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Permanent Jobs, Temporary People: Temporary Foreign Workers' Struggle for Permanent Residency in Prince Edward Island



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Permanent Jobs, Temporary People: Temporary Foreign Workers' Struggle for Permanent Residency in Prince Edward Island

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Report Authors

Eliza MacLauchlan, Dalhousie University
Ryan MacRae, Cooper Institute
Tracy Glynn, St. Thomas University
Ann Wheatley, Cooper Institute

Research Support

Raluca Bejan, Dalhousie University
Kristi Allain, St. Thomas University
Paola Soto Flores, Dalhousie University

Report Layout and Design

Ioan Cocan, TFW Maritimes

Migrant Workers in the Canadian Maritimes

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Migrant Workers in the Canadian Maritimes is a research and knowledge dissemination platform coordinated between Dalhousie University (Halifax, Nova Scotia), St. Thomas University (Fredericton, New Brunswick), Cooper Institute (Charlottetown, Prince Edward Island) and the Madhu Verma Migrant Justice Centre (Fredericton, New Brunswick).

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Executive Summary

This report is the fourth in a series of community-based research projects undertaken by the **Migrant Workers in the Canadian Maritimes** partnership. It draws on desk research and qualitative interviews conducted with 29 people: twelve migrant workers, ten service providers, four government employees and three employers of migrant workers. Interviews took place between October 2022 and July 2023 and inquired about those transitioning from the Temporary Foreign Worker Program (TFWP) to permanent residency.

Our first report, *Safe at Work, Unsafe at Home: COVID-19 and Temporary Foreign Workers in Prince Edward Island*, published in June 2021, revealed some of the challenges workers faced throughout the pandemic. Migrant workers described overcrowded housing as a severe and ongoing issue, and recounted workplace safety violations, long workdays with no overtime pay, lack of paid sick days, and reluctance to complain out of fear of being fired. Workers were made vulnerable by these conditions, which exacerbated the already existing power imbalance between them and their employers in Prince Edward Island (PEI).

Our second report, *Unfree Labour: COVID-19 and Migrant Workers in the Seafood Industry in New Brunswick*, published in March 2023, also revealed some of the challenges workers faced throughout the pandemic. Migrant workers described exploitative and poorly regulated recruitment practices; unsuitable, expensive, and crowded housing; precarious working conditions; and limited access to health care.

Our third report, *Falling Short: Troubles with the Seasonal Agricultural Worker Program in Nova Scotia*, published in March 2024, found that in Nova Scotia, migrant workers frequently encounter a lack of regulatory implementation. Rules exist, but governments fail to adequately implement them to create a safe and dignified work environment.

We are now publishing *Permanent Jobs, Temporary People: Temporary Foreign Workers' Struggle for Permanent Residency in Prince Edward Island* to document the experiences of migrant workers transitioning from closed work permits to permanent residency in PEI. The report provides policy recommendations to the federal and provincial governments aimed to facilitate the transition from temporary immigration status to permanent residency for migrant workers in the province.

Key Findings

“The Labour Force Has Always Been a Challenge”

Employers spoke about their difficulties finding available and reliable local workers. Migrant workers were seen as reliable and provided operational stability for employers. However, hiring migrant workers did not come without its challenges, as employers had difficulty finding worker housing and struggled with the human resources required to bring migrant workers to PEI. Both migrant workers and service providers noted that employers often had little knowledge about the immigration process, which complicated migrant workers' experiences.

Temporary Existence: Life with a Closed Work Permit

Workers arrived in Canada through various means but preferred to use personal connections due to the high costs of recruitment agencies. Once workers were issued a closed work permit, they faced challenges, such as protective policies that did more harm than good and short-term work contracts that left them worrying about their status.

Support for Some, Not for All

IRCC-funded settlement services are limited only to permanent residents and select other demographics. Funding available for service providers to support migrant workers is limited and often temporary. This leaves service providers making hard decisions about who receives services, even though many of these providers want to help these workers, who represent an increasingly large demographic and face specific difficulties due to their precarious status.

“They Want to Stay, So Why Are We Making It Hard?”

Even though many migrant workers in PEI want permanent residency, it is often out of reach for them. Out of 3,615 individuals who received permanent residency in 2023 in PEI, just 55 had prior experience in the TFWP. The requirements stipulating that applicants have a full-time, non-seasonal job and that they pass a language test were major impediments for workers who wished to apply for permanent residency. Migrant worker participants also expressed difficulties approaching their employers about supporting their permanent residency applications.

“When Hell Starts”: The Permanent Residency Process

Migrant worker participants faced many difficulties during the permanent residency process. These included filing paperwork in their non-native language, communicating with IRCC, and navigating inaccurate information on online government portals. Participants often had to borrow money from their employers or loan agencies, digging them deeper into debt. Many participants paid thousands of dollars to immigration consultants, some of whom were not properly licensed. Workers had difficulty speaking up for their rights out of fear they would lose their jobs and jeopardize their applications.

“I Said to Myself, I Am Rich”: Permanent Residency at Last

Migrant workers described feeling jubilant when they finally received their permanent residency. Some reported excitement at having “escaped” their former workplace. This excitement was often short lived, as workers were left with large debts and poor credit scores from their time waiting for permanent residency. Workers also shared experiences of racism, regardless of their immigration status.

Recommendations

The Government of Canada must:

1. **Grant permanent residency to all migrant workers on their arrival in Canada** in order to ensure their legislative protections as well as their access to health care, social services and other benefits.
2. **End the practice of issuing employer-specific work permits and provide open work permits for migrant workers**, which would allow workers to change employers more easily, and to leave abusive or otherwise unsatisfactory situations.
3. **Remove the permanent residency application language requirements** for people living and working in Canada.
4. **Remove the prerequisite requiring a full-time, non-seasonal job contract for permanent residency applicants.**
5. **Implement a policy to ensure migrant workers are paid for a minimum number of hours per week.**
6. **Ensure immigration applications receive responses within their estimated timelines and that information on applicants' profiles are accurate.**
7. **Create a consistent, reliable funding structure for community organizations who support temporary foreign workers.** This should be based on an accurate estimate of the number of workers arriving yearly in each province and territory.
8. **Ensure that frequent, unannounced workplace inspections are carried out** to ensure that employers abide by their legal obligations and workers are not facing abuse.
9. **Provide permanent residency status to workers whose employers have been found in violation of the TFWP.** Workers should automatically receive full, permanent status to ensure they can sustain themselves in cases of employers' abuse and neglect.
10. **Ensure that workers have full access to the Employment Insurance benefits** that they have paid for, regardless of whether they are in Canada or not.
11. **Provide bridging open work permits to all workers who have applied for permanent residency** so they are not tied to their employer while they await the issuance of their documents.

The Government of PEI must:

1. **Ensure that all migrant workers entering the province have access to full provincial health coverage**, as well as accessible information about what it covers and what it does not.
2. **Implement the proposed *Temporary Foreign Worker Protection Act* and hold recruiters accountable** by introducing meaningful consequences for non-compliance, requiring deposits for recruiters, and developing proactive enforcement measures.
3. **Ensure farm workers are fully covered by the *Employment Standards Act* and that the standard work week for seafood processing workers is changed from 55 to 48 hours.**

List of Abbreviations

- AIP** **Atlantic Immigration Program.** The AIP is a federal immigration pathway administered by provincial governments in the Atlantic region. The pathway is available for skilled foreign workers and international graduates from a Canadian institution.
- CUAET** **Canada-Ukraine Authorization for Emergency Travel.** CUAET is a special travel measure available to Ukrainian nationals and their family members. CUAET participants can apply for an open work permit and a free visitor visa for three years.
- EI** **Employment Insurance.** EI is a federal program that pays income to individuals during a set period. Individuals must have paid into the system while working and must meet certain criteria to be eligible.
- ESDC** **Employment and Social Development Canada.** ESDC is the federal government department responsible for overseeing the TFWP and issuing Labour Market Impact Assessments. These assessments allow employers to hire temporary foreign workers.
- IELTS** **International English Language Testing System.** The IELTS is one of the approved language proficiency tests that applicants must obtain to prove they meet the necessary language requirements when applying for permanent residency.
- IRCC** **Immigration, Refugees and Citizenship Canada.** IRCC is the federal government department responsible for managing immigration to Canada, refugees in Canada, and Canadian citizenship. IRCC issues work permits for temporary foreign workers and makes changes to their residency statuses as they move in and out of the country.
- LMIA** **Labour Market Impact Assessment.** Employers of temporary foreign workers need a LMIA before they can hire a temporary foreign worker. The LMIA confirms that there is a need for a temporary foreign worker and that no Canadians or permanent residents are available to fill the job.
- OWPVW** **Open Work Permit for Vulnerable Workers.** An OWPVW allows temporary foreign workers with employer-specific work permits to leave abusive working conditions to find other jobs. The OWPVW is non-renewable and has an expiry date, generally about one year after the permit is initially granted.
- PNP** **Provincial Nominee Program.** The PNP is a pathway to permanent residency administered by the provincial government. There are various streams associated with the PNP. Individuals submit their expression of interest to the provincial government and are selected to make an application based on various criteria.
- SAWP** **Seasonal Agricultural Worker Program.** The SAWP is a stream of the Temporary Foreign Worker Program, coordinated through bilateral agreements between Canada and various sending countries.
- TFWP** **Temporary Foreign Worker Program.** The TFWP is a federal government program that allows employers in Canada to hire foreign workers for pre-determined periods of time.

