October 23, 2024 |

Releases

# Migrant care workers face broken promises and widespread abuse from employers: research report

Two federal pilot programs promised migrant care workers decent working conditions and a path to permanent residency. But those programs have failed to deliver, with workers instead facing widespread racism and employment abuse, a new report shows.

Released today, *A Decade of Migrant Care Worker Programs: Addressing racism and precarity in Canada* highlights the voices and experiences of these workers, predominantly racialized women. It makes several key recommendations for providing a path to permanent residency and ending exploitation by employers.

Migrant care workers typically provide essential caregiving services, mostly in private homes, for children, the elderly and people with special needs. The report examines the experience of workers who came to Canada through pilot programs launched in 2014 and 2019 under the Temporary Foreign Worker Program and the International Mobility Program.

The report reveals a range of abuses by employers, who withheld wages and tax refunds, forced employees to work unpaid hours, fired them for asking for time off for personal matters, subjected them to verbal abuse and provided poor and unsafe living conditions.

Migrant care workers also face enormous barriers to permanent residency. The report documents backlogs and years-long waits, complex and changing requirements and caps on applications. Workers' temporary status compounds their vulnerability to exploitation.

The report makes several recommendations to the federal government, including permanent residency upon arrival for migrant care workers (including those who've fallen out of status), action to clear the backlog and a fairer application process for migrant care worker programs. The report also calls on provincial governments to take robust action to ensure these workers receive full employment protection.

The report is the work of the Migrant Care Worker Precarity Project. Convened by the Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR), the project brings together researchers from Simon Fraser University, Thompson Rivers University and the University of British Columbia. Participating organizations include the Canadian Centre for Policy Alternatives (BC Office), the BC Federation of Labour and the Understanding Precarity in BC Partnership supported by the Social Sciences and Humanities Research Council of Canada.

The full report is available here.

**Quotes:**

**Cenen Bagon, co-founder of the CDWCR and project convenor:** "Migrant domestic workers, care workers, and their long-time advocates have fought hard since 1979 for recognition in Canada, and rightfully so, because if we are good enough to work here, we're good enough to stay and have permanent resident status upon arrival. The steps announced this June by Prime Minister Justin Trudeau and IRCC Minister Marc Miller are a hopeful start. Now it's time for the federal government to follow through, replacing short-term pilot programs with a permanent care worker immigration program."

**Alicia Massie, PhD Candidate, SFU:** "When the federal Home Care Provider and Home Support Worker pilot programs were launched in 2019, they were supposed to provide a direct pathway to permanent residency. But five years later, they have failed to deliver on that promise. Only 5,700 care

workers and their family members became permanent residents in the programs' five-year existence. These programs were supposed to provide a path to permanent residency for 5,500 workers per year."?

**Anita Minh, PhD, UBC:** "Without adequate enforcement, employment standards violations against migrant care workers often go unnoticed. That's because they're isolated in private homes, with precarious immigration status and a large power imbalance between employers and employees. More enforcement of workers' rights and employer education are vital for migrant care workers filling these much-needed jobs in Canada's care economy."?

**Jennifer Shaw, PhD, TRU:** "The federal government reports an average wait time of 31-36 months for care workers to receive permanent residency, which is triple the target processing time of 12 months. These painfully slow processing times and persistently poor working conditions underscore the systematic failure of Canada's care worker programs for migrant care workers and their family members awaiting family reunification."

**Sussanne Skidmore, BC Federation of Labour:** "Underpaying, exploiting and abusing workers is never right, and migrant care workers are especially vulnerable. This report underlines our call for much stronger employment standards enforcement and education. It reinforces the need for permanent residency on arrival for these workers. And it's one more reason B.C. should be looking at reforms to the Labour Relations Code, so that migrant care workers can exercise their Charter-protected right to organize and bargain collectively."

