



THE SCHOOL  
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**Master of Public Policy**

**CAPSTONE PROJECT**

**Canada's Two-Tiered Labour Rights System: Proposed Reforms to the Temporary Foreign Worker Program and the Implementation of Sanctuary City Policies**

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## Capstone Executive Summary

Although domestic and international human migration is known to occur within and across Canadian borders, the legal rights of migrants (both legal and illegal) are poorly defined and unclear. The experiences of migrants with precarious status, as well as the Canadian communities in which they integrate into, remains largely unstudied despite growing concentrations of the undocumented population in various major Canadian cities, such as Vancouver, Montreal and Toronto. Issues regarding acts of citizenship by politicized groups of non-status persons and the normative and political challenges they pose to Canadian national security, Canadian immigration laws and labour regulations.

Cities all over the world are addressing issues associated with their “undocumented” populations by implementing “sanctuary” or “amnesty pathway” policies; if adopted by all Canadian municipalities and/or the federal government, these sanctuary policies will address migrant rights and their ability to access basic social services. Current Canadian regulations and administrative policies concerning the access to public health and social services by undocumented persons are in opposition with the *Canadian Charter of Rights and Freedoms*, as well as universal human rights guarantees set out by the *United Nations organization*. Policy recommendations to address ethical and medical issues concerning non-status persons can be made to all branches of the Canadian government. This report suggests prioritizing the study of the long-term costs and public health consequences associated with recent migratory populations in Canada, specifically their entry into Canada via the Temporary Foreign Worker Program (TFWP). Due to the economic and demographic importance of immigration to the future of Canadian prosperity, reform of the TFWP is necessary in order to address border security issues related to undocumented labourers/human trafficking, increasing need to appropriately streamline legal immigration for talent retention purposes, and update the Canadian worker’s visa system.

It is important to address the fundamental inequity and insecurity within the TFWP that exists due to deficiencies within our current legal structure and immigration system. Failure to address the long-standing concerns about mistreatment of migrant workers with temporary status enables the acceptance of a second-tier worker program which normalizes human rights abuses—should these deficiencies within our legal and immigration systems fail to be addressed our society will further allow foreign nationals to be dehumanized, exploited and commoditized for expendable labour purposes. The common notion that certain communities are somehow exempt from the threat of labour abuses fails to take into account how complex the issue is and how widespread the attitudes that justify it are.

This capstone project raises concerns over the technical and managerial capacities of provincial governments to regulate immigration processes. The debate on if the economic and social benefits of reforming the TFWP to allow for provinces to delegate federal powers over immigration will outweigh the potential administrative risks, as well as if the provision of Canadian funded social service provisions to non-citizens is reasonable, will be examined in this paper.

## Introduction

Domestic research findings concluded that undocumented, non-status holders are also known as “irregular status, precarious status, alien(s), illegal(s), forbidden, outsiders, uninsured, informal labour, sans papier(s), sin papeles, sem status, without papers, no-status, non-citizen [...]

Canadian work(ers), immigrant(s), migrant(s), newcomer(s), [and] displaced<sup>1</sup>.” Reports indicate that over the past decade, “undocumented migration has become the fastest growing form of migration worldwide, non-status workers comprising its largest group, presently estimated at 30 to 40 million people [...] on a global scale, undocumented workers contribute approximately \$150 billion per year in global remittances<sup>2</sup>.” Although the Canadian census does not track undocumented populations, according to the *CIA World Factbook 2011*, Canada has an estimated population of 34, 030, 589 and a net migration rate of 5.65 migrants/1, 000 population<sup>3</sup>. It was estimated in 2006 by the *CIA* that the number of undocumented workers in Canada is between 100, 000 to 300, 000 people<sup>4</sup>. The Canadian Parliament estimated in 2008 that the undocumented population residing within Canada ranged from 80, 000 to 500, 000<sup>5</sup>. In 2009 the Ontario Construction Secretariat estimated that 76, 000 undocumented workers in Ontario’s construction industry<sup>6</sup>, of this number “34, 000 failed refugee claimants have never been deported and of the 800, 000 foreigners issued work, student and visitor visas [in 2008], experts estimate at least 8% [about 64, 000 people] typically overstay their time limit<sup>7</sup>.”

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<sup>1</sup> Ibid.

<sup>2</sup> L. Magalhaes, C. Carrasco, and D. Gastaldo. (2010). *US National Library of Medicine*.

<sup>3</sup> Central Intelligence Agency. (2011).

<sup>4</sup> M. Jimenez. (2006). *Globe and Mail*.

<sup>5</sup> L. Linklater, Immigration Branch, Department of Citizenship and Immigration, *Committee Evidence*, Meeting No. 13, February 25, 2008, 15:50.

<sup>6</sup> M. Jimenez. (2009).

<sup>7</sup> Ibid.

Reports issued by the Parliament of Canada suggest that there are a variety of means by which people migrate to Canada without status but of most these individuals enter Canadian borders legally but fail to maintain relevant permits to remain in Canada<sup>8</sup>. Common situations, as documented by the Parliament of Canada, which have allowed the aforementioned situation to occur, are as follows:

- A foreigner enters Canada to work or study legally on a temporary basis, and stays in the country after their temporary status expires;
- An elderly parent visits their adult child in Canada and never returns home;
- A failed refugee claimant does not leave the country after their claim is refused and avenues of appeal exhausted; or
- The foreign spouse or common-law partner of a Canadian or permanent resident of Canada comes to Canada for a “visit” and stays in the country without filing a spousal immigration application, or before such an application is processed<sup>9</sup>.

For the purposes of this capstone project relevant issues concerning access to social services by individuals possessing precarious status, who had initially entered Canada legally via temporary work programs, will be focused on.

Historically immigrants have been a major component of the Canadian labour supply. The Canadian economy, much like other OECD nations (Organization for Economic Co-operation and development) is highly dependent on the foreign supply of semi-skilled and low-cost workers to meet current labour demands. Recent population trends such as Canada’s progressively low birthrate<sup>10</sup> and increasingly aging population have resulted in potential labour shortages in select industries; a strategy to meet Canada’s growing labour demands and deter potential economic underperformance lies in the large-scale recruitment of foreign workers. Migrant workers have the potential to fill our anticipated employment gaps in select industries,

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<sup>8</sup> Parliament of Canada. (2008).

<sup>9</sup> Ibid.

<sup>10</sup> As indicated in Appendix I-IV, please refer to the Appendices

however Canada's Temporary Foreign Worker Program (TFWP) may be unable to meet such demands as the current system is inefficient and vulnerable to human rights abuses.

It has been reported that 30% of Canadian businesses are expected to be unable to reach employment targets<sup>11</sup> and virtually every sector of the economy is forecasting labour shortages<sup>12</sup> for the next decade. Based on Statistics Canada's 2012 figures, approximately 180,000 non-status foreign workers are expected to enter Canada per annum<sup>13</sup>; more than 1/3 of these individuals are anticipated to become unaccounted for in 2015 due to recent changes to the TFWP, in which mandatory cumulative duration limit will be set for temporary foreign workers (TFW) who arrive after April 1, 2015<sup>14</sup>. It has been predicted<sup>15</sup> that the number of illegal foreign workers in Canada will increase substantially after April 1, 2015 when a large contingent of temporary foreign worker (TFW) permits expire and application for re-entry into Canada is barred for a minimum of four years. Due to increased labour demands and the cost-saving measures associated with retaining trained employees, employers may be incentivized to have TFW remain in Canada for longer than the intended period— as an unintended consequence of the sunset provision, incentive for individuals to illegally remain in Canada and the potential for human trafficking to occur, as well as abuse of non-status persons, rises. These developments are not only a national security concern but will also impact human rights advocates as people with precarious legal status are known to be more vulnerable to exploitation and may not be able to access basic social services due to fears of deportation.