Introduction

Canada saw record-high population growth in June 2023, reaching a total population of 40 million. All but two per cent of this growth came from international immigration (Statistics Canada, 2023). The number of non-permanent residents in Canada has no cap and continues to grow, surpassing two million in 2023 (IRCC, 2023a; Statistics Canada, 2023).

Although PEI is a small province, it has seen large growth in immigration numbers. In the recent population report from Statistics Canada (2023), PEI saw a 3.9 per cent increase in population growth from the year before, the second highest in the country, behind only Alberta. With increasing labour shortages, governments and businesses alike have identified immigration as critical to filling labour gaps.

While some of this growth is due to permanent immigration, increases were also present in temporary labour programs, such as the TFWP. Permanent immigration streams often prioritize workers who are considered highly skilled, while temporary labour programs are available for those who are considered low-skill. These programs allow employers to hire labour cheaply and on an as-needed basis.

Industries such as agriculture and seafood processing in PEI are particularly dependent on temporary labour migration programs, such as the TFWP.

Many people who come under the TFWP have the overall goal of immigrating permanently and settling in Canada with their families (Di Cintio, 2024). When a migrant worker does want to permanently immigrate, what options are available to them? What requirements do they have to meet? And what supports are in place for people here temporarily who wish to immigrate permanently?

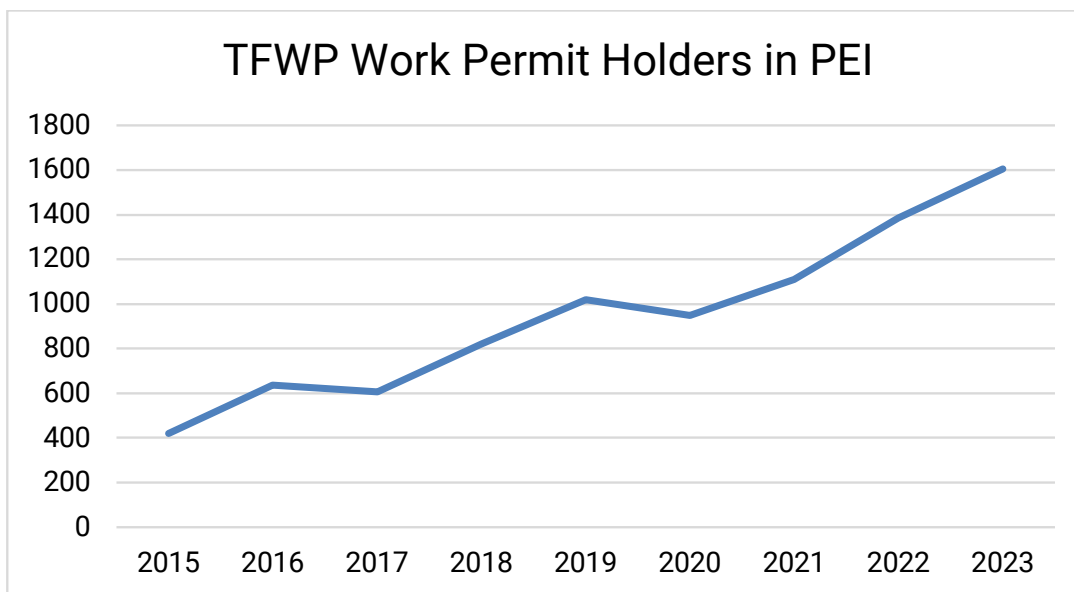
This report aims to answer these questions as it investigates the experiences of those who come to PEI as migrant workers in the seafood processing and agricultural sectors and hope to settle in the province permanently.

Context

Canada is dependent on temporary migration for its economic and labour needs. While the number of admitted permanent residents in 2023 reached an all-time high of 471,550, the number of those living in Canada with temporary status between July 2022–2023 was far greater, at 2,198,679 (IRCC, 2024h; Statistics Canada, 2023). In 2023, 184,235 temporary residents were temporary foreign workers (IRCC, 2024i). This number has been increasing steadily over the years, more than doubling since 2018 (IRCC, 2024i).

While permanent residents have most of the rights of Canadian citizens, including labour mobility, those with temporary resident status in Canada are dependent on their work permit, study permit or visitor visa for their right to be in the country. For temporary foreign workers, their work permits are often closed, meaning they are tied to one employer. Their ability to work in Canada is thus dependent on their relationship with their employer.

Following national trends, usage of the TFWP in PEI has been rapidly increasing. In 2023, the number of temporary foreign workers holding work permits in PEI reached a record total of 1,605, doubling what it was in 2018 (IRCC, 2024i). Of the 1,605 work permits issued, 750 were for fish and seafood plant workers, 275 were for harvesting labourers, 230 were for general farm workers and 65 were for transport truck drivers. Other occupations, including other kinds of employees in fish plants and farms, as well as food and beverage processing workers, each had 50 workers or less (IRCC, 2024i).



IRCC. (2024i). Temporary Residents: Temporary Foreign Worker Program (TFWP) and International Mobility Program (IMP) Work Permit Holders – Monthly IRCC Updates – Canada – TFWP work permit holders by province/territory of intended destination, program and year in which permit(s) became effective.

The TFWP developed out of various temporary labour migration programs, including the 1955 West Indian Domestic Scheme, the 1966 Seasonal Agricultural Worker Program (SAWP) and the 1973 Non-Immigrant Employment Authorization Program (Allahdua & Dunsworth, 2023; Macklin, 1992; Sharma, 2006). These programs, originally designed to fill temporary labour gaps in certain workforces, have transitioned over the years to fill permanent labour gaps. The agriculture industry in PEI has admitted that they are “dependent on temporary foreign workers” and the seafood processing industry has indicated that they “need these [temporary foreign] workers desperately” (Ibrahim, 2023; Yarr, 2022). As Henaway (2023) suggests, these industries often want a pool of cheap labourers who are largely racialized and from the Global South. Even the minister of immigration, Marc Miller, has conceded that large Canadian industries “have gotten addicted to temporary foreign workers” and cheap labour (Thanthong-Knight, 2024). The Government of Canada is currently conducting a review of the TFWP (Thanthong-Knight, 2024).

The TFWP has six streams, including the SAWP, the low-wage stream, the high-wage stream, the agriculture stream, the caregiver stream, the global talent stream, and the academic stream. The majority of temporary foreign workers in PEI are requested under the SAWP, low-wage, or agriculture streams, with just 3.6 per cent of positions approved under the high wage or global talent streams in 2022 (Open Government, n.d.).

The TFWP has a myriad of policies crossing various levels of governments and governmental departments. These policies can vary depending on the stream a worker falls under. For example, SAWP participants can obtain a work permit for up to eight months, while participants in the agriculture and low-wage streams can obtain a work permit for up to two years. The federal government has a 20 per cent cap on the proportion of temporary foreign workers in low-wage positions in a single workplace. However, there is an exception to the cap for seasonal industries, like seafood processing. This exemption allows a company to hire an unlimited number of temporary foreign workers if their work permit does not go beyond 270 calendar days (ESDC, 2024).

Temporary foreign workers often experience predatory practices in both their home countries and Canada. When searching for opportunities to migrate to Canada, they often encounter recruiters and immigration consultants looking to charge them exorbitant fees. To legally practice in Canada, immigration consultants must have a Regulated Canadian Immigration Consultant designation from the College of Immigration and Citizenship Consultants. Although this industry is regulated, some recruiters operate without proper designation (Northcott, 2024). Furthermore, PEI recently passed the *Temporary Foreign Worker Protection Act*, which will require mandatory licensing, reporting and record-keeping for recruiters and employers of temporary foreign workers (CUPE PEI, 2021). Although the legislation received royal assent on May 6, 2022, the regulations have not yet been finalized and the act has still not been proclaimed (Legislative Assembly of PEI, n.d.).

