

Bill #3
Temporary Foreign Worker Rights Act
Moved by: Minister of Labour

WHEREAS Canada's rules on the legal status of Temporary Foreign Workers have been largely structured to discourage their integration;¹ and

WHEREAS language barriers, a lack of knowledge and the fear of losing employment prevent Temporary Foreign Workers from taking actions when facing workplace abuse;² and

WHEREAS the federal government says it has concerns about a reported move by Canada's largest bank to replace some Canadian employees with temporary foreign workers, part of a larger plan to outsource the jobs for cost savings.³

THEREFORE HER MAJESTY, BY AND WITH THE CONSENT OF THE YOUTH PARLIAMENT OF MANITOBA, ENACTS AS FOLLOWS:

Purpose

1. The purpose of this Act is to:
 - a. Establish the Vocational and Immigration Services Agency [VISA]
 - b. Establish a pathway to Permanent Residency for all temporary foreign workers
 - c. Improve workplace environment for temporary foreign workers
 - d. Transition from closed work permit to open work permit

Definitions

2. The following terms shall be defined for the purpose of this Act:
 - a. **Population diversity:** The inclusion of different countries of origin and ethnicity
 - b. **Foreign worker:** A person who works in a country other than one of which they are a citizen.
 - c. **Open work permit:** A document which allows a foreign worker to legally work in Canada for any employer, for any length of time, at any location.
 - d. **Closed work permit:** A document which allows a foreign worker to legally work in Canada for one named employer, for a given length of time, at a given location.
 - e. **Canadian National Occupational Classification:** Systematic taxonomy of all occupations in the Canadian labour market based on skill level

¹ Nakache, Delphine., and Paula J. Kinoshita. *The Canadian Temporary Foreign Worker Program Do Short-Term Economic Needs Prevail over Human Rights Concerns?* (Montreal, Que: Institute for Research on Public Policy, 2010), 39.

² Pang, Melissa. *Temporary Foreign Workers*. (Ottawa, Ontario: Library of Parliament, 2015), 9.

³ Dobby, Christine, "Ottawa concerned about report that says RBC replacing Canadian staff with temporary foreign workers," *Financial Post*, April 07, 2013,

<https://financialpost.com/news/ottawa-concerned-about-report-that-says-rbc-replacing-canadian-staff-with-temporarily-foreign-workers>.

Establishing VISA

3. As of January 2022 the Vocational and Immigration Services Agency [**VISA**] shall be established
4. **VISA** is comprised of the following members:
 - a. Immigration consultants
 - b. Lawyers
 - c. Social workers
 - d. Health and safety supervisors

VISA's mandate is to:

5. Recruit foreign workers
6. When recruiting foreign workers, **VISA** shall consider:
 - a. Population diversity
 - b. The value of providing humanitarian aids
 - c. Competency and ability to work
 - d. Demand of the Canadian labour market
7. Administer free English or French language classes for all foreign workers
8. Oversee the transition from closed work permit to open work permit

Encouraging Report of Abusive Employers

9. During the investigation into an alleged workplace mistreatment or abuse, the worker who filed the complaint will be provided accommodation and financial support to compensate for missed work days and wages.
10. An additional incentive shall be provided for workers who report an abusive employer if an investigation finds that the abusive practices have occurred.
 - a. This incentive shall be 500\$, and additional to any compensation the abused worker receives

Transition From Closed Work Permit to Open Work Permit

11. No new closed work permits will be issued, and only open work permits will be issued
12. Over the course of four years, all current holder of closed work permits shall transition into open work permits

Elimination of the Canadian National Occupational Classification

13. All categories shall be removed
 - a. A worker's occupation will not affect their application for Permanent Residency

Taxation of hiring

14. All cooperation shall pay an employment tax for each temporary foreign worker they hire
15. This tax shall be allocated to **VISA** to support its operations, such as language classes, providing abuse reporting incentives, etc.