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<sup>11</sup> M. Toneguzzi. (2012). The Calgary Herald

<sup>12</sup> N. Vanderklippe. (2013). The Globe and Mail

<sup>13</sup> Government of Canada. (2012). "Work in Canada: Filling our labour shortage"

<sup>14</sup> N. Vanderklippe. (2013). The Globe and Mail

<sup>15</sup> M. H. Khandempour and A Khadepour. (2013).

Undocumented workers and illegal migration into Canada are politically and emotionally charged public policy issues. Discourse on non-status persons' rights within Canada and how to institute legitimate channels of immigration for previously accepted "low skilled" TFW must be established in order to address growing numbers of foreign nationals who choose to remain in Canada illegally upon the expiration of their legally issued work visas. In order to justify the rationale(s) for government intervention via the establishment of "Sanctuary City" provisions for undocumented persons who had legally entered Canada under the TFWP, this paper will evaluate the current academic and community-based findings on the health, social service access and working conditions of undocumented migrants in Canada. Secondly, various indicators for the existence of relevant pathways for citizenship will be examined in order to determine if the sanctuary city movement in Canada is beneficial for the Canadian economy and the social fabric of our communities. Finally, policy options and research recommendations will be made to address the economic and social issues concerning undocumented migrants, as well as deficiencies within the current immigration system which allow for foreign nationals to remain within Canada long after legally issued work visas or study permits have expired.

### **The Temporary Foreign Worker Program**

Increased media scrutiny surrounding temporary foreign worker abuse in Canada has brought to light the precarious work and living environments of non-status migrants currently within the *Temporary Foreign Worker Program*. Allegedly, non-status migrants in the *Temporary Foreign Worker Program* are made vulnerable by their lack of permanent status. The direct results of lacking "status" have reportedly deprived temporary foreign workers in Canada of their basic human rights, such as access to essential social services, health care and minimal unemployment benefits or employment insurance. The state of the current TFWP is concerning as "Canada's

temporary labour migration programs are entrenching and normalizing a low-wage [and] low-rights guest worker force on terms that are incompatible with Canada's fundamental Charter rights and freedoms, human rights and labour rights<sup>16</sup>." The federal government via the TFWP enables Canadian employers to acquire foreign labourers to fill positions in Canada if jobs that have been advertised domestically are not occupied by qualified Canadian citizens. The federal government has been criticized for granting unscrupulous employers<sup>17</sup> unfair advantages over TFW via the TFWP extensive criteria for maintaining a work visa, deficient enforcement of TFW abuse cases, and lack of legal recourse for abused TFW; essentially TFW "have fewer effective legal protections than Canadian workers (and) are vulnerable to abuse by recruiters, immigration consultants and employers (...) because of their legally, economically and socially marginalized position<sup>18</sup>." Recent reports by the Parliamentary Committee on Citizenship and Immigration and the *Alberta Federation of Labour* highlight precarious examples of living situations TFW's typically endure: sub-par pay rates, denied medical treatment, and unacceptable living conditions. Commonly documented issues for many TFW's include, but are not limited to, "low wages, lack of job security, lack of benefits, vulnerability to contract violations, separation from families and exposure to sub-standard living conditions<sup>19</sup>." Non status or precarious status workers are susceptible to employer abuses as their employment contracts stipulate that TFW may be fired without notice for breach of contract, such as medical conditions, refusal to work or non-compliance—further terms of "breach" are defined however<sup>20</sup>, thus creating precarious living conditions for TFW as they risk being fired and repatriated to

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<sup>16</sup> M. H. Khandempour and A Khadepour. (2013). page 5

<sup>17</sup> If said employer had obtained a positive Labour Market Opinion, per s. 203 of the *Immigration and Refugee Protection Regulations*, SOR/2002-2007, typically no further requirements are necessary to qualify them from accessing TFW's for exploitative labour purposes

<sup>18</sup> F. Faraday. (2012). Metcalf Foundation, Page 5

<sup>19</sup> Asian Pacific Post. (2012). "Lawsuit Will Help Migrant Workers"

<sup>20</sup> Temporary Foreign Workers: Application Forms and Contracts", supra



their countries of origin immediately without program costs reimbursement/compensation for loss of income. Many TFW are low-skilled, which disqualifies them from qualifying for permanent residency under Canada's points based immigration system; many low-skill migrant workers are limited to obtaining Canadian citizenship through the Provincial Nominee Program (PNP) via nomination from their employer. TFW are often incentivized by the Canadian government to not make complaints against abusive employers due to the PNP. The TFWP complies with guidelines set in the *Immigration and Refugee Protection Regulations* (IRPR), particularly s. 203; within the TFWP, TFW's possess few legal rights. Reported TFW abuse has resulted in a limited number of unsuccessful actions brought under s. 15 of the Charter (e.g.: *Fraser, supra*) as the national origins of the workers classifies these individuals under enumerated "analogous grounds." Citizenship classifications are also recognized as "analogous ground" post-Supreme Court decision in *Law Society of British Columbia v. Andrews*. Status as a TFW leaves individuals without protection from employer abuse and with few options to realistically improve their employment conditions. It has been said that "migrant worker insecurity is a product of choices that federal and provincial governments have made in developing the legal and policy systems that govern [the TFWP]<sup>21</sup>," this focus on "non-citizenship as being legally relevant means that the majority of the decisions deal with issues originating in the former *Immigration Act* or the current *Immigration and Refugee Protection Act* (IRPA).<sup>22</sup>,

It can be argued that the TFWP system has created a two-tiered system of labour rights in Canada. Documented cases of migrant worker abuse, such as *Dominguez v. Northland*

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<sup>21</sup> F. Faraday (2012), Metcalf Foundation, page 6

<sup>22</sup> C. Dauvergne. (2013). Page 11

*Properties Corp.*, and 2012 *Carswell v. BC* (B.C. S.C.) are cases which demonstrate the absence of any legal mechanisms to enforce protective measures for migrant workers and highlight the apparent lack of consequences for employers who have been convicted of abusing TFW and/or migrants with precarious legal status.

### Canadian Charter Rights and Universal Human Rights Protections

The 1985 *Singh v Canada*<sup>23</sup> decision was a judicial ruling regarding six Guyanese Sikhs who successfully challenged Canada's asylum laws in order to avoid deportation. The *Singh* ruling mandated that all persons, regardless of citizenship, can enjoy full protections granted by the *Charter of Rights and Freedoms* (*Charter*) and are subject to *Charter* statutes as well as international human rights treaties. Essentially, the *Singh* ruling extends *Charter* protections to non-citizens within Canada; thereby granting non-citizens the same privileges as Canadian citizens under the *Charter*, except for the right to vote as the *Charter* reserves that specific right exclusively for citizens. The *Charter* guarantees specific social and civic rights to all citizens and residents by law; under section 15 equality provisions and section 7 provisions which apply to "every human being who is physically present in Canada"<sup>24</sup>. Further protections of non-citizen rights can be found in article 25, paragraph 1 of the *Universal Declaration of Human Rights*<sup>25</sup> which dictates substantive equality measures to ensure that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in

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<sup>23</sup> *Singh v Canada Minister of Employment and Immigration*, [1985] 1 SCR 177, note 7 at para. 81, per Wilson J.