Exploitative practices often continue once the worker has arrived in Canada, with workers experiencing abuse in their workplace. Reports from across the country, including PEI, have documented physical, financial, psychological, and sexual abuse in the workplace (Bejan et al., 2021, 2023; Casey et al., 2019; Cordasco, 2022; Marsden et al., 2020, 2021; Yarr, 2022).

The Government of Canada has offered band-aid solutions for problems in the TFWP, including a compliance regime, a tipline for reporting abuse, and an open work permit for vulnerable workers (ESDC, 2023b; IRCC, 2022a). However, workers and advocates point to the inadequacy of these initiatives (Depatie-Pelletier et al., 2022; Di Cintio, 2024). Given the preponderance of workplace abuses uncovered by researchers and the media, it is clear that the tipline and complaints-driven inspections are not catching or preventing abuses in the workplaces of temporary foreign workers in PEI and beyond (Bejan et al.,

2021, 2023; Casey et al., 2019; Cordasco, 2022; Di Cintio, 2024; Marsden et al., 2020, 2021; Yarr, 2022). The fear of jeopardizing their immigration status deters temporary foreign workers from filing complaints, as they worry about information sharing between employers, recruiters, and governments (CUPE PEI, 2021). Beyond this, there are few consequences for employers found to be non-compliant with the TFWP. The consequences that do exist include financial penalties, suspension, revocation of previously issued LMAs, and having their name added to the public non-compliance list. In extreme cases, employers may be banned from using the program permanently; however, only one employer has ever been permanently banned from using the program. Only two companies from PEI have been found non-compliant, with one receiving a \$1,000 penalty and the other receiving a two-year ban. Both companies are now eligible to use the program again (IRCC, 2024d).

Many temporary foreign workers want to stay in Canada but face major hurdles (Di Cintio, 2024). There are limited opportunities for temporary foreign workers working in the low-wage and agriculture streams to access permanent residency, while for participants in the SAWP, it is nearly impossible. For temporary foreign workers in PEI, the need for a full-time, non-seasonal work contract is particularly challenging. The majority of migrant workers in the industry work on seasonal work permits for six to eight months at a time, competing for the longer contracts that would enable them to apply for permanent residency.

For those who hope to stay and work in PEI, the provincial government provides two permanent residency pathways: the Provincial Nominee Program (PNP) and the Atlantic Immigration Program (AIP). PEI's Office of Immigration (2022, 2023) is responsible for administering both programs through an agreement with the federal government. In 2023, the number of people receiving permanent residency in PEI reached a high of 3,615, almost tripling its 2015 levels of 1,190 (IRCC, 2024h). Of that number, 2,260 entered through the PNP while 395 entered through either the AIP or its predecessor pilot program (IRCC, 2024h). Both the PNP and AIP require applicants to secure employer support for their permanent residency applications (IRCC, 2024b; Office of Immigration, 2022).

The provincial government nominates individuals through the PNP based on the economic needs and priorities of the province (Office of Immigration, 2022). There are five streams of the Provincial Nominee Program in PEI that migrant workers may access:

- Critical Workers;
- Occupations in Demand;
- Skilled Workers in PEI;
- Skilled Workers Outside of Canada; and
- Intermediate Experience.

All applicants for the work-based streams must be between 18 and 59 years of age, have sufficient financial resources to pay for all immigration costs to establish themselves, and "demonstrate a genuine intention to settle in PEI" (Office of Immigration, 2023). The streams also require applicants to have a full-time, non-seasonal job offer from a PEI employer that is either permanent or for a minimum of two years (Office of Immigration, 2023). This job offer can only be in certain occupations. Fish and seafood plant workers, harvesting labourers, and general farm workers (who comprise 78 per cent of TFWP work permits issued in 2023) can apply under the Critical Workers stream or the Intermediate Experience stream. Those classified as a supervisor can apply under the Skilled Workers streams (Office of Immigration, 2023). There are eight occupations associated with the Occupations in Demand stream, including food processing machine operators and other processing labourers (Office of Immigration, 2023).

The Critical Workers, Intermediate Experience, and Occupations in Demand streams require applicants to have a high school diploma, while the Skilled Workers streams require applicants to have a post-secondary diploma (Office of Immigration, 2023). Applicants must pass an English or French language test in the

Critical Workers, Intermediate Experience, and Occupations in Demand streams. In the Skilled Workers streams, applicants can do the required test, or their employer can indicate their satisfaction with the applicant's English or French level (Office of Immigration, 2023). Even if an applicant meets the prerequisite criteria for the PNP, the provincial government decides who they will nominate to the federal government for permanent residency. In February 2024, the provincial government announced they will heavily prioritize nominating workers in health care, childcare and the trades (Government of PEI, 2024).

The AIP is intended for skilled foreign workers and international graduates from Canadian post-secondary institutions who want to work in Atlantic Canada (IRCC, 2024b). Employers with the AIP must first become designated prior to sponsoring an employee for permanent residency (IRCC, 2024f). Applicants in the AIP must have a full-time, non-seasonal job offer for a duration of at least one year if the position is considered high-skill, and of permanent duration if the position is considered intermediate-skill (IRCC, 2024g). In the last five years, the applicant must have worked at least 1,560 hours, which is equivalent to about 30 hours per week for one year. For the top high-skilled positions, workers must hold at least one year of post-secondary education and for the intermediate positions, workers must have the equivalent to a Canadian high school diploma. For those who have studied outside Canada, applicants need an educational credential assessment that is less than five years old (IRCC, 2024g).

Some additional federal permanent residency pathways exist for temporary foreign workers, though there has been limited uptake for some of these programs due to their constraints. For example, the Government of Canada introduced an Agri-Food Pilot program in 2020 for experienced, non-seasonal workers in certain industries and occupations (IRCC, 2024a). The initial pilot saw little uptake due to its requirements around education level and non-seasonal work (Hannay, 2021). The pilot has since been extended for another three years until May 14, 2025, with some changes. Less than 30 people in PEI have received permanent residency through the Agri-Food Pilot since its inception (IRCC, 2024h). Applicants under streams like the Agri-Food Pilot may be eligible for a bridging open work permit, allowing them to work for any employer while they await a final decision on their permanent residency application. Bridging open work permits are not available to applicants under certain employer-driven streams, like most of PEI's PNP streams (IRCC, 2023b).

While the Agri-Food Pilot Program has had limited uptake, the interim Temporary Residency to Permanent Residency (TR to PR) pathway experienced such a high demand for one of its streams (essential workers outside of health care) that it reached its cap of 30,000 applicants within just ten weeks of launching (Migrant Rights Network, 2021). The TR to PR pathway shows that there is a high demand for permanent residency pathways that respond to the needs of workers, and not solely employers. Nonetheless, employer needs continue to dominate IRCC consultations regarding who should be included in more direct permanent residency pathways (IRCC, 2023a).

Permanent residency would offer workers better protections and access to health care, housing, and other settlement services. Our previous research in PEI, New Brunswick and Nova Scotia has found that governments made migrants especially vulnerable during the pandemic as they worked to keep seafood and farming industries thriving. Temporary foreign workers reported wage theft, unsafe working conditions, and various forms of abuse (Bejan et al., 2021, 2023; Landry et al., 2021). The conditions of migrant workers in PEI are the subject of ongoing investigations by the Standing Senate Committee on Social Affairs, Science and Technology ("Balancing Needs," 2023).

Methodology

This study used desk research and interview data collection.

As part of our desk research, we filed formal information requests with PEI's Office of Immigration on the numbers and demographics of people accessing the PNP and AIP. We also used the open data sources available from IRCC on permanent and temporary residents, and from ESDC on employers and their compliance with the TFWP.

As part of our data collection, we conducted 27 interviews with 29 participants: twelve current or former temporary foreign workers; ten current or former service providers; four provincial government employees; and three employer representatives. These interviews were conducted between October 2022 and July 2023. We recruited participants through social media posts and public events. We recruited employer participants by advertising through industry associations.

Twelve of the 29 participants were employed or previously employed under the TFWP. All twelve had some experience with applying for permanent residency. Five participants had received their permanent residency. Current and former temporary foreign workers were asked about their recruitment to Canada, their work conditions, their experience with applying for permanent residency, and their knowledge of available supports and services.

Ten of the participants were current or former service providers who had worked with individuals on temporary work permits and/or permanent residency applications. We asked these participants about the mandate or role of their organization, their experience working with temporary foreign workers, their experience helping temporary foreign workers apply for permanent residency, and perceived gaps in services.

