.html>.
- . "Program Requirements for High-Wage Positions." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/high/requirements.html>.
- . "Program Requirements for Low-Wage Positions." Program descriptions, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/low/requirements.html>.
- . "Temporary Foreign Workers: Your Rights Are Protected." Policies, 2022. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/protected-rights.html>.
- Fleury, Charles, Danièle Bélanger, and Guillaume Haemmerli. "Les travailleurs étrangers temporaires au Canada : une sous-classe d'employés ?1." *Cahiers québécois de démographie* 47, no. 1 (July 11, 2019): 81–108. <https://doi.org/10.7202/1062107ar>.
- Hou, Feng, Eden Crossman, and Garnett Picot. "Two-Step Immigration Selection: An Analysis of Its Expansion in Canada." *Economic Insights* 112 (2020): 1–11.

- Immigration, Refugees and Citizenship Canada. "Employers Who Have Been Found Non-Compliant." Service initiation, 2022. <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/employers-non-compliant.html>.
- . "What Is a Labour Market Impact Assessment?," 2022. <https://www.cic.gc.ca/english/helpcentre/answer.asp?qnum=163>.
- Lu, Yuqian, and Feng Hou. *Transition de l'état de travailleurs étrangers temporaires à celui de résidents permanents, 1990 à 2014*. Statistique Canada, 2017.
- Picot, Garnett, Feng Hou, Eden Crossman, and Yuqian Lu. "Transition to Permanent Residency by Lower- and Higher-Skilled Temporary Foreign Workers." *Economic and Social Reports 2*, no. 1 (2022): 2–15.

Appendix A: Non-Compliant Employers

Employers who Have Been Found Non-Compliant

As of Nov. 28, 2022

The source of this information, as well as a full list of reason 'codes' (numbered 1-24) is available online at: <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/employers-non-compliant.html>

Prov	Business operating name	Business legal name	Address	Reason(s)	Date of final decision	Penalty	Status
PE	Elanco Canada Ltd.	Elanco Canada Ltd.	37 McCarville Street, Charlottetown, Prince Edward Island	There is no reason indicated because the employer was found non-compliant for an incident that occurred before new regulations came into effect on December 1, 2015.	2018-11-13	Two-year ban	Eligible
NS	Bedford Basin Farmers Market	Bedford Basin Farmers Market	130 Chain Lake Dr., Halifax, Nova Scotia	8: The employer broke federal, provincial or territorial laws for hiring and recruiting employees in the province or territory where the temporary worker worked. 9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2022-05-19	\$2,000	Eligible
NS	High Point Orchards Ltd.	High Point Orchards Ltd.	15 Roscoe Drive, Kentville, Nova Scotia	9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2022-03-31	\$7,000	Eligible
NS	Thai Express	Namar Cuisine Ltd.	250 Stanfield Ave., Dartmouth, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2022-03-31	\$1,000	Eligible

Prov	Business operating name	Business legal name	Address	Reason(s)	Date of final decision	Penalty	Status
NS	Trullo Ristorante Italiano	Trullo Ristorante Italiano Ltd.	67 Kings Wharf Place, Unit 102, Dartmouth, Nova Scotia	9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2021-11-24	\$12,000	Ineligible - unpaid monetary penalty
NS	Morse's Farm Limited	Morse's Farm Limited	116 Main Street, Berwick, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2021-10-01	\$15,000	Ineligible - unpaid monetary penalty
NS	Amos and Andy Fisheries Ltd.	Amos and Andy Fisheries Ltd.	21 Atlantic View Drive, Sambro, Nova Scotia	4: The employer couldn't show that the description they gave for the job on the Labour Market Impact Assessment application was true, for a period of 6 years, starting on the first day the temporary worker worked for them.	2021-09-22	\$750	Eligible
NS	Hillside Orchards	Mervin Toews & Diana Toews	4771 Hwy 221, Welsford, Nova Scotia	21: The employer didn't provide the foreign national with accommodations that were separate from those provided to persons not in quarantine, and that permitted the foreign worker to remain at least 2 metres away from any other person.	2021-04-23	\$5,000	Eligible
NS	Elejorde Cleaning Services Inc.	Elejorde Cleaning Services Inc.	45 Moira Street, Halifax, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2020-01-20	\$750	Eligible
NS	Bitar's Pizza Pasta & Grill Ltd.	Bitar's Pizza Pasta & Grill Ltd.	689 Highway 2, Elmsdale, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2019-08-16	\$750	Eligible
NS	Sunnyvale Productions 10 Inc.	Sunnyvale Productions 10 Inc.	140 Ilsley Avenue, Dartmouth, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2019-07-02	\$750	Eligible