<sup>24</sup> *Ibid.*, Page 7

<sup>25</sup> UN General Assembly, *Universal Declaration of Human Rights*, 10 December 1948, 217 A (III), page 207

circumstances beyond his control<sup>26</sup>.” The Singh decision “brought non-citizens, regardless of immigration status, within the protection of the *Charter* and linked that protection in the broadest possible way to international human rights law.<sup>27</sup>” In Canada “the key rights sources of the Constitution and international law are intertwined because of the Supreme Court’s early *Charter Jurisprudence* (...) non-citizens asserting rights claims are therefore required to make those arguments first and foremost in *Charter* terms and only secondarily in international human rights terms.<sup>28</sup>”

Under the Conservative government’s Balanced Refugee Reform Act, Bill C-31 “*Protecting Canada’s Immigration Systems Act*,” aims to change Canada’s refugee protection process and grants the Minister of Citizenship, Immigration and Multiculturalism power to designate any group ineligible and incarcerate them for up to 12 months without judicial review. Bill C-31 has been criticized for fundamentally changing Canada’s immigration and refugee system by prohibiting Canadian Charter of Rights violations via the removal of any individual’s habeas corpus in challenging detention in front of a court; essentially Bill C-31 creates a system of unequal justice for non-citizens in Canada. Bill C-50, introduced in 2008, in conjunction with Bill C-31 (which came into effect in January 2013) grants powers to various officers and the Minister of Citizenship, Immigration and Multiculturalism to arbitrarily decide which persons may or may not enter Canada. The Minister of Immigration possesses exclusive power to determine which countries of origin are “safe;” individuals applying for Canada’s TFW program or for permanent residency are then chosen based on merit but rather by their country of origin, creating subjective immigration barriers. By allowing the Minister to unilaterally name “safe”

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<sup>26</sup> Ibid, Page 207

<sup>27</sup> C. Dauvergne. (2013). Page 7.

<sup>28</sup> Ibid., Page 10

countries under Bill C-31, it can be argued that a two-tiered determination process based on nationality and political motivations will be created. The accumulative impact of the C-31 reforms shifts Canada's focus from using immigration policy for long-term nation building to exclusively meeting short-term labour-market demands.

### **Rationale for Sanctuary City Policies and “Don’t Ask, Don’t Tell” Initiatives**

Studies in Canada differ than those published in other parts of North America and Europe, as Canadian academics and activists prefer<sup>29</sup> to utilize the term “non-status” rather than “unauthorized” or “undocumented.” Support for use of “non-status” is due to “many people in [these] situations are documented: they are known to the state but no longer have lawful status,<sup>30</sup>” which more holistically encompasses a large population of migrant workers who are transitioning out of exploitative employment situations or have stayed post-expiry of their visas.

Although there are limited studies to document the full spectrum of non-status population effects on society, there are credible reports which have documented abuse perpetrated on non-status persons; from these studies we know that “once a person becomes an undocumented worker, they have limited or no access to essential services supports, and can become vulnerable to employer exploitation and mental health issues.<sup>31</sup>” The recently approved “*Access Without Fear: Don’t Ask, Don’t Tell*” policy in the City of Toronto sets monumental precedent for the future of Canadian social policymakers. The decision, which passed on a 31 to 3 motion in February 2013, sanctioned Toronto as Canada’s first “Sanctuary City”—a designation which allows all persons, regardless of status, the ability to access provincially and federally funded

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<sup>29</sup> Toronto Executive Director, Social Development, Finance and Administration, (2012). Page 3

<sup>30</sup> Ibid., Page 3

<sup>31</sup> Ibid., Page 3

services and programs, such as *Ontario Works*, government housing, *OHIP*, all income security programs<sup>32</sup>. DADT is a relevant social policy for Toronto as there are an estimated “100, 000 - 200, 000 undocumented persons [...] mostly in cleaning and janitorial services, domestic work, construction, hospital and food services, [who had] arrived [in Canada] legally, but moved underground after their valid visas expired or refugee claims were denied.”<sup>33</sup> It is challenging to estimate precisely how many individuals are currently in Canada without authorized migratory status as “no efforts to collect large-scale systematic data about individuals with unclear or no migratory status<sup>34</sup>” exists (refer to Appendix IV, figure 1 for the resources related to undocumented workers used by the Toronto City Council’s report). As a result of the absence of reliable data sources, the estimates range for non-status persons differ in range significantly. The City of Toronto utilizes reports which indicate that “Vancouver, Montreal and Toronto have the highest number of undocumented migrants, with nearly 50% believed to be residing in Toronto.”<sup>35</sup> Calgary is “the fourth largest city in Canada with the highest immigrant population [after] Toronto, Vancouver and Montreal [...] by 2020, Calgary’s total immigrant population is estimated to reach almost half a million<sup>36</sup>.” Alberta, arguably the basis of Canada’s natural resource industry, forecasts an approximate requisite of 112, 000 surplus workers to complete various tasks in the mining industry by 2021<sup>37</sup> and an overall need of 607, 000 more labourers within the next decade<sup>38</sup> as the robust economy is expected to draw a substantial amount of migrant workers to the province; based on this evidence it can be recommended that DADT policies should be adopted immediately by Albertan municipalities.

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<sup>32</sup> C. Selly, (2013).

<sup>33</sup> J. Stall, (2013).

<sup>34</sup> Toronto Executive Director, Social Development, Finance and Administration, (2012). Page 3

<sup>35</sup> Ibid., Page 3

<sup>36</sup> The City of Calgary, (2010). Page 21

<sup>37</sup> G. McGowan and N. Furlong, (2009).

<sup>38</sup> Ibid.

Policies similar in nature to the DADT mandates have already been established in 36 major American cities, such as Chicago, New York City and San Francisco—implementation of precedent setting policies such as the DADT combined with increasing labour market pressures in favour of migration (both legal and illegal) into specific Canadian provinces, opens a window of opportunity for necessary policy changes to take place. Reportedly, refugees “discriminated against or limited because of legal status incur opportunity costs of labour;<sup>39</sup>” if Canada were to eliminate structural barriers to gainful employment for new immigrants, non-status persons, and TFW’s transitioning out of exploitative labour situations “it would give Canadians an additional \$4.1 - \$5.9 billion in income annually.<sup>40</sup>” Using 2001 figures, it was estimated that “the number of people in Canada that are affected by unrecognized foreign credentials equates to 344, 723 people” assuming these figures are correct, application of 344, 723 unrecognized persons estimated “forgone earnings to the figures, results in an overall estimate or potential earnings from reducing the barriers [unrecognized workers] is over \$334 million dollars<sup>41</sup>.” If these figures are correct, we can predict a wider window of opportunity to implement a DADT policy as it can introduce or re-introduce a large population of workers and inject a significant amount of social and financial capital into Canadian society.

The DADT program will essentially train “front-line staff and managers to ensure that undocumented residents won’t be asked about their immigration status when accessing services<sup>42</sup>”—this program is supported by many who believe that “the undocumented live here,

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<sup>39</sup> T. Coates and C. Hayward, (2005). Page 84

<sup>40</sup> M. Bloom and M. Grant, (2001).

<sup>41</sup> T. Coates and C. Hayward, (2005). Page 85

<sup>42</sup> Ibid.

work here and pay taxes here [...] they are part of the community and also need services and support.<sup>43</sup>” Toronto’s executive director of social development, Chris Brillinger, stated that the DADT policy is necessary as “non-status residents pay property taxes through rent, HST through purchases of goods and services, and some forms of income tax<sup>44</sup>.” Some councillors suggest that without implementation of an “access without fear” policy non-status residents may be reluctant to come forward as witnesses or victims of crime for fear of deportation; access to basic social services, particularly public-health programs and education, is expected to further enhance community health and therefore benefit all of society<sup>45</sup>. Some studies present evidence that health care and social service’s “intuitional polices [are] at odds with the core values of [social service] professionals<sup>46</sup>” and accessing “health services may not always be safe for [non-status persons]<sup>47</sup>” as some institutions will report undocumented patients to immigration authorities—these actions further act to reinforce distrust amongst individuals with precarious status. Toronto city councillor, Kristyn Wong-Tam submitted that the DADT policy is a positive step towards eliminating anti-immigration discourse and is an effective political tool to stop “differentiating between who is a good immigrant and who is a bad immigrant.<sup>48</sup>” Ryerson University professor, Harald Bauder, supports this statement by saying that in order for Toronto to become a stable city “it is important that we are not making a distinction between those who don’t have rights or access to services and those that do [...] distinctions are divisive [...] they establish second-class citizens” which “leads to all kinds of other problems, not just a rift in the community, but other issues of exploitation.<sup>49</sup>”

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<sup>43</sup> Ibid.