Four of the participants worked in the provincial government and had interactions with temporary foreign workers or were involved in the permanent residency process in some capacity. They were asked about the responsibilities of their government department, their experience with the TFWP, and their knowledge about employers supporting temporary foreign workers in gaining permanent residency.

Three of the participants were employer representatives who had hired migrant workers in PEI. Two operated in the agricultural sector and one operated in the seafood processing sector. All had some interaction with the TFWP and had sponsored workers for permanent residency. These participants were asked about their business, operational challenges, experience employing temporary foreign workers, and experience supporting workers through the permanent residency process.

We conducted 25 interviews in English and two in Spanish. Interviews were done in person, by telephone, or by video call. Most participants were interviewed in PEI, while some participants were interviewed in their home countries or other provinces where they were currently residing. Interview data was collected and analyzed anonymously.

Interviews lasted approximately one hour and were transcribed verbatim. Spanish interviews were translated into English. Transcripts were coded in NVivo, Version 1.7.1. We conducted analysis thematically, centred around answers to the research questions.

Demographics

All of the participants interviewed had some knowledge of the permanent residency process in PEI.

Migrant Workers

Five of the 12 migrant workers in our sample identified as Mexican nationals and three identified as Filipino nationals. There was one participant each from China, another Latin American country, a Caribbean nation, and an undisclosed country in Africa. Eight of the participants worked in the seafood processing industry, while four worked in the agricultural sector.

Seven participants identified as male and five identified as female. Nine of these participants had post-secondary education through a university or college, two had completed secondary school, and one had not. All but two of the migrant workers spoke and understood English at an intermediate level.

Nine of the migrant workers had officially applied for permanent residency. Four of the nine who had applied were waiting for a decision, while the other five had received their permanent residency. Four of the five who had received their permanent residency had gone through either the AIP or the PNP, while one participant had received it through family sponsorship. Two participants expressed interest in applying for permanent residency; one had failed the required English exam, while another did not have an employer who was willing to support their application. One person was preparing to submit their application.

Participants shared that the time between their arrival in Canada and their application for permanent residency was between one and seven years. They reported that the process had taken two to three years. One participant had been in the process for more than three years and was still awaiting a decision.

Two people reported having their work permit application denied during the permanent residency process, while one person reported having had a previous permanent residency application rejected.

Service Providers

Ten of the participants were service providers who had worked with individuals on temporary work permits and/or applicants for permanent residency. Five of these individuals identified as working for settlement organizations, two volunteered with ethnocultural organizations, and three worked with migrant workers in other organizational capacities. Participants had 1–21 years of experience working or volunteering in these organizations, with an average of seven years.

Eight participants identified as female and two identified as male. Seven participants identified as Canadian nationals while two identified as Filipino and one as Vietnamese. Five individuals noted they spoke languages other than English or French.

Government Employees

Four of the participants worked in the provincial government and had interactions with temporary foreign workers or were involved in the permanent residency process in some capacity. Participants had 2–14 years of experience working in their respective government departments, with an average of nine years. Two participants identified as female and two identified as male. One participant reported personally applying for permanent residency.

Employer Representatives

Three of the participants were employer representatives who had hired migrant workers in PEI. Participants had 3–18 years of experience working in their respective roles. All had some interaction with the TFWP and had sponsored workers for permanent residency through either the AIP or the PNP. Two operated in the agricultural sector and one operated in the seafood processing sector. All operated year-round in some capacity.

Findings

“The Labour Force Has Always Been a Challenge”

The labour force continues to be a challenge in the agriculture and seafood processing industries in PEI, according to the three employer representatives in the sample. They saw temporary migration as an option that enabled employers to continue operations by accessing a workforce willing to do jobs that Canadian residents weren't:

The labour force has always been a challenge. More so now than it's ever been. I think that's sort of par for the course for anywhere in Canada, especially with agriculture, it seems to rear its ugly head. We just don't have the people to do the jobs. There's just not many. The next generation coming up do not want to do labour work.

Employer

Even when local workers were available, employers spoke about challenges related to their reliability and availability. Some employers pointed to the lack of housing available in the rural areas where they operated, while others suggested that the culture of seasonal work itself led to labour shortages. One employer we interviewed suggested that younger generations had a sense of entitlement and wanted to start higher up in the company, even if they lacked experience. One employer talked about the need to be constantly recruiting:

People come for a couple of months, and then they leave, or they come for a couple of weeks, and then they leave. It's just like we're constantly, constantly, constantly advertising. We pretty much just have to leave a job ad up all the time. And then... some people come, and they just want, like they might be here a day and then they have to leave.

Employer

One employer mentioned a sense of relief brought on by the hiring of migrant workers:

And so, by having the foreign workers, it gives us that leverage of, okay, we have a bit of breathing room, otherwise, there [were] times where we would have to shut the plant down to do that.

Employer

Employers stated that they found migrant workers to be reliable and more than willing to work. The consistency of migrant workers also helped to reduce turnover costs associated with hiring and training new employees. A government employee spoke about the positive feedback they received from employers who had hired migrant workers or sponsored someone for permanent residency:

They find that they work hard, they show up to work, they come prepared, they're very reliable... They don't have any concerns about those sorts of things. So, I think, generally speaking, they're just very

happy with the people when they come that they're reliable. I think reliability is probably the right word, they find them very, very reliable. And, of course, are very happy with, with the individuals when they, when they have them here.

Government employee

However, one service provider pointed out that being reliable does not afford migrant workers security, and that closed work permits deny migrant workers the right to easily move from one job to another:

Some employers, many employers, even employers that are really nice, [say], "Oh, they're just the same as Canadian workers... they have all the same rights." I'm like, "Well, they can't find another job." And they're like, "Well, no, they can't find another job."

Service provider

Even though the employers we interviewed spoke about the many benefits associated with having a migrant labour force, they also discussed the investment costs, including the human resources costs, and the amount of planning that went into bringing these workers to PEI. One service provider shared this sentiment:

A lot of the employers that we deal with are small to medium-sized employers, you know, they don't have a big HR department that can deal with this. The owner or managers are dealing with this on their own. So, they find immigration confusing.

Service provider

All the employers we interviewed expressed concerns around the provision of housing for migrant workers. Because farming and seafood processing operations tend to be in rural areas, employers had to find solutions to what they felt was an exceptionally acute issue. Depending on the program stream through which workers enter, employers may be obliged to either directly provide housing and transportation for the workers or to ensure that suitable and affordable housing is available (ESDC, 2024). Employers used different approaches to secure housing, including purchasing houses, renting apartments (sometimes months prior to the arrival of workers), and reaching out to local groups and neighbours about available housing:

So, I don't know other than that... that's what we're trying to do to keep them... make sure that we bought a house, [company] bought a house last summer, I think. There was just like, it's next door. It was for sale. And we bought that.

Employer

One employer commented that they rented out apartments months in advance in anticipation of applications being approved by the government:

So, we've been sitting on apartments for quite some time, we're just waiting for people to be approved to come in. So, it's quite a tax on our finances as well. Although you can't, like in this environment, you can't let the housing go if it's available.

Employer

Additional difficulties arise from the fact that some employers have little knowledge of the Canadian immigration system and lack information about various permanent and temporary migration options. This means that employers may rely on programs they have previously used, as opposed to using a different program that might be a better fit for them. One service provider who works with employers shared their perspective on this:

They've never been immigrants, right? Like how many of the employers around here, it was a family business or something, right? And they, they don't know, immigration. And especially, you know, if they relied on Joe down the street to help them with the paperwork, they don't even know how the thing worked. They just managed to get the employees.

Service provider

One migrant worker stated that the information their employer gave them regarding the permanent residency process was incomplete:

So, [they] gave us a lot of information. We thought it was it. But no, it was just scratching the surface. Yes, there was a lot more to come. And [they] didn't know the whole process. Because as a Canadian you don't need [the information]. And if you don't need it, you don't ask a lot of what's the process.

Migrant worker

Another participant confirmed that although their employer was supportive, they were uncertain about what needed to be done to support someone applying for permanent residency. In this instance, the employee offered to reach out to people to ask questions:

So, they're kind of not too sure about permanent residency or... They know about the Labour Impact [LMIA] or whatever they need to apply, but they don't know about the permanent resident or how to go about it. But I told [them], I have people I can reach out to and ask questions.

Migrant worker

One employer commented that although they saw benefits in using the TFWP for their company, there were personal complications involved in hiring workers who were so far removed from their families:

When we take people from their home country for nine months, that's nine months that they're not, you know, at home spending time with their families, you know, fulfilling their obligations there. So, that's conflicting for me, as a person. As a company, I think yes, we will continue to rely on the Temporary Foreign Worker Program for the farm's positions. I think that's a no brainer.