Prov	Business operating name	Business legal name	Address	Reason(s)	Date of final decision	Penalty	Status
NS	Showcase Hair Design	Showcase Hair Design	5982 Spring Garden Road, Halifax, Nova Scotia	There is no reason indicated because the employer was found non-compliant for an incident that occurred before new regulations came into effect on December 1, 2015.	2019-01-11	2 year ban	Eligible
NS	The Synergy Effect	Synergy CHC Inc.	3175 Nova Scotia Trunk #2, Fall River, Nova Scotia	4: The employer couldn't show that the description they gave for the job on the Labour Market Impact Assessment application was true, for a period of 6 years, starting on the first day the temporary worker worked for them. 9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2019-01-04	\$3,000	Eligible
NS	Cafe Italia	Jeff Gillin	62 Provost Street, New Glasgow, Nova Scotia	2: The employer didn't keep documents that showed they met the conditions of employing a temporary worker, for a period of 6 years, starting on the first day the temporary worker worked for them. 6: The employer didn't give the inspector the documents they asked for.	2019-01-03	\$2,000	Ineligible - unpaid monetary penalty
NS	JMP Property Services Ltd.	JMP Property Services Ltd.	Suite 2, 3700 Joseph Howe Drive, Halifax, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2019-01-03	\$1,000	Ineligible - unpaid monetary penalty
NS	Caribbean Bliss Catering/South Park Catering	3257564 Nova Scotia Limited	3619 Novalea Drive, Halifax, Nova Scotia	6: The employer didn't give the inspector the documents they asked for. 9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2019-01-03	\$3,750	Ineligible - unpaid monetary penalty

Prov	Business operating name	Business legal name	Address	Reason(s)	Date of final decision	Penalty	Status
NS	P&K Hardware Ltd.	P&K Hardware Ltd.	9976 Grenville St., St. Peter's Nova Scotia	There is no reason indicated because the employer was found non-compliant for an incident that occurred before new regulations came into effect on December 1, 2015.	2018-03-06	Two-year ban	Eligible
NS	Aaron Aalders Developments Limited	Aaron Aalders Developments Limited	21 Ravines Drive, Bedford, Nova Scotia	6: The employer didn't give the inspector the documents they asked for.	2018-01-18	\$750	Ineligible – unpaid monetary penalty
NS	Kameron Coal Management Ltd.	Kameron Coal Management Ltd.	750 Long Beach Road, Donkin, Nova Scotia	4: The employer couldn't show that the description they gave for the job on the Labour Market Impact Assessment application was true, for a period of 6 years, starting on the first day the temporary worker worked for them. 9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2017-12-12	\$54,000 and one-year ban	Eligible
NB	697131 NB Inc.	697131 NB Inc.	20 Lonsdale Drive, Moncton, New Brunswick	4: The employer couldn't show that the description they gave for the job on the Labour Market Impact Assessment application was true, for a period of 6 years, starting on the first day the temporary worker worked for them. 9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2022-03-31	\$12,000	Ineligible - unpaid monetary penalty