<sup>44</sup> N. Keung, (2013).

<sup>45</sup> Ibid.

<sup>46</sup> C. Rousseau, et al., (2008). *Canadian Journal of Public Health*.

<sup>47</sup> Ibid.

<sup>48</sup> C. Selly, (2013).

<sup>49</sup> T. Wilson, (2013).

## **Sanctuary City Policies, Opposition**

Some ad-hoc groups, politicians, policy makers and communities are deeply opposed to sanctuary city policy initiatives; these stakeholders often advocate for stricter immigration policy and are against allowing “non-taxpayers,” i.e.: non-citizens, from accessing social services.

Despite historical evidence that immigration was necessary in order for Canada to become the nation state that is today, anti-immigrant sentiment is prevalent within current society. Rationale in favour of opposition to immigration and non-status migrant workers concern perceived: economic costs (i.e.: social service burden on “tax paying citizens”), competition for jobs, negative environmental impact due to accelerated population growth, and increased crime rates.

Some research findings suggest that Canada does not require migrant workers and the influx of foreign labour in the Canadian job market has depressed wages for Canadian citizens, however a great number of peer-reviewed research exists to dispute such findings and provides evidence that the demand for migrant workers is at an all-time high in Canada. Both sides of this argument does agree though, that key industries during peak time frames do require additional workers, whether they are foreign born or native to Canada. If such is the case, more research is recommended in order to document the working and living conditions of migrant workers in Canada in order to provide evidence that warrants comprehensive structural, policy and best practice (by Canadian employers) changes to the TFWP.

## **Non-Status and Social Services Access: Domestic and International Case Studies on Human Rights Advocacy for People Without Status**

Currently there no conclusive epidemiological data on the health and social consequences associated with increased undocumented migration into Canada, however a pilot study conducted



by health care professionals in Montreal suggests that the lack of access to social services by the uninsured and/or undocumented population is of concern to all levels of governance as the public health consequences and long-term costs associated with restricted access to healthcare due to status becomes a rising issue<sup>50</sup>. This study was based on survey findings conducted on health care professionals and non-profit organization workers in Montreal, to determine their perceptions of problems experienced by recent migrants in accessing health care and basic social services. This study responds to the recently adopted regulations which postpones the health care coverage of new immigrants to Quebec from immediate arrival to a maximum three month waiting period after their official arrival to Canada<sup>51</sup>; it was revealed that “most health professionals [...] reported that because of the changes in migratory politics and the more restrictive policies of health institutions, they felt increasingly burdened by the number of and extent of care needed by uninsured vulnerable patients<sup>52</sup>” Some hospitals in Montreal have posted signage in waiting rooms indicating that uninsured clients will be billed for services received; the study concluded that by doing so, hospital administration was “actively discouraging help-seeking in this already vulnerable population<sup>53</sup>,” such actions “has resulted in a number of health problems, including the near death of a child because of a delayed surgery for appendicitis<sup>54</sup>.”

Canada can look towards New Zealand’s health policies which mandate provision of medical care for undocumented Zimbabwean immigrants<sup>55</sup>. The Special Zimbabwe Residence Policy (SRP) was created in 2005 as response to the humanitarian crisis under Robert Mugabe

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<sup>50</sup> C. Rousseau, et al. (2008). *Canadian Journal of Public Health*.

<sup>51</sup> Immigration et Communautés Culturelles. Gouvernement du Québec, updated 2006.

<sup>52</sup> C. Rousseau, et al. (2008). *Canadian Journal of Public Health*.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> P. Hodgson. (2006).

and the rates of HIV/AIDS amongst the undocumented Zimbabwean asylum seekers; under the SRP Zimbabweans will be offered residency regardless of their health status as long as “good character” of the individual is established through policy checks<sup>56</sup>. The SRP operates under the assumption that undocumented individuals who are also carriers of infectious diseases will not come forward if faced with the threat of deportation; the SRP reasons that HIV-positive individuals are more likely to come forward for treatment if granted asylum measures, and in turn the risk to public health will be diminished. American based findings on the lack of medical insurance with lower quality and quantity of medical care use linked to morbidity for both adults and children<sup>57</sup> is also relevant. It has been suggested that what can be “perceived [as] a potential financial burden” also constitutes “an ethical dilemma” for the government because the precarious living situations associated with not having status “violates the basic rights of individuals<sup>58</sup>.” Further it has been suggested that by allowing patients with precarious status to access preventative health and social services, the population will benefit from avoiding acute health crises associated with delaying medical care for chronic conditions<sup>59</sup> (such as hypertension, diabetes, tuberculosis, HIV, mental health issues, etc.). Additionally, “both health care workers and community workers alike noted that the burden of finding appropriate health care for migrants with undocumented status falls disproportionately on those few organizations willing to fight for the latter’s rights [...] a considerable amount of time trying to negotiate for services to be made accessible to individuals, to correct and update paperwork, and to protect their patients from bills or collection agencies<sup>60</sup>.”

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<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

Another issue concerning the lack of access to health and basic social services by precarious status populations centre on Canada's membership in the *United Nations*. As Canada is signatory under the *UN Convention on the Rights of the Child* access to health care should be recognized as a basic human right regardless of citizenship or political status (Article 24); Articles 19, 25 and 28 of the Convention dictate that, irrespective of their status, every child should be guaranteed the right to protection, as well as rehabilitation<sup>61</sup>. An example of health care and social services professional led, advocacy for immigrant, refugee and "paperless" persons can be seen in Sweden: since the early 2000's the Transcultural Centre of Stockholm County mandated a state-funded health program which specifically caters to the needs of children with precarious status<sup>62</sup> as well as publishing "guidelines for the psychiatric treatment of asylum seekers that insist on the provision of comprehensive care for all individuals regardless of their status<sup>63</sup>.

A final case study of interest concerns the relationship between the migrant community and police authorities in Portland, Oregon. Despite the anti-immigration sentiment stemming from terrorist attacks on September 11, 2001 the City of Portland had still maintained strong working relationships with members of the Muslim, South Asian, Arab, and various other ethnic communities<sup>64</sup> via the establishment of a two-way dialogue and incorporating the concerns of the community into the civic agenda. Post-9/11, the Portland authorities successfully implemented a community advisory committee (consisting of Arab and Muslim community leaders) to address growing concerns of hate crimes. Michele Wucker, Executive Director of the World Policy Institute, maintains that because "the Portland police department refuse[d] to implement the

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<sup>61</sup> L. Bicocchi and M. LeVoy. (2007).

<sup>62</sup> G. Lansdown. (2000). pages 286-288

<sup>63</sup> C. Rousseau, et al. (2008). *Canadian Journal of Public Health*.

<sup>64</sup> L. E. Orloff. (2011).

Bush administration's calls for enforcing federal policy [...] local Muslims' sense of security [was] bolstered, as [was] the policy-community dialogue and the policy department's commitment to working with immigrant groups<sup>65</sup>." It can be suggested then that the unintended consequence arising from federal threats of deportation against migrants with precarious status and TFW who are abused by their employers, is the deterrence of victims and witnesses from reporting crimes due to justifiable fears that the lack of status prevents one from obtaining criminal justice protections.