Employer

Despite the difficulties, the employers we interviewed confirmed that they would continue to employ temporary foreign workers or permanent residency applicants. All three employers noted the importance of building their communities and growing the local economy through immigration.

Temporary Existence: Life with a Closed Work Permit

Upselling a Dream

Nine migrant workers from our sample entered the country on a temporary, closed work permit through the TFWP. Two of the nine participants arrived through the SAWP.

The other three migrant workers in our sample first arrived in Canada on a visitor visa and then applied for a work permit.

One migrant worker reported working for cash, without a work permit, to prove their competency. If they could prove that they could do the job, they would then receive their work permit:

Because [they] need[ed] people. So, you want? We can do it. And that's the way I came as a tourist. I talked with the owner of the farm, [they] told me if you want you can work with me, [without a] contract. I can pay you cash. And if your work is good, I can hire you. If not, nothing. That's the way. [They] saw my work during six months. And then gave me the contract.

Migrant worker

Five participants reported having a connection in Canada who supported them in finding work:

I have a housemate, actually, they are a couple. They just asked me if I am willing to apply in one of the factories in PEI. So, I tried and contacted the HR there. So that is the start. And then, they gave me an LMIA.

Migrant worker

One participant noted that using personal connections to find a job was preferable to using a recruiter, due to their exorbitantly high costs. After seeking services from a recruitment agency, they were quoted a price of \$48,000. However, the cost of acquiring the job through a personal connection was \$3,500.

One migrant worker commented that recommending friends and family to work in Canada was seen as a benefit for some of their co-workers who were able to support their loved ones to immigrate. However, this worker saw it as a bargaining chip that their employer used to ensure their employees worked more:

It's like two sides in this company... if you want to bring someone you have to give them... something, let's say like, work more or whatever. You know what I mean? But usually, yes, it's like, I have a friend, or I have a sister. It's like a recommendation, let's say.

Migrant worker

Two migrant workers in our sample arrived in Canada through a recruitment agency. One employer learned that although they were not being directly charged by the recruitment agency they worked with, their employees were being overcharged. This was discovered after one of their employees asked them for a

loan to pay the recruiter to do their paperwork. The employer reported that they had since changed their recruitment practices:

They said, "Oh, we have workers, we can get them here." Yada, yada, yada. So, they kind of initiated contact with [them]. ... There was... no charge to us. And we figured that [they were] charging some sort of administration costs to the worker. We've found out it's way more than we thought it was. And so, we're trying to cut ties with them.

Employer

One service provider spoke about a recruiter telling people not to interact with government workers or service providers:

But they, they've been told by someone, it's somewhere in the culture, that it's not appropriate for them to come and speak to anyone who has anything to do with IRCC, with Canadian Border Services Agency [CBSA], with [any immigration related service providers]. Anything that is associated with immigration, they're told not to speak to anybody. And I can only assume that that would be because if you spoke to CBSA about your poor treatment at work, then you would not be able to come back because the company would be shut down. And so, the recruiter is probably protecting themselves by not getting in trouble with the employer for having people that speak too much.

Service provider

One migrant worker confirmed the service provider's comments. A recruiter had told them they would not return the following year if they had any problems while in Canada:

So, it's like, the people don't, don't say or don't express themselves for fear of losing their job, because, even though they say, no, it's your right, you won't lose your job, yes, you lose it. Why? Because from Mexico, for example, the recruiters in Mexico tell you, if you make problems, you won't return.

Migrant worker

Here One Day, Gone the Next

Even when migrant workers secured a job, their contracts were typically only for a few months at a time. This is because of both the seasonal nature of the agricultural and seafood processing industries in PEI and federal policies encouraging shorter-term contracts, such as the exemption to the cap on low-wage positions in seasonal industries (ESDC, 2024).

For some migrant workers in our study (5), this meant that they would work in Canada for a few months and return to their home country, only to return to Canada a few months later with a new work permit. Four of these five participants were from Mexico. One migrant worker commented that they had been coming to PEI for six years on either six-month or eight-month work contracts.

The seasonal nature of the work is particularly pronounced for SAWP participants, who can only receive work permits for up to a maximum of eight months. One employer spoke of feeling little incentive to train SAWP workers on equipment, knowing that they would need to train someone else to operate it when the worker was no longer in PEI:

You can't really train them well in things because then they leave. ... So, you can't really have them as full equipment operator. Because all of a sudden, then they're gone for four to six months. Right? So, you can't, you can't train them much more than what they're trained to be right now.

Employer

Another issue with the SAWP identified by an employer and a government employee was the lack of certainty that workers would return to the same farm in future years. This could be because the worker might request a different farm or because the farmer might ask that the worker not return. The sending country has the final decision.

I think it used to be that they could count on the same person coming from perhaps Mexico every year, year in and year out. So, you know, [person] was going to be coming in, in April, or May, and [person] will be from Mexico, and he'd be working here until October, and then he'd go home to his family for the winter. And then he... would come back to the same employer. And I don't think that's a guarantee anymore with employers. Right? And so, they find it a little bit, I think they find it frustrating.

Government employee

Two participants on short contracts remained in Canada even when they did not have a valid work permit. A temporary foreign worker's status in Canada is dependent on a valid work permit. If a work permit expires, an individual enters a ninety-day period where they can apply to restore their status (IRCC, 2022b). One service provider commented on the fear associated with this, explaining, "Once you're in the restoration period, you have committed an offense by overstaying your visa ... which is a scary thing." If an application for restoration of a temporary permit has not been made by the end of the ninety-day period, the worker would be in Canada without status.

One migrant worker spoke to the stress of living in this ninety-day period:

So, I made some mistakes, which unfortunately, take us out of status. So within, not illegal, but without a current status. Because we have this 90-period grace, 90 days. So, we can be getting information or knowing what to do before we apply or go back or anything.

Migrant worker

If a new work permit application is submitted prior to the expiry of the current work permit, an individual has maintained status, and they may be given authorization to continue to work under the same conditions of their previous work permit while awaiting a decision on their new application, even after it has expired (IRCC, 2022c). A service provider explained what some people do to avoid losing status:

So, they would apply for a new work permit before the old one would expire, knowing that that one would be denied, right? And then that would be denied. ... And then hopefully get the new LMIA in time so that they would have the LMIA number to submit a new work permit application, and that could roll into the winter. During that time, they had no health coverage, they like basically didn't exist according to... the government.

Service provider

Additional difficulties arise for those without a valid work permit. Provincial Medicare coverage for individuals ends the day their work permit expires. Workers who have fallen out of status are unable to legally work and have no access to social security programs like Employment Insurance. They also are at risk of deportation. Many workers nearing the end of their work permit live in fear of losing status. This causes significant stress:

There are a lot of doubts when you arrive here in Canada with a closed work permit. Cause you [are] afraid to be deported or cancel your, your work contract and go again, go immediately to your country. ... It's an unknown, a not knowing your rights. Fear. Fear to speak out. Yes, fear of speaking. But that fear is for what you don't know, what is allowed, what isn't allowed. For what could they deport you for.

Migrant worker

Seven participants reported being without a valid work permit at some point during their time in Canada. Reasons for this included having been let go abruptly, transitioning from one employer to another, their employer being involved with a federal government investigation, and employer neglect. In every case, participants reported significant stress:

Yeah, but that time I'm, I'm always crying. Yeah. Oh my god, I cry a lot. I'm stressed. Because [recruiter] always scared me that police [are] coming and get me in, and put me in the jail. I have to sleep in the jail and go, go back to [sending country]. Like send me to [sending country]. That's why I'm scared, he always scared me. And bullying too. [They are] always bullying.

Migrant worker

When one participant transitioned from one employer to another, their new employer's miscommunication resulted in them being unable to work for more than six months:

I was, well, without status from that, but I was within the three months, after my work permit expired, in which you can, you can redo, you can do the application for tourist or for worker, but you have to do a restoration of status because I was without status. ... They told me the company was going to do all of the process, so I thought they were going to do it. But no. There were misunderstandings and no, they didn't do the process and I was left without status.

Migrant worker

Even those who did not lose status still worried that they might. Participants feared being unable to work and not having an income in Canada if they were fired.

Of that, we will be fired. And so, our process [will] be broke[n], and we [will] need to [go] back to our countries. That was very common, very, very common. So, that was an overpressure for us, under stress. Because as I told you, [it] was common.