-30-

**Information:**

Kassandra Cordero
Director, Equity and Human Rights
BC Federation of Labour
media@bcfed.ca
778-239-0569

October 23, 2024

**Executive Summary:**

**A Decade of Migrant Care Worker Programs: Addressing racism and precarity in Canada**

*The Migrant Care Worker Precarity Project, convened by Cenen Bagon, co-founder?of the Vancouver Committee for Domestic Workers' and Caregivers' Rights (CDWCR), investigates Canada's changing migrant care worker programs, including the implementation of the Home Child Care Provider and Home Support Worker Pilots by IRCC in 2019. As the 5-year term of these pilot programs ends in June 2024, this project aims to influence positive changes for care workers including amplifying the long-standing call for status for all.*

For more than a century, Canada has seen thousands of migrant care workers enter the country to provide much-needed care work. Since the 1950s, migrant women of colour making a living through care work, have often been denied or barriered from accessing clear pathways to permanent residency and navigating exploitative work conditions.

In June 2024, Immigration, Refugees and Citizenship Canada (IRCC) announced impending new pilots for migrant care workers. While the announcement brings hope that "new pilot programs will provide home care workers with permanent residence (PR) on arrival in Canada," we identify persistent problems with Canada's migrant care worker programs and demonstrate why permanency upon arrival is a requisite for necessary program changes. Given the ongoing and structural issues of Canada's migrant care worker programs, the newest pilots will also need other critical improvements to ensure dignified work and meaningful inclusion for much-needed care workers in Canada.

Our team engaged in mixed-methods research in 2023-2024 to evaluate Canada's latest iterations of care worker pilots. Our primary focus was the 2014 Caregiver Pilots under the Temporary Foreign Worker Program and the 2019 Home Child Care Provider and Home Support Worker Pilots under the International Mobility Program. Employing methods borrowed from critical discourse analysis, criminology, and investigative journalism (Walby and Luscombe 2020), we examined records

obtained from IRCC and interviews with migrant care workers.

Our findings reflect ongoing critiques of the care worker programs identified by our research participants, community partners, and even internal IRCC documents. These include the vulnerability and exploitation that come with workers' precarious status in Canada; more recent concerns about the labyrinth of changes as a result of successive pilot programs introduced in the last ten years; and a lack of transparency and oversight around the pilots' delivery. We also observe how despite the federal government often celebrating changes to the care worker programs, care workers have become increasingly precarious, losing sight of the promise of permanency in Canada. This is despite their significant contributions to the Canadian economy and the well-being of families as well as a long history of activism and hard-won battles with the Canadian government.

While we celebrate Canada's newest commitment to "provide home care workers with permanent residence (PR) on arrival in Canada" (IRCC 2024), we also identify eight key recommendations that arise from our research and that continue to demand attention from IRCC and the forthcoming pilots:

- Implement the promise of permanent residency upon arrival for all migrant care workers entering the country, in a one-step application process, as promised in the June 2024 IRCC announcement.
- Develop a permanent immigration program for care workers as soon as possible.
- Assure regularization for undocumented care workers including for those who have fallen out of status, especially due to the rapidly changing nature of the 2014 and 2019 pilot programs.
- Eliminate the current backlog and "inventory" of migrant care worker permanent residency applications, prioritizing and allocating spaces in the multi-year levels plan to those already in Canada, and ensuring there are no caps or limits on the number of accepted, processed, and approved PR applications from those already in Canada.
- Create wider and more dispersed windows of time to apply beyond January 1st or use a lottery system for selecting applications to process, so that care workers abroad have a fair chance of

coming to Canada and performing much-needed care provision.

- Implement more robust worker protections for care workers, including making available and mandating employer education, alongside permanent residency upon arrival.
- Comprehensively track and transparently publish foundational labour market data including hours worked, wages, and number of actively working individuals for those who enter Canada under a migrant care worker program, past and present.
- Ratify the International Labour Organization (ILO) Convention on Domestic Workers (C-189) to ensure that the working conditions of migrant care workers in Canada meet those established by the ILO Convention on Domestic Workers.
- Develop a comprehensive plan to build the capacity of community-based organizations that assist migrant care workers to navigate Canada's complex immigration and employment rights systems, provide education and social support, and advocate for better conditions for this group of vulnerable and often marginalized workers.

Find the full report here.