### **Policy Recommendations**

A significant challenge arises in the protection of TFW's as regulation of foreign nationals' rights to access health and social services lies at the intersection of federal immigration and provincial employment laws. Traditionally the federal government is in charge of enforcing immigration laws, while provincial and municipal governments hold jurisdiction over the enforcement of criminal laws and employment laws. While the entry of TFW's and their right to enter/remain in Canada is governed by federal immigration policy, employment and social rights fall under provincial laws and policy. As a result, advocates of TFW rights must appeal to a range of administrative tribunals and courts within both jurisdictions. Federal and provincial laws constrain the rights of low-skill TFW's and increases insecurity for migrant workers as there is uncertainty over which level of government is responsible for ensuring TFW rights. As many migrant workers are not unionized, their primary workplace protections are enshrined in each province's *Employment Standards Act*—despite the fact that the provincial government does not oversee matters of immigration and does not directly manage the TFWP. Implementation of federally provided employment insurance for TFW may allow for the most

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<sup>65</sup> Ibid.

effective care of non-citizens while preventing overburdening of the Provincial health care system. Conversely, the TFWP could be more effective at meeting the specialized needs of different job markets if the worker selection process became more locally streamlined; an argument can also be made in favour of granting the provincial government primary power to select and approve temporary foreign workers (TFW) applicants, in addition to being granted more flexibility in the naturalization process of TFW selected for citizenship via the Provincial Nominee Program (PNP).

The federal government primarily manages the TFWP as it falls under the Department of Human Resources and Development Canada; it can be reasoned that the centralized nature of the current TFWP framework does not meet the needs of different provinces specialized labour markets. The TFWP is arguably inefficient because a majority of the recruited TFW are sought out and allocated by the federal government rather than determined for placement by the provinces. In order to administer the aforementioned policy recommendations, immediate restructuring of the TFWP is necessary to establish transparency, fairness and the rule of law for both employers and foreign nationals. Reform of federal immigration laws and provincial labour laws must also be made in order to allow for the adoption of “Sanctuary City” strategies that will enable access to essential basic social services by non-citizens or “non-status persons” and create legitimate pathways towards citizenship for qualified candidate’s post-completion of their TFWP work visa term. Over seventy cities throughout the United States, as well as several major Canadian cities, have already adopted policies which prevent police/authorities from asking community residents to prove their legal immigration status in cases of suspicion and/or arrest. The rationale behind such policies are outlined the 2004 findings from *The International*

*Association of Chiefs of Police* (IACP) policy paper<sup>66</sup>: “local police agencies depend on the cooperation of immigrants, legal and illegal, in solving all sorts of crimes and in maintenance of public order. Without assurances that they will not be subject to an immigration investigation and possible deportation, many immigrants with critical information would not come forward<sup>67</sup>.” These findings suggest that local police services do not have resources to focus on the enforcement of immigration laws and deportation cases as these matters exceed their jurisdiction—such actions may also be detriment to the efforts already made in establishing trust and discourse with local communities. These findings also indicate that the federal government needs to address growing border security issues concerning illegal migration and undocumented residency, in addition to implementing comprehensive reforms to the current immigration systems to account for the issues that arise due to unclear distinctions between federal versus provincial jurisdictional duties.

This capstone project recommends future research on the potential consequences of shifting federal responsibility over regulation of TFW to provincial authorities; in order to determine if it is economically beneficial and feasible to grant provincial governments more power in respects to matters of immigration, temporary migrant workers and health care for people residing in their jurisdictions, more research is needed. Further studies on the legal regulation of migrant workers under the TFWP framework and the public sector, private sector and other impacts of the proposed policies is recommended; particularly the essential social services access by non-citizens in continuance with protections guaranteed under the *Canadian Charter of Rights and Freedoms* and *Human Rights Laws*, as well as how the establishment of

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<sup>66</sup> IACP, (2004).

<sup>67</sup> Ibid.

legitimate methods of immigration for unskilled or low-skilled persons post-expiry of Canadian work visas. Without comprehensive knowledge of the potential threats and opportunities concerning the restructuring of the TFWP and PNP, it is uncertain if this option can achieve meaningful solutions for the non-status population and if it is a viable plan to alleviate the issues concerning migrants who overstay their visa duration. In order to alleviate the creation of a two-tiered labour rights system, this paper proposes implementing sanctuary city policies which require provincial provisions of basic social services to non-status persons in conjunction with municipally mandated information campaigns to raise awareness/promote reporting of Temporary Foreign Worker abuses and require local law enforcement agencies to establish good relations with the entire community, including non-status residents, in their jurisdiction.

The lack of coordination between federal immigration laws and provincial employment policies has allowed the TFWP to become a long-term rather than a short-term solution to meet labour demand. As policy makers at all levels of government and Canadian Border Services are anticipating a surge in undocumented individuals in 2015<sup>68</sup> cities with large TWF populations, such as Toronto and Hamilton, are moving towards implementation of “*Access Without Fear: Don’t Ask, Don’t Tell*” (DADT) policy programs which act as a solution to address the potential security risks and account for discrepancies reflected in the collection of sales tax revenues to true population size. DADT policies will “ensure [that] non-status residents can turn to city services without fear [of being] turned in for detention or deportation.”<sup>69</sup> In summary, this paper proposes that three key reforms, concerning non-status persons who have migrated to Canada under the TFWP, be established:

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<sup>68</sup> N. Keung. (2013).

<sup>69</sup> Ibid.

1. Restructure the TFWP to allow non-status persons access to basic social services at the provincial and municipal levels; afford non-status persons under the TFWP limited Charter protections to assure guarantee of basic human rights via adoption of all or some of internationally established “sanctuary city” amnesty policies
2. Enforce aggressive federal and provincial regulation and enforcement of Canadian labour standards and Canadian Charter of Rights and Freedoms protections in conjunction with enhanced municipally based law enforcement association within all community members, including non-citizens, within their jurisdiction is recommended
3. Implementation of an “amnesty pathway pilot program” as a way for undocumented immigrants who were in Canada before and since April 1, 2015 to apply for permanent residency (contingent on successful background checks, demonstrate sufficient competency with one or both of Canada’s official languages, and payment of back-taxes incurred via their non-status duration in Canada): an amnesty pathway legitimizes a method for “unskilled” or “low-skilled” non-status persons to legally immigrate to Canada should they so desire

These respective recommended changes to federal immigration policies and provincial labour regulations will have manifold impacts due to the following concerns:

1. As it is imperative to the future economic prosperity to reform current immigration and labour laws to preserve Canada’s humanitarian reputation to potential immigrants and international investors, application of an amnesty city policy is a humane option that addresses illegal settlements within Canada
2. Implementation of federal employment insurance for TFW—this shift will allow for the most effective care of non-citizens while preventing overburdening of the Provincial health care system. This reform operates on the grounds that because the TFWP is federally based, provincial governments do not know what the threshold of TFW is. This reform proposes changes in health care and social service management to meet the economic interests of Canada; increased regulation of reformed TFWP policies will address compliance breaches by abusive employers and further promote Canada’s standing as a humane and equitable choice for foreign talent and capital investment
3. Deficiencies within the current TFWP system are addressed primarily by enabling non-status persons to pursue legal recourse and access basic health and social services; additionally, the increased cash flow attributed to a tax base that is proportional to the true estimate of the population is expected to positively impact a municipality’s ability to deliver social services for all citizens



Current costs of implementing “Sanctuary City” provisions are not yet determinable as programs implemented in Toronto and various other American cities are very recent and funding information is not yet accessible by the public. While the topic of refugee asylum and illegal immigration are frequently discussed in politics and the media, the economic impact of refugees has not been widely or consistently studied. The Canadian census, arguably the most comprehensive source of statistical data, does not distinguish between immigrants and refugees classifications, which results in inexact academic publications and policy studies. For these reasons, this report recommends further research in the area of distinguishing census polling for refugee status persons and new immigrants, in addition to census analyses on TFW status populations and non-status populations. Further, census studies should distinguish between labour migrants, family migrants, and Convention refugees from asylum refugees.