Migrant worker

New work contracts always require new fees. The federal government charges workers \$155 per work

permit and per work permit extension. Those who apply to restore their status must also pay \$229 in addition to their work permit application fees (IRCC, 2024e). Four participants reported paying recruiters or consultants each time they needed a new work permit.

The first time it was like, 4,000 MXN, which is like \$280, \$300. Yes, for, what? Well, they say it's for the visa, but I don't know if it's really for the visa, but after, it seems like three years, it cost me to, because each year was the same, you had to pay it.

Migrant worker

Labour Market Impact Assessments (LMIAs) are a requirement for most employers seeking to hire workers in the low-wage stream of the TFWP. The Government of Canada charges \$1,000 to process each LMIA, with exemptions for employers of live-in caregivers and some primary agriculture positions. The federal government prohibits employers from having their employees pay this fee, and from recovering this fee from their employees (ESDC, 2024). Nonetheless, one participant commented that every time the LMIA expired, they were required to pay the processing fee:

So, if they give me six months only my work permit. So before, before my status loss, I have to pay again \$1,000. Every time that the LMIA is... expired, I, we have to pay \$1,000, \$1,000, \$1,000, \$1,000... Yeah, the other day... one of my housemates told me that his friend paid \$12,500.

Migrant worker

This same worker reported that their employer was complicit in charging these illegal fees.

More Harm than Good?

Migrant workers often report mistreatment in their workplace (Cordasco, 2022; "Migrant Workers in Canada," 2023; Yarr, 2022). The Government of Canada has set up a reporting abuse tipline for anyone who suspects a temporary foreign worker is being abused (ESDC, 2023b). The government may conduct a workplace inspection upon receiving a report from the tipline. They can also inspect workplaces of employers previously found to be non-compliant with the program or as part of a random selection (ESDC, 2023a).

Inspections can take place either on-site or virtually and can be announced or unannounced. Inspectors have the right to interview the employer or employees; request copies of documents; take photographs, videos or audio recordings; and access computers or other electronic devices, among other things. Three migrant workers in the study reported being involved with an investigation of their workplace, with one commenting, "We received some visits in the farm from the government ... to see how we [were being] treated."

The participant reported that the employer had been informed one day in advance of the inspection. According to the migrant worker, their employer told them to say that everything was okay. The worker said, "Previous to that day, we have a meeting with the owners. And now obviously they told us to say that you are very well with us. If not, maybe I risk your employment."

The inspector asked for a private interview with the participant. The participant disclosed that although they said that everything was going well at their place of employment during the interview, they later called the abuse tipline to make a report:

Obviously, with [those] comments, the, the answers [were] that we [were] very happy here, are very, very, my dream job, etc. etc. etc. They are doing everything well, etc. etc. And they give us the card at the end and a sheet with the, one of the things that they must do, give us and it is a hotline in case of an anonymous complaint that we wish to do or phone call etc. etc. At the end, I called them.

Migrant worker

The participant shared that although they called the tipline several times, nothing happened. Additionally, they commented that other temporary foreign workers experienced abuse and had also made complaints:

So, [it] was not [good] the treatment. In fact, all the people that I knew [there who were] foreign [left] for the same way. They have a lot of complaints about this. [It's] a comment that I have for people is that that farm [has] a lot of complaints. When I call to the federal and say hey, these farms have complaints. I'm not the first and I'm sure that I won't be the last.

Migrant worker

This was disappointing for the worker, as they had hoped that a complaint would stop the abuse. When asked if the tipline helped, the participant answered, "Well, at the end, we said well, we're still going on. But what else can I do? I did the only thing that I knew I [could] do and if nothing happens, what else?"

Another migrant worker recounted their experience of their employer being investigated by the federal government. Though the investigation was meant to protect migrant workers, it actually caused harm:

The owner... have a case, they investigate [the company] because, because of the, some [people] go to, like [different company] and say, say the story about [company]. That's why... it's hard for [them] to get the new LMIA. They have to, they have to wait. That's why all the people [have] no status.

Migrant worker

During the investigation period, the employer was not approved for new LMIAs. This harmed workers, who thus could not apply for a new work permit with this employer. The worker reported that numerous other workers found themselves in this situation and therefore lost status. These federal government investigations made these workers precarious, leaving them with no income and no status. There are significant consequences to working without proper documentation, including deportation. One migrant worker commented that their employer facilitated ways for them and their colleagues to work without status by having them work outside of the processing facility, rather than at their usual job inside of the facility:

That's why I'm scared. Because if you have no status, you have to work outside. ... If I have no status, they bring me out to [company], but I have to work outside. Yeah. Because they have no choice. Because like me, if for example, if I have no status, so I don't like if I stay home only because I have to pay my rent. I have to, to eat.

Migrant worker

In addition to inspections, the federal government has created a process whereby temporary foreign workers can apply for an open work permit if they are being abused or are at risk of abuse. The Open Work

Permit for Vulnerable Workers (OWPVW) gives workers an open work permit for up to six months or one year (IRCC, 2022a), allowing them to work for any employer. However, the OWPVW has been criticised for its potential to retraumatize vulnerable workers, as it requires they provide extensive evidentiary proof that abuse has taken place (Depatie-Pelletier et al., 2022; Di Cintio, 2024).

One migrant worker was approved for the OWPVW and worked at a new workplace. Although the employer at this workplace indicated they would help them with a new closed work permit when their OWPVW expired, they never did. This meant the migrant worker had to search for a new employer who would be willing to provide a LMIA. The migrant worker explained:

They told me they would, you know like, give me a new work permit. But they never seemed to show no interest as well. So, I decided to get out of there and see if I can get a work permit elsewhere so that I could continue working.

Migrant worker

Another migrant worker commented that they did consider applying for the OWPVW, but felt discouraged because they needed to prove that they were abused. As the abuse was psychological, they had little physical proof. They said, *“If I asked for an open work permit, that will be the best for me. But I saw the requirements, the risk was too much, was impossible for me make proves [sic] there was abuse.”*

One service provider stated that they had seen many workers apply for the OWPVW. They acknowledged, however, that supporting clients in applying for the work permit did nothing to actually solve the larger problem of employer abuse, though it did create a better situation for the individual worker.

We will guide them through the federal website in order to give them information on the vulnerable work permit. Which, it's not an easy thing to do either. But an option, and they need to know that it's there. You know, we have seen, unfortunately, many clients have to go that road. But they will do that before they will ever go public. You don't want anyone to know that they've said something. So, is it a good thing? Yes. But we're not solving the problem. We just moved it. ... We're not solving anything.

Service provider

An Asymmetrical Relationship

One service provider spoke about the lack of power migrant workers hold. Their dependence on their employer means that there is a requirement for them to be model citizens, simply to avoid putting their status in jeopardy.

I think there's a lack of power for people on temporary, with temporary status here, there's a lot of, I'm dependent on my employer, they are holding my future in their hands. And... it's a very disturbing place to be in if you think about it, because really a lot for [the] temporary foreign workers, there's a lot outside of their control. And there's a lot riding on them being these ideal perfect workers and if they falter, even a tiny bit, that can put their whole future in jeopardy.

Service provider

One migrant worker spoke about feeling dependent on their employer. In addition to relying on their employer to support them with housing and transportation, they often required assistance navigating things such as the healthcare system. One participant reported that their employer was not supporting them with this essential process:

But yes, the, the, the company from there, as for support, they support with the doctor and that? Yes. Yes, but no. It's like... the company, they don't, don't, don't have time for problems or they don't have time to do certain processes. I think it is easier to bring a worker, they work and then they go. Bring a worker, they work and then they go. It's that, it's easier. And it's understandable. Or like, the company is numbers. It's numbers. It's understood. But I think that there should be a company that doesn't only look at numbers but also looks at the people. People that maybe they can help with a better opportunity in life.

Migrant worker

Some workers felt as though their employers and supervisors treated Canadian workers differently than those on work permits. One migrant worker reported, while laughing, that the employers “*treat the Canadian[s] very good.*” One participant who had previously worked with a closed work permit felt that the relationship with their employer was strictly transactional.

Support for Some, Not for All

There is a lack of services and formal supports for temporary foreign workers in Canada in general and in PEI specifically. The main source of funding for most settlement service providers is IRCC. However, IRCC's funding is restricted to permanent residents, refugees, AIP applicants, and Canada-Ukraine Authorization for Emergency Travel (CUAET) recipients.

A pilot project created by ESDC funded some service providers to support temporary foreign workers starting in the fall of 2022. It initially earmarked only \$54,166 to PEI for a one-year period, even though there were 1,605 temporary foreign workers approved for work permits during 2023 (ARAISA, n.d.; IRCC, 2024i). The interviews we conducted took place prior to this pilot project.