Prov	Business operating name	Business legal name	Address	Reason(s)	Date of final decision	Penalty	Status
NB	Bolero Shellfish Processing Inc.	Bolero Shellfish Processing Inc.	1324 Route 335, Saint-Simon, New Brunswick	17: The employer didn't put in enough effort to make sure the workplace was free of any of the following: physical abuse, sexual abuse, psychological abuse, financial abuse 9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2020-09-02	\$2,000	Eligible
NB	RapidMind Solutions Inc.	RapidMind Solutions Inc.	291 French Village Road, Quispamsis, New Brunswick	6: The employer didn't give the inspector the documents they asked for. 7: The employer didn't show up for an inspection, and didn't help or give information to the inspector when asked to.	2020-07-28	\$2,000	Ineligible - unpaid monetary penalty
NB	Caldwell Transport 2013 Ltd.	Caldwell Transport 2013 Ltd.	C-54 Marr Road, Rothesay, New Brunswick	9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2019-07-02	\$5,750	Ineligible – unpaid monetary penalty
NB	Résidence Moncton	Résidence Moncton	270 John Street, Moncton, New Brunswick	9: The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.	2017-11-30	\$750	Eligible

Appendix B: TFW Work Permits by Occupation, by Province, 2015-2022

Temporary Foreign Worker Work Permits, by NOC code

New Brunswick – TFW Work Permits	2015	2016	2017	2018	2019	2020	2021	2022 Jan- Sept	All Years
9463 - Fish and seafood plant workers	570	825	820	870	995	870	1685	1975	8610
8431 - General farm workers	80	105	100	130	185	180	245	320	1345
7511 - Transport truck drivers	100	90	95	135	215	125	155	165	1080
9618 - Labourers in fish and seafood processing	65	10	50	25	25	45	20	270	510
6322 - Cooks	40	50	45	45	55	60	60	80	435
8422 - Silviculture and forestry workers	0	0	0	0	30	0	55	60	145
6311 - Food service supervisors	10	10	5	10	15	15	15	20	100
7532 - Water transport deck and engine room crew	10	20	25	15	0	0	10	0	80
9533 - Other wood products assemblers and inspectors	0	0	0	5	10	5	10	45	75
2273 - Deck officers, water transport	5	15	20	10	5	5	5	0	65
8241 - Logging machinery operators	0	0	0	0	30	0	15	10	55
2274 - Engineer officers, water transport	5	10	15	10	5	0	5	0	50
9617 - Labourers in food, beverage and associated products processing	5	0	0	0	0	0	5	40	50
7611 - Construction trades helpers and labourers	0	0	0	0	0	0	10	35	45
8432 - Nursery and greenhouse workers	5	0	0	0	10	0	10	15	40
9615 - Labourers in rubber and plastic products manufacturing	0	0	0	0	0	0	15	25	40
9619 - Other labourers in processing, manufacturing and utilities	0	0	0	0	0	0	10	30	40
4411 - Home child care providers	15	10	10	0	0	0	0	0	35
8252 - Agricultural service contractors, farm supervisors and specialized livestock workers	0	0	0	0	10	5	10	10	35
3111 - Specialist physicians	5	0	5	0	5	0	10	5	30
6211 - Retail sales supervisors	0	0	0	0	5	5	10	10	30
7237 - Welders and related machine operators	0	0	0	0	0	0	0	25	25