As data is unavailable and/or unreliable, for the purposes of this research, it is assumed that the cost of applying a DADT policy, in order to cover the expenses of non-status persons or status TFW’s in the midst of transitioning out of abusive labour situations, would mirror the cost of current refugee provisions. It must be noted however that there is a clear distinction between the status’ of refugees, TFW’s, and non-status persons; funding of social support and provincial and federal services for these distinct groups should not be merged—rather, this report aims to justify additional service funding for each group, recommend incorporation of clear distinctions between groups for census and research purposes (in order to determine accurate scope of individual group needs), and endorse consolidation of support and service resources in a centralized area of the city in order to enhance accessibility and comfort for service users (i.e.:

placement of service providers in communities which contain diverse ethnic enclaves may increase user sense of familiarity and feeling of safety.

## Conclusion

Canada has traditionally defined citizenship under the nation building paradigm: a “status bestowed on those who are all members of a community [...] which includes civil, political and social rights and obligations”<sup>70</sup>,” however due to recent reforms to the TFWP and IRPR, legal understandings of citizenship, as well as immigrant settlement/integration has become political. Canada does have a right to regulate the movement of foreign nationals across borders, however this power should not be used at the expense of maintaining international human rights standards.

Further reform of Canada’s TFWP as well as the IRPR is necessary in order to ensure that migrant workers of all skill levels and nationalities can access permanent residency and regulations of employers of TFW’s are formalized to ensure compliance with Canadian labour standards. The current programs to fill temporary labour demands in Canada are not in line with Equality Rights set out in the Canadian Charter of Rights and Freedoms; the current system fails to protect the wages and working conditions of TFW’s and do not respond accordingly to domestic labor shortages. Although the temporary status of migrant workers will not grant non-citizens with the exact same rights as Canadian citizens, both the provincial and federal governments should ensure that migrant workers’ civil liberties are protected under constitutional and human rights laws while they are in Canada. Greater discourse must be established on the ethical role of government, health and social service professionals and

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<sup>70</sup> T.H. Marshall. (1950).

domestic employers in relationship to citizenship status and access to basic human rights. This project hopes to contribute to the discourse by advocating that Canadian policy makers prioritize research on issues concerning migrant workers/precarious status holder's rights to access care and develop intervention strategies that address the undocumented population in Canada.

## Appendices

### Appendix I

Source: Statistics Canada. (2013). “Births and total fertility rate, by province and territory”

#### Births and total fertility rate, by province and territory (Fertility rate)

	2007	2008	2009	2010	2011
	total fertility rate				
<b>Canada</b>	<b>1.66</b>	<b>1.68</b>	<b>1.67</b>	<b>1.63</b>	<b>1.61</b>
Newfoundland and Labrador	1.46	1.58	1.59	1.58	1.45
Prince Edward Island	1.63	1.73	1.69	1.62	1.62
Nova Scotia	1.48	1.54	1.50	1.47	1.47
New Brunswick	1.52	1.59	1.59	1.58	1.54
Quebec	1.69	1.74	1.74	1.71	1.69
Ontario	1.57	1.58	1.56	1.53	1.52
Manitoba	1.96	1.96	1.98	1.92	1.86
Saskatchewan	2.03	2.05	2.06	2.03	1.99
Alberta	1.90	1.92	1.89	1.83	1.81
British Columbia	1.52	1.51	1.50	1.43	1.42
Yukon	1.58	1.64	1.66	1.60	1.73
Northwest Territories	2.11	2.08	2.06	1.98	1.97
Nunavut	2.97	2.98	3.24	3.00	2.97
<b>Note:</b> Total fertility rate is the average number of children per woman. <b>Source:</b> Statistics Canada, CANSIM, table <a href="#">102-4505</a> . Last modified: 2013-03-19.					

## Appendix II

Source: Citizenship and Immigration Canada. "Canada facts and figures: Immigration overview permanent and temporary residents."

### Canada - Transition from temporary to permanent resident status by category

#### Number distribution

Category	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
From foreign workers	2,297	3,310	4,530	5,263	4,681	5,480	5,302	4,561	4,647	5,509
From foreign students	1,400	1,895	2,124	1,892	2,021	1,989	1,755	1,263	1,206	1,359
From humanitarian population	354	578	949	975	968	960	928	876	760	677
From other	6,923	8,533	6,944	7,033	7,910	8,339	7,865	7,169	7,245	10,646
<b>To family class</b>	<b>10,974</b>	<b>14,316</b>	<b>14,547</b>	<b>15,163</b>	<b>15,580</b>	<b>16,768</b>	<b>15,850</b>	<b>13,869</b>	<b>13,858</b>	<b>18,191</b>
From foreign workers	5,104	6,935	7,532	10,406	11,990	17,485	21,383	23,339	20,642	26,061
From foreign students	2,040	2,799	2,938	4,427	4,518	4,260	3,239	3,182	1,822	2,196
From humanitarian population	139	124	133	119	129	139	126	139	88	147
From other	944	1,078	1,132	1,244	993	1,162	977	879	713	991
<b>To economic immigrants - p.a.*</b>	<b>8,227</b>	<b>10,936</b>	<b>11,735</b>	<b>16,196</b>	<b>17,630</b>	<b>23,046</b>	<b>25,725</b>	<b>27,539</b>	<b>23,265</b>	<b>29,395</b>
From foreign workers	732	1,526	1,674	2,793	3,292	4,445	5,089	5,167	4,346	6,231
From foreign students	2,075	2,715	3,062	3,634	3,700	4,505	4,296	4,167	3,401	3,983
From humanitarian population	101	101	91	78	115	131	101	103	87	111
From other	1,441	2,624	2,488	3,568	3,347	4,281	4,210	3,978	3,318	4,182
<b>To economic immigrants - s.d.**</b>	<b>4,349</b>	<b>6,966</b>	<b>7,315</b>	<b>10,073</b>	<b>10,454</b>	<b>13,362</b>	<b>13,696</b>	<b>13,415</b>	<b>11,152</b>	<b>14,507</b>
From foreign workers	6	14	16	35	27	27	31	35	32	45
From foreign students	8	21	48	36	32	16	18	19	18	25
From humanitarian population	11,496	16,168	20,478	16,545	12,377	7,399	7,674	9,901	11,890	9,534
From other	14	46	34	60	40	48	35	49	57	64
<b>To refugees</b>	<b>11,524</b>	<b>16,249</b>	<b>20,576</b>	<b>16,676</b>	<b>12,476</b>	<b>7,490</b>	<b>7,758</b>	<b>10,004</b>	<b>11,997</b>	<b>9,668</b>
From foreign workers	184	73	56	116	201	220	274	209	291	219
From foreign students	382	206	226	316	367	457	404	234	290	234
From humanitarian population	4,935	4,333	4,310	6,385	6,965	5,915	6,259	5,826	4,992	5,753
From other	2,811	1,454	1,196	1,440	1,767	2,014	1,806	1,277	1,366	1,183
<b>To other immigrants</b>	<b>8,312</b>	<b>6,066</b>	<b>5,788</b>	<b>8,257</b>	<b>9,300</b>	<b>8,606</b>	<b>8,743</b>	<b>7,546</b>	<b>6,939</b>	<b>7,389</b>
<b>To category not stated</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>6</b>	<b>3</b>	<b>4</b>
From foreign workers	8,323	11,858	13,808	18,613	20,192	27,657	32,079	33,316	29,959	38,067
From foreign students	5,905	7,636	8,399	10,305	10,638	11,228	9,713	8,865	6,738	7,797
From humanitarian population	17,026	21,304	25,961	24,104	20,554	14,544	15,088	16,845	17,818	16,224
From other	12,133	13,735	11,795	13,345	14,057	15,845	14,893	13,353	12,699	17,066
<b>To permanent resident</b>	<b>43,387</b>	<b>54,533</b>	<b>59,963</b>	<b>66,367</b>	<b>65,441</b>	<b>69,274</b>	<b>71,773</b>	<b>72,379</b>	<b>67,214</b>	<b>79,154</b>