Current statistics show that 2,198,679 people live in Canada with a temporary permit (Statistics Canada, 2023). One government employee spoke about how many people were arriving to PEI with a temporary permit:

PEI is probably a bit more unique than other jurisdictions – where we used to be probably 90% permanent residents coming to the province and 10% temporary, it's flipped, it's probably the other way. It's probably 90% are temporary residents now.

Government employee

As one service provider pointed out, by the time someone receives permanent residency, they have generally been in the country for a few years. Those who need the most support are the ones who have recently arrived in the country with little to no knowledge of their rights and responsibilities:

People come here as migrant workers. They start out in, often agriculture, fisheries programs, processing facilities, they have an interest in wanting to live here and stay here and so those are the folks that we're most often connecting with and planting seeds with and supporting with their settlement services. ... People need that when they're establishing, they need that in the first week, month, two months, three months, six months, that's when it's key, you know, as you go through that process that's when you get these things. Waiting until someone achieves their permanent residency in two to three years time, they've got it all. So, when you go to complete a settlement plan, it's almost pointless.

Service provider

It's not the PRs [permanent residents] that need the most support, it's the temporary foreign workers. Like, the PRs, they've been here for a while, they already have the information. It's the TRs [temporary residents] that, you know, that need the information for health care, for housing, for transportation. And so many of them are, you know, on that path to PR, so it would make sense for us to help them, but according to our funding, they don't fit that model.

Service provider

Provincial government staff also recognized the difficulty temporary residents experienced in being unable to access settlement services. One government employee stated, *"As a temporary resident, they're not eligible for federal funded settlement services. I think that's a challenge."*

This lack of federal funding has led the provincial government to provide some funding to service-providing organizations to enable them to support migrants, including those on closed work permits. Certain organizations can also use the funds to support interprovincial and even intraprovincial migrants. A government employee in our sample commented on how the province provided additional funding to settlement services to address accessibility issues:

So, I think that, you know, that's another challenge, I guess I can throw out there that the accessibility of settlement services as they're funded by the federal government is a challenge. We try to supplement some of those things with regards to, you know, because the provincial government funds a lot of the same organizations as the federal government, and they can kind of use that provincial funding to provide some service to temporary residents, but it's still not like language, for example.

Government employee

However, this provincial funding is limited, which means that service providers are often overworked and may be forced to make hard decisions about who receives services:

With our program, our main funder is IRCC. And so, our priority clients are permanent residents, and those applying through the AIP program, and Ukrainians. So, because of the reporting, we have to make them priority. So, sometimes it's a challenge juggling all the clients and you want to give all the clients the time, but because your survival depends on, like, what's been outlined in our contract for funding, we have to honour that and make sure we're dealing primarily with those main clients, the PRs, AIP, and the Ukrainians. So, it can mean that sometimes the others maybe don't get as much of our attention as we would like.

Service provider

Migrant workers in our sample spoke about having limited contact with organizations that might support them. They often sought support from community members. One participant cited this lack of information as being a key driver for them to form a community organization:

And then we start, you know, how, how about we do some research and do this, do that. And then eventually... we started to become known as... a communication and where we met, if you need an information, or you want to share your experience, so others can learn from it, and then you know, it will be helpful for them for their processing or if, you know, an insight to other new migrant workers.

Service provider

Five migrant workers spoke about going to their Member of Parliament (MP) to seek assistance when they had an issue. One migrant worker explained:

How many times that... Sir [name of MP] explain to immigration, they answer all the questions. If I received [sic] the email, I'll go to [name of MP] office and they're the one who [will] fix my papers.

Migrant worker

Federally funded support programs or services for temporary residents are not unprecedented. The Government of Canada introduced the CUAET program in March 2022. CUAET allows Ukrainians access to work permits for up to three years. In addition, IRCC funded settlement organizations so they could provide support to CUAET recipients. One service provider explained, *"They made a decision to fund Ukrainian efforts, and they're temporary residents coming, they have work permits, they're not permanent. So, they made an exception for them. So, there is some precedent there."*

One service provider suggested that providing settlement services during the permanent residency process could improve immigrant retention rates in PEI, particularly in rural areas:

Why aren't we doing settlement plans with all migrant workers? Like the government wants people to stay, they want people to live here, rurally, we want to grow the population. If you want to grow the population, people need to feel welcomed, and they need to feel supported. If you're not, why would you be prohibited from offering the support services to people that you're hoping are going to turn around and stay? It's like, we want you here, but we're not going to enable you to do that.

Service provider

"They Want to Stay, So Why Are We Making It Hard?"

All twelve participants who had worked or were working on closed permits expressed a desire to receive, or had already received, their permanent residency. One service provider noted that in their experience, many temporary foreign workers did want permanent residency; however, it could be very difficult to obtain. They commented, *"At the end of the day, TFWs, you know, majority, maybe not all, I can't speak for everybody, but they want permanent residency. They want to stay, so why are we making it hard?"*

The number of temporary foreign workers who receive their permanent residency remains very low. While 3,615 individuals became permanent residents in PEI in 2023, only 55 of them, or 1.52 per cent, had prior TFWP experience (IRCC, 2024h, 2024c). Notably, in the seven years prior (between 2015 and 2022), 16,995 individuals in PEI received permanent residency. Of those people, only 175 (or 1.03 per cent) had previous experience in the TFWP (IRCC, 2024h, 2024c).

In 2023, according to information received from PEI's Office of Immigration, the province supported 2,120 families (including single applicants) with nominations or endorsements through the PNP and AIP. Further results from an information request revealed that in 2023, the number of employers using the PNP reached 411. In 2020, the number was 310. The number of employers using the AIP has stayed about the same in the last four years: 248 in both 2021 and 2023. However, that number fell to 90 in 2022, the year the program transitioned from a pilot to a permanent program.

Another service provider noted that there is additional stress for people with temporary status:

You know, a lot of the times, temporary workers, they have the exact same needs except way more stress because of status. So, to me, they, permanent residency, they help, yes. But when you're temporary, you also have that temporary hanging over you. Right? Which makes life even harder, because you're trying to figure out how to get permanent residency. So, the stress of that in itself can be overwhelming.

Requirements for Permanent Residency

There are numerous requirements for permanent residency in PEI. These requirements depend on the pathway used by the applicants.

All migrant worker participants noted that the most difficult requirements to meet were employer support for their application; a guaranteed full-time, non-seasonal job; and minimum scores on language testing. Workers also cited educational level requirements and changing policies as additional challenges.

Employer Support

For some workers, requesting support to apply for permanent residency was relatively easy. Some employers were supportive of their employees and their desire for permanent residency. One worker said their employer would ask their employees each year if they wanted to apply for permanent residency:

When you have nine months and then the season comes, they will tell you before the season start, they will tell you, inform you that we are going to support now a permanent residency. Who wants, they will tell you that if you want, we can support you. If you don't want, well, there's another years [sic] come. So, it's up to you. You decide if you want it or not.

Migrant worker

Other migrant workers saw their co-workers obtaining permanent residency, but their employer did not offer them the same support for a permanent residency application. One migrant worker explained that they were nervous to ask for support, fearing that their employer would not ask them to return the following year:

It's really hard to approach your employer, even if I speak English. I don't feel that safe. Plus, I speak Spanish. And Spanish is scary too. Because you don't know if they're gonna get mad, if there's gonna be a place for you too. [You] don't want to feel or be rejected for anything. And especially you don't want to lose your job. As a temporary worker, we always [have] the fear that we might not come back.

Migrant worker

One participant shared that although they had an interest in applying for permanent residency, they were never offered the opportunity. Their employer had assumed that they preferred to come seasonally. At the same time, they saw that other employees were offered the opportunity to immigrate permanently:

Yes, nobody told [us] in the company. We look, there are some other co-workers from other countries, especially Philippines. They were applying to become permanent residents and they get the paperwork in three to seven months. And it was really quick, but nobody told us because we as... temporary workers, we come and go, come and go. And the manager so to speak, or anybody at the company, they think it was the best for us. They think it was the way we wanted to work with, with them.

Migrant worker

Another participant stated that their employer would consistently promise the workers an opportunity to apply for permanent residency, but never actually followed through with it. The participant felt as though this was suggested as an enticement to get the workers to do their work:

And then because he told us we gotta get the permit first and then you're gonna get the permanent resident. ... Yeah, it wasn't, it wasn't like he wouldn't follow it. It's just show us like you know, he going to look after us but that wasn't, that wasn't his intentions at all. His intention was to just use us to get what he wants, get his work done. And that was, that's... basically how it happened, how it turned out. When we realize everything is not adding up, so we just realize he need us just to do his work and then yeah.