9462 - Industrial butchers and meat cutters, poultry preparers and related workers	0	0	5	0	10	0	10	0	25
8612 - Landscaping and grounds maintenance labourers	0	0	0	0	0	0	0	15	15
8613 - Aquaculture and marine harvest labourers	0	0	0	0	0	0	0	15	15
9436 - Lumber graders and other wood processing inspectors and graders	0	10	5	0	0	0	0	0	15
2243 - Industrial instrument technicians and mechanics	5	0	0	0	5	0	0	0	10
4412 - Home support workers, housekeepers and related occupations	0	0	0	5	0	0	5	0	10
6731 - Light duty cleaners	0	0	0	5	5	0	0	0	10
7235 - Structural metal and platework fabricators and fitters	0	0	0	0	0	0	0	10	10
7242 - Industrial electricians	0	5	5	0	0	0	0	0	10
9461 - Process control and machine operators, food, beverage and associated products processing	0	0	0	0	0	0	0	10	10
0016 - Senior managers - construction, transportation, production and utilities	0	0	0	0	0	0	0	5	5
1122 - Professional occupations in business management consulting	0	5	0	0	0	0	0	0	5
2133 - Electrical and electronics engineers	5	0	0	0	0	0	0	0	5
2173 - Software engineers and designers	0	0	0	0	5	0	0	0	5
2233 - Industrial engineering and manufacturing technologists and technicians	0	0	0	5	0	0	0	0	5
5251 - Athletes	0	5	0	0	0	0	0	0	5
7245 - Telecommunications line and cable workers	0	0	0	0	5	0	0	0	5
7294 - Painters and decorators (except interior decorators)	5	0	0	0	0	0	0	0	5
7452 - Material handlers	0	0	0	0	0	0	0	5	5
9232 - Petroleum, gas and chemical process operators	5	0	0	0	0	0	0	0	5
9531 - Boat assemblers and inspectors	0	0	0	0	0	0	0	5	5
9614 - Labourers in wood, pulp and paper processing	0	0	0	0	0	0	0	5	5
Other occupations	0	0	5	0	0	0	0	0	5

Nova Scotia – TFW Work Permits	2015	2016	2017	2018	2019	2020	2021	2022 Jan- Sept	All Years
8431 - General farm workers	790	865	895	1380	1410	1195	1475	1630	9640
9463 - Fish and seafood plant workers	130	145	220	210	310	330	435	615	2395
9618 - Labourers in fish and seafood processing	10	30	25	45	45	55	135	65	410
6322 - Cooks	50	40	50	45	70	35	40	75	405
7511 - Transport truck drivers	35	25	35	60	75	30	25	40	325
8432 - Nursery and greenhouse workers	0	0	0	10	5	25	85	100	225
7532 - Water transport deck and engine room crew	25	10	15	15	20	20	15	0	120
9617 - Labourers in food, beverage and associated products processing	0	0	0	0	5	15	30	60	110
8252 - Agricultural service contractors, farm supervisors and specialized livestock workers	0	5	15	15	15	10	10	10	80
2171 - Information systems analysts and consultants	15	20	10	5	5	0	10	10	75
2273 - Deck officers, water transport	25	15	5	10	10	10	0	0	75
2274 - Engineer officers, water transport	25	15	5	10	5	10	0	0	70
6311 - Food service supervisors	10	15	0	0	0	0	10	35	70
8611 - Harvesting labourers	0	20	0	0	0	40	5	0	65
4011 - University professors and lecturers	5	10	5	10	10	10	5	5	60
4411 - Home child care providers	15	15	5	10	0	0	5	10	60
7611 - Construction trades helpers and labourers	0	0	0	0	0	0	10	50	60
0911 - Manufacturing managers	5	10	15	15	0	0	5	0	50
2173 - Software engineers and designers	0	0	0	0	10	5	20	15	50
2174 - Computer programmers and interactive media developers	0	0	0	0	15	0	10	25	50
2232 - Mechanical engineering technologists and technicians	15	25	5	0	5	0	0	0	50
7201 - Contractors and supervisors, machining, metal forming, shaping and erecting trades and related occupations	0	0	0	0	0	50	0	0	50
7237 - Welders and related machine operators	10	0	10	0	0	30	0	0	50
7371 - Crane operators	5	5	0	0	0	35	0	0	45
7452 - Material handlers	0	0	0	10	10	10	10	5	45
0016 - Senior managers - construction, transportation, production and utilities	5	5	0	10	5	5	10	0	40