\*Principal applicants

\*\*Spouses and dependants

#### Percentage distribution

Category	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
From foreign workers	5.3	6.1	7.6	7.9	7.2	7.9	7.4	6.3	6.9	7.0
From foreign students	3.2	3.5	3.5	2.9	3.1	2.9	2.4	1.7	1.8	1.7
From humanitarian population	0.8	1.1	1.6	1.5	1.5	1.4	1.3	1.2	1.1	0.9
From other	16.0	15.6	11.6	10.6	12.1	12.0	11.0	9.9	10.8	13.4
<b>To family class</b>	<b>25.3</b>	<b>26.3</b>	<b>24.3</b>	<b>22.8</b>	<b>23.8</b>	<b>24.2</b>	<b>22.1</b>	<b>19.2</b>	<b>20.6</b>	<b>23.0</b>
From foreign workers	11.8	12.7	12.6	15.7	18.3	25.2	29.8	32.2	30.7	32.9
From foreign students	4.7	5.1	4.9	6.7	6.9	6.1	4.5	4.4	2.7	2.8
From humanitarian population	0.3	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.1	0.2
From other	2.2	2.0	1.9	1.9	1.5	1.7	1.4	1.2	1.1	1.3
<b>To economic immigrants - p.a.*</b>	<b>19.0</b>	<b>20.1</b>	<b>19.6</b>	<b>24.4</b>	<b>26.9</b>	<b>33.3</b>	<b>35.8</b>	<b>38.0</b>	<b>34.6</b>	<b>37.1</b>
From foreign workers	1.7	2.8	2.8	4.2	5.0	6.4	7.1	7.1	6.5	7.9
From foreign students	4.8	5.0	5.1	5.5	5.7	6.5	6.0	5.8	5.1	5.0
From humanitarian population	0.2	0.2	0.2	0.1	0.2	0.2	0.1	0.1	0.1	0.1
From other	3.3	4.8	4.1	5.4	5.1	6.2	5.9	5.5	4.9	5.3
<b>To economic immigrants - s.d.**</b>	<b>10.0</b>	<b>12.8</b>	<b>12.2</b>	<b>15.2</b>	<b>16.0</b>	<b>19.3</b>	<b>19.1</b>	<b>18.5</b>	<b>16.6</b>	<b>18.3</b>
From foreign workers	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.1
From foreign students	0.0	0.0	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0
From humanitarian population	26.5	29.6	34.2	24.9	18.9	10.7	10.7	13.7	17.7	12.0
From other	0.0	0.1	0.1	0.1	0.1	0.1	0.0	0.1	0.1	0.1
<b>To refugees</b>	<b>26.6</b>	<b>29.8</b>	<b>34.3</b>	<b>25.1</b>	<b>19.1</b>	<b>10.8</b>	<b>10.8</b>	<b>13.8</b>	<b>17.8</b>	<b>12.2</b>
From foreign workers	0.4	0.1	0.1	0.2	0.3	0.3	0.4	0.3	0.4	0.3
From foreign students	0.9	0.4	0.4	0.5	0.6	0.7	0.6	0.3	0.4	0.3
From humanitarian population	11.4	7.9	7.2	9.6	10.6	8.5	8.7	8.0	7.4	7.3
From other	6.5	2.7	2.0	2.2	2.7	2.9	2.5	1.8	2.0	1.5
<b>To other immigrants</b>	<b>19.2</b>	<b>11.1</b>	<b>9.7</b>	<b>12.4</b>	<b>14.2</b>	<b>12.4</b>	<b>12.2</b>	<b>10.4</b>	<b>10.3</b>	<b>9.3</b>
<b>To category not stated</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
From foreign workers	19	22	23	28	31	40	45	46	45	48
From foreign students	14	14	14	16	16	16	14	12	10	10
From humanitarian population	39	39	43	36	31	21	21	23	27	20
From other	28	25	20	20	21	23	21	18	19	22
<b>To permanent resident</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

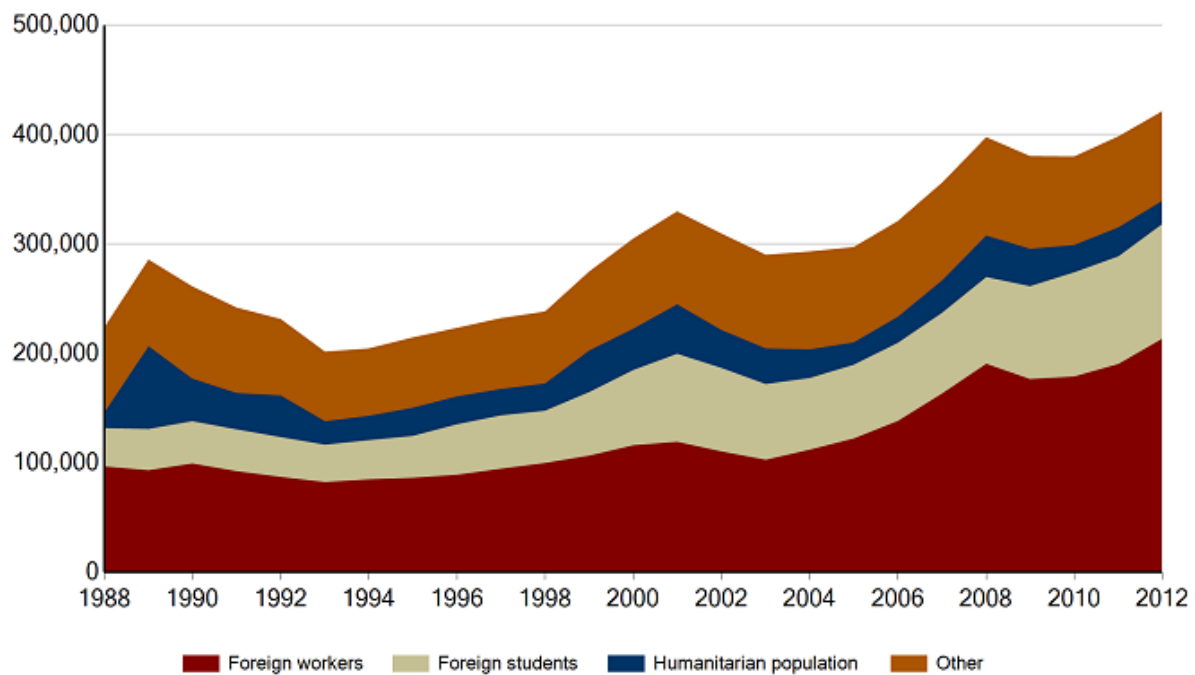
\*Principal applicants

\*\*Spouses and dependants

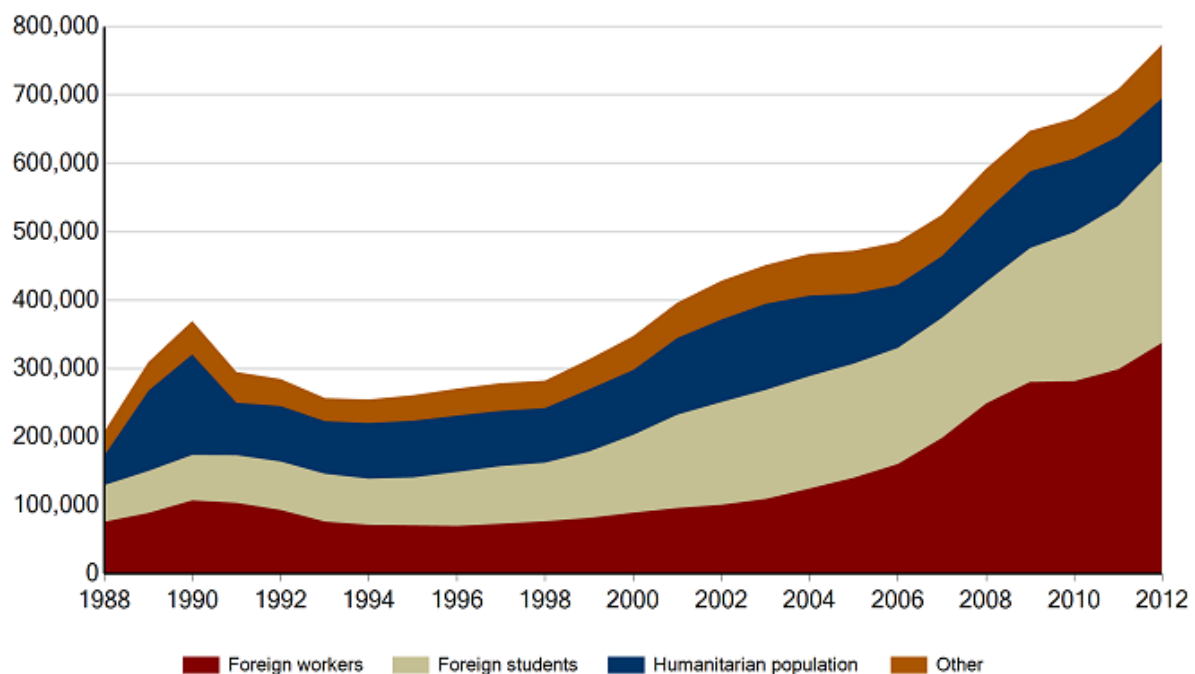
### Appendix III

Source: Citizenship and Immigration Canada. "Canada facts and figures: Immigration overview permanent and temporary residents."

*Canada - Total entries of temporary residents by yearly status, 1988-2012*



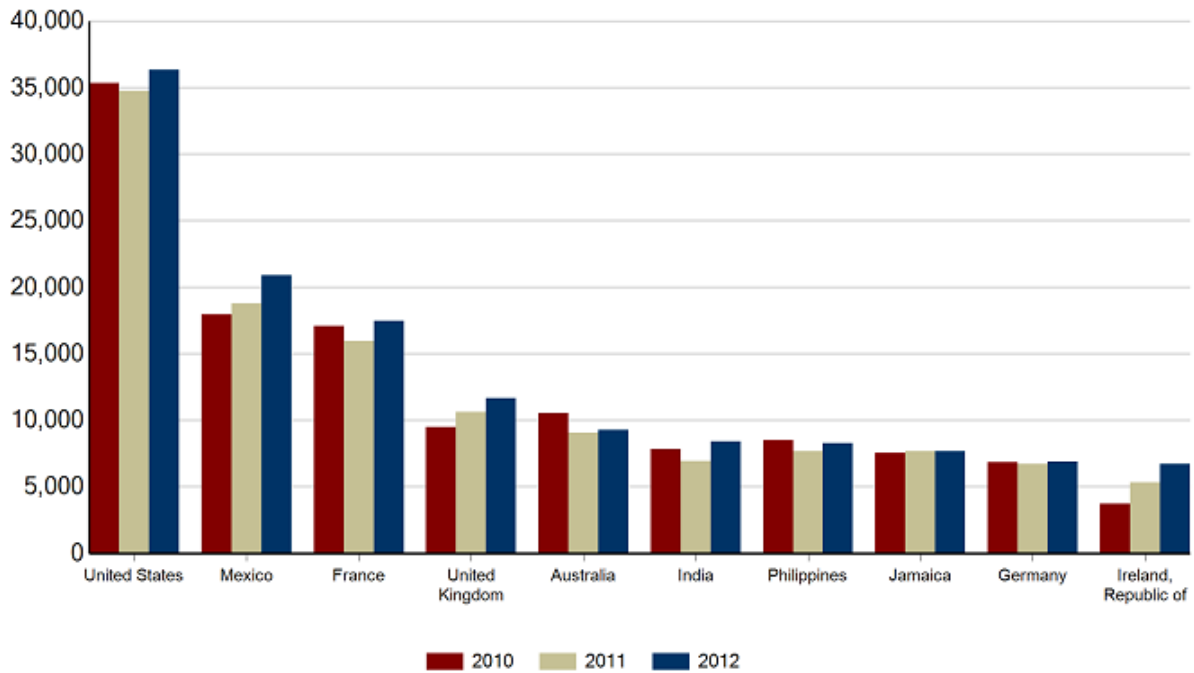
*Canada - Temporary residents present on December 1st by yearly status, 1988-2012*



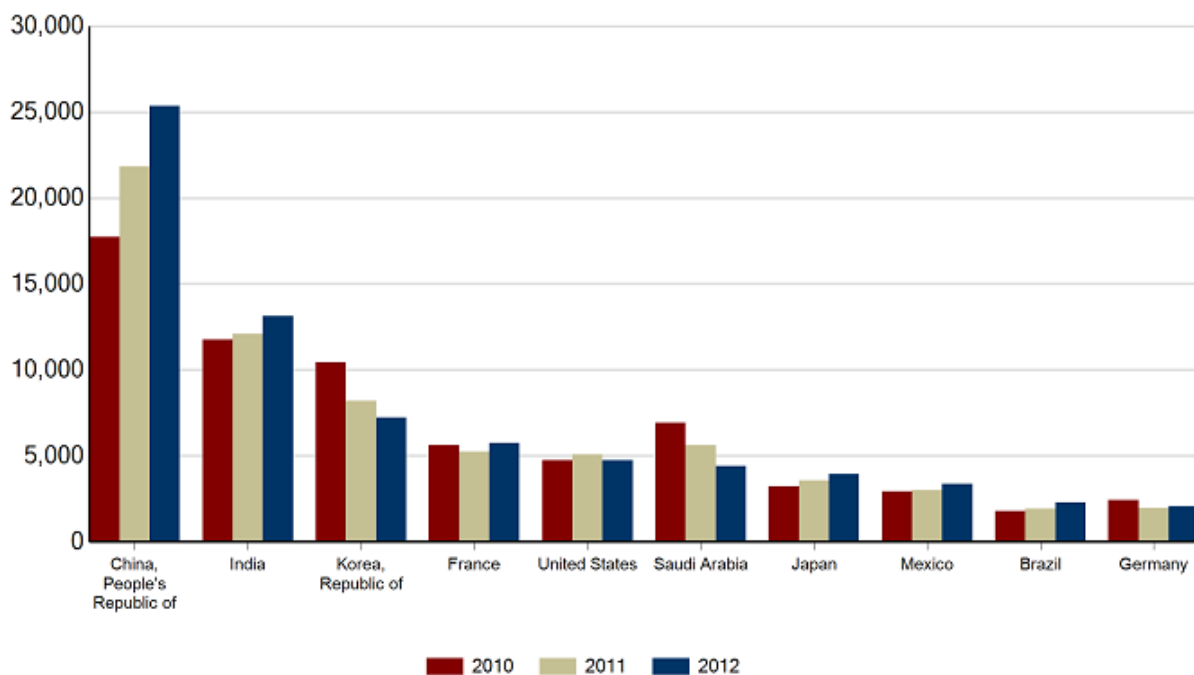
## Appendix IV

Source: Citizenship and Immigration Canada. “Canada facts and figures: Immigration overview permanent and temporary residents.”

*Canada - Total entries of foreign workers by top source countries, 2010-2012*



*Canada - Total entries of foreign students by top source countries, 2010-2012*



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