7315 - Aircraft mechanics and aircraft inspectors	20	15	5	0	0	0	0	0	40
9461 - Process control and machine operators, food, beverage and associated products processing	0	0	0	0	0	0	5	35	40
6731 - Light duty cleaners	5	0	10	5	0	0	0	15	35
7242 - Industrial electricians	10	10	0	0	0	15	0	0	35
0211 - Engineering managers	0	0	0	5	10	5	0	10	30
4214 - Early childhood educators and assistants	5	5	0	15	5	0	0	0	30
7311 - Construction millwrights and industrial mechanics	15	15	0	0	0	0	0	0	30
0711 - Construction managers	0	0	5	10	0	10	0	0	25
2241 - Electrical and electronics engineering technologists and technicians	10	10	5	0	0	0	0	0	25
3111 - Specialist physicians	5	15	5	0	0	0	0	0	25
7235 - Structural metal and platework fabricators and fitters	0	0	10	10	5	0	0	0	25
8232 - Oil and gas well drillers, servicers, testers and related workers	10	15	0	0	0	0	0	0	25
2132 - Mechanical engineers	0	10	10	0	0	0	0	0	20
2145 - Petroleum engineers	10	10	0	0	0	0	0	0	20
5131 - Producers, directors, choreographers and related occupations	15	5	0	0	0	0	0	0	20
5135 - Actors and comedians	20	0	0	0	0	0	0	0	20
7271 - Carpenters	0	0	0	0	0	0	10	10	20
7302 - Contractors and supervisors, heavy equipment operator crews	0	0	0	0	0	20	0	0	20
8222 - Contractors and supervisors, oil and gas drilling and services	10	5	0	0	0	5	0	0	20
1122 - Professional occupations in business management consulting	0	10	5	0	0	0	0	0	15
2148 - Other professional engineers, n.e.c.	0	0	0	10	5	0	0	0	15
2263 - Inspectors in public and environmental health and occupational health and safety	5	5	0	0	0	5	0	0	15
6211 - Retail sales supervisors	0	0	5	0	0	0	0	10	15
6312 - Executive housekeepers	0	0	0	0	15	0	0	0	15
Occupation not stated	0	0	0	0	10	0	5	0	15
3413 - Nurse aides, orderlies and patient service associates	5	0	0	0	5	0	0	0	10
4412 - Home support workers, housekeepers and related occupations	0	0	0	0	5	0	5	0	10
5125 - Translators, terminologists and interpreters	0	0	0	10	0	0	0	0	10

6321 - Chefs	5	0	0	0	5	0	0	0	10
6513 - Food and beverage servers	0	0	5	5	0	0	0	0	10
6532 - Outdoor sport and recreational guides	0	0	0	0	10	0	0	0	10
7202 - Contractors and supervisors, electrical trades and telecommunications occupations	0	0	10	0	0	0	0	0	10
7245 - Telecommunications line and cable workers	10	0	0	0	0	0	0	0	10
9536 - Industrial painters, coaters and metal finishing process operators	0	10	0	0	0	0	0	0	10
0811 - Managers in natural resources production and fishing	0	5	0	0	0	0	0	0	5
2244 - Aircraft instrument, electrical and avionics mechanics, technicians and inspectors	0	0	5	0	0	0	0	0	5
2255 - Technical occupations in geomatics and meteorology	5	0	0	0	0	0	0	0	5
2271 - Air pilots, flight engineers and flying instructors	0	5	0	0	0	0	0	0	5
3125 - Other professional occupations in health diagnosing and treating	0	5	0	0	0	0	0	0	5
5252 - Coaches	0	5	0	0	0	0	0	0	5
6512 - Bartenders	0	0	0	0	5	0	0	0	5
6711 - Food counter attendants, kitchen helpers and related support occupations	0	0	0	0	0	0	0	5	5
7244 - Electrical power line and cable workers	0	0	5	0	0	0	0	0	5
7282 - Concrete finishers	0	0	0	0	0	0	0	5	5
7292 - Glaziers	0	0	0	0	0	0	0	5	5
7294 - Painters and decorators (except interior decorators)	5	0	0	0	0	0	0	0	5
7384 - Other trades and related occupations, n.e.c.	0	0	0	0	0	0	5	0	5
7521 - Heavy equipment operators (except crane)	0	0	0	0	0	0	0	5	5
7612 - Other trades helpers and labourers	0	0	0	0	0	0	5	0	5
9226 - Supervisors, other mechanical and metal products manufacturing	0	5	0	0	0	0	0	0	5
9232 - Petroleum, gas and chemical process operators	0	0	5	0	0	0	0	0	5
9531 - Boat assemblers and inspectors	0	0	0	5	0	0	0	0	5
9535 - Plastic products assemblers, finishers and inspectors	0	0	0	0	0	0	5	0	5

Prince Edward Island – TFW Work Permits	2015	2016	2017	2018	2019	2020	2021	2022 Jan- Sept	All Years
9463 - Fish and seafood plant workers	275	385	350	425	535	525	630	640	3765
8431 - General farm workers	60	70	45	270	340	350	360	380	1875
7511 - Transport truck drivers	40	50	55	75	80	35	30	45	410
8252 - Agricultural service contractors, farm supervisors and specialized livestock workers	10	0	15	10	15	15	15	20	100
9618 - Labourers in fish and seafood processing	0	0	30	5	0	0	0	30	65
8611 - Harvesting labourers	0	15	0	0	0	0	25	20	60
9436 - Lumber graders and other wood processing inspectors and graders	0	0	35	0	0	0	0	0	35
6322 - Cooks	5	10	0	0	0	0	10	5	30
8432 - Nursery and greenhouse workers	0	0	0	0	10	0	15	5	30
9462 - Industrial butchers and meat cutters, poultry preparers and related workers	0	0	0	10	0	5	10	5	30
2273 - Deck officers, water transport	0	10	10	0	0	0	0	0	20
2274 - Engineer officers, water transport	0	10	10	0	0	0	0	0	20
7271 - Carpenters	0	0	0	0	5	0	0	10	15
7291 - Roofers and shinglers	0	0	0	0	5	0	0	10	15
7611 - Construction trades helpers and labourers	0	0	0	5	5	0	0	5	15
7202 - Contractors and supervisors, electrical trades and telecommunications occupations	0	10	0	0	0	0	0	0	10
2131 - Civil engineers	0	5	0	0	0	0	0	0	5
2154 - Land surveyors	0	5	0	0	0	0	0	0	5
6311 - Food service supervisors	0	0	0	0	0	0	0	5	5
7242 - Industrial electricians	0	0	5	0	0	0	0	0	5
7532 - Water transport deck and engine room crew	0	5	0	0	0	0	0	0	5

Appendix C: Research Question Framework

Research Questions	Methods		
	Research	Focus Groups with migrant workers	Focus Groups with Service providers
Context			
<p>Q1 What are the Temporary Foreign Worker (TFW) program and other programs which bring migrant workers to the Maritimes?</p> <ul style="list-style-type: none"> • How do the TFW and other relevant programs work? • The role of employers • Labour Market Impact Assessments (LMIAs) • Roles of the federal and provincial governments 	X		
<p>Q2 How many migrant workers are there in the Maritimes, through the TFW program, now and over the past few years? In what geographic locations and industries do they work?</p> <ul style="list-style-type: none"> • What data sources can be used to identify this on an ongoing basis? 	X X	X	X
Service Mapping			

Research Questions	Methods		
	Research	Focus Groups with migrant workers	Focus Groups with Service providers
Q3 What services exist to help migrant workers and who offers them (including community organizations, advocacy or faith-based groups, municipalities, government departments, immigrant settlement organizations, etc.)?	X	X	X
Q4 Many SPOs receive funding from government to provide services to clients. Which funding sources or programs include TFWs as eligible recipients of services?	X		X
Q5 Are migrant workers aware of their rights and responsibilities?		X	X
<ul style="list-style-type: none"> Is awareness being measured? If so, how? 	X		X
Challenges and Gaps in Services to Temporary Foreign Workers			
Q6 What are the challenges when providing information and services to migrant workers in Atlantic Canada?		X	X
Q7 What gaps are there in terms of services currently being delivered and services needed? What are the opportunities to address those needs?		X	X
Promising Practices and Opportunities			
Q8 Are there promising practices or case studies of effective service delivery to migrant workers?	X	X	X