Migrant worker

The same participant had similar experiences at a number of different workplaces, leaving them feeling manipulated:

I look at the three different places I worked, and I put all my stories together, [they] basically all add up to the same thing. So, it's just like you have a business and you need workers, you don't, you're not getting workers, but you get a certain amount and then you will tell them whatever it is to get them. So that's basically what I get from them. So, they just say all the nice things and all the things that they know will keep me here working for them, but they know they wouldn't do anything to follow me or get me any further.

Migrant worker

While migrant worker participants experienced difficulties approaching their employers about permanent residency, some employers were clear about how selective they were in choosing whom they would sponsor. One employer commented on the power they wielded in deciding who could apply for permanent residency:

So, if they're here that first eight months, they say, "Oh, yeah, you know what? I'm gonna be permanent resident." No, we may not like you. You may not be the best worker. We have a few here, but chances are, they're not coming back. This is their second year here and we're seeing things that you know what, no, you're not the best person for that position, even as a low-end labourer.

Employer

One service provider pointed out that assuming an employee does not want permanent residency, or not supporting them in receiving it, could be a way to prevent that person from immigrating permanently, and a way to control them:

And then there's also that complex of they want to control the person and they want to make sure that the person is in this cycle of leaving and coming back and working hard and then going back home again, and they don't want the added stress of getting someone a house, helping them, you know, get to work every day and everything whenever it's no longer in your bunk that's down the street.

Service provider

One employer confirmed the economic benefit of having workers come as temporary foreign workers. They made the distinction between Canadian workers and migrant workers by noting that once a worker brings their family, they will be more likely to seek work-life balance and not want to work all the time:

The thing is that with a temporary foreign worker, they're here to work, they have no family here. And they don't like sitting home because they're sharing it with six other guys or five other guys. There's [a number] that we have here. So, they don't want to be idle. Whereas the rest of our Canadian workforce, we have families. You know what? I don't want to work after five. I've got my [family] waiting for me at home. ... And so, that's the other challenge is that, you know, sometimes when our work takes us over, we get into the, to the oh, I don't want to work any extra hours. Because you, you have a life outside of home.

Employer

A service provider commented that a worker was told not to speak with them. The service provider speculated that this was because they would share information about the permanent residency process:

I've downright had people come to me and tell me that so and so wanted to talk to me, but was told by their HR manager that [they're] not a good person, [they're] not going to help you. And so don't speak to [them]... [they'll] give you dangerous ideas. The dangerous idea was that the person might get their permanent residency and move on to some other form of employment, enhance their skills, get further education, learn their language, integrate into society.

Service provider

A service provider noted that many employers do not realize the difference between temporary migration and permanent immigration and that they may not know that their employees can immigrate permanently:

I don't think that employers realize that there are two main streams of immigration: temporary and permanent. And that temporary residents who come here to work as temporary foreign workers aren't always just interested in being temporary residents. It's just the stream they happen to get here on and they're not having the conversations with their staff to find out... what their motives are. And that just comes down to you're not getting to know your staff and you want to get to know your staff, you'll probably find that a good number of them actually want to stay.

Service provider

The service provider went on to say:

We had an immigration session the other day where the employer said, we've been hiring people for the, I think, it's 180-day visa, right?... So, they've been hiring people on the Seasonal Agricultural Worker Stream, and they need them all year around. And they had no idea that that was the wrong stream for them because that's what the person had done before. And so, they were hearing from these temporary foreign workers, we want to stay here and live here, and they can't figure out why they can't get the paperwork to work, because they're in the wrong program entirely.

Service provider

Employers also spoke about their fear that a worker would move on to another job once they were sponsored for permanent residency. Some service providers suggested that this does happen, but also explained that the lack of opportunity and work stability in PEI is of concern to immigrants, as it is for non-immigrants who also choose to move. One service provider who had supported many current and former migrant workers explained:

As soon as they get their permanent residency, they just leave PEI. So, it's like, there's no retention. They just go in PEI just to get their paper because there's no work. Like there's no work stability in PEI for them.

Service provider

While some employers were unhappy about workers leaving as soon as they obtained permanent residency, they also understood why it happened. One employer found that paying their employees well made a difference:

I mean, I think it's like the, you have to pay people, I guess. Pay people reasonably well. You can't just expect to pay people minimum wage and keep them and for them not to go find a little bit of a better paying job, if they can.

Employer

Service providers noted that if employees were treated well while applying for permanent residency, they would often continue at their place of employment, which was of benefit to their employers:

And, you know, I often think even with the plants and stuff, if you, if you have a temporary foreign worker, who works for you, you know, for six months, applies for their permanent residence, they're still, you know, you allow them to have a pathway, there's still at least a two year processing time, like, you have secured a very good worker for at least two and a half to three years. Right? And if they're happy, they'll stay once they get their permanent residence.

Service provider

A different service provider pointed out that sometimes workers were not well treated by their employer, which could lead to them leaving once they received their permanent residency:

If they need people, really, mostly people, depending on how they're being treated, are working for a period of time, applying for permanent residency and if you're not treated very well during that process, of course, you're gonna get up and leave and move to a different province.

Service provider

According to one service provider, some employers were not supporting workers for permanent residency because of the cost of living and the migrant workers' low wages, which would impair their ability to survive in Canada:

There's been a number of... employers... who have told me that they worry about their temporary foreign workers surviving in Canada on minimum wage or on low-wage jobs, so they don't want to help them get their permanent residency, because they're worried that it will, like, ruin Canada for them. And therefore, they will not thrive here.

Service provider

While employers may have expressed concern about this, a service provider pointed out that they had never witnessed a worker come forward to say that low wages and lack of affordability were preventing them from applying for permanent residency:

But I don't, I've never seen, I've never had someone come forward and say like, oh, I'm not applying for PR, because I know I could never afford to live here and do that, like people just make it work. Out of disparity or whatever, they're making it work.

Service provider

Full-Time, Non-Seasonal Employment

Full-time, non-seasonal employment is a strict requirement for access to permanent residency. This presents a challenge for industries that have traditionally operated seasonally:

And that, the one challenge, the major challenge with those industries is that requirement to have that permanent year-round, full-time employment, and that's what's required for pretty much any permanent residence program, whether it's our Provincial Nominee Programs or federal programs as well. Right? That's, that's, that's the challenge.

Government employee

The Maritimes have historically had seasonal industries based on agriculture, fishing, and, more recently, tourism. This seasonality conflicts with the permanent residency requirement for a full-time, non-seasonal work contract. This has meant that some employers have expanded their operations to allow for winter work, while others have simply not sponsored people for permanent residency.

The provincial government has acknowledged that full-time, non-seasonal employment is limited in the region. However, this requirement for permanent residency has been set by the federal government, who have made it clear that they are not willing to change this policy.

A provincial government employee suggested that some employers who have used the TFWP previously and have hired employees on short-term contracts are choosing to transition their employees to full-time, non-seasonal employment to support them with permanent residency:

Yeah, there, there may be like, if they have somebody who's been here for nine months on a seasonal [agricultural] contract, and they suddenly have, you know, we'd love to keep [person] and we can find a role for him somewhere else on the farm, not just in the field, but, you know, he has the ability to work this piece of processing machinery that we have as well. There may be a pathway within our own permanent, within our PNP program for permanent residency if they're able to offer that year-round, full-time job as well. So, so yeah, they can certainly look at transitioning to the other agricultural stream, the full-time agricultural stream or our permanent residence programs as well.

Government employee

Some industries have worked around this requirement by offering full-time, non-seasonal contracts, even when no work is actually available. One worker reported on their experience with this type of contract. This particular worker had a contract for 40 hours per week:

And that way, they can assure you to have a full year work. Because, again, we're seasonal. So, there is no work sometimes, especially in the winter. That way, you will have your 40 hours pay still during the whole year or the process. And you can be... without the year contract, you cannot apply. ... So, you're safe on that side. But also, you cannot, even if you work, let's say 70 hours, 60 hours, you're gonna get paid for those 40 hours. And the rest is going to be banking hours for you. And when you're done working, they're gonna pay you those hours they owe you. If you owe them, because in winter there's no work but that part is covered by them.

Migrant worker

Participants referred to this as banking hours. Four migrant workers reported using this model to become eligible to apply for permanent residency.

It's like, let's say I work 90 hours in one week. But the contract say[s] they have to pay me 40 hours. So, they will pay me only 40 hours that week. And they will save that money and hours for the winter because I don't work, but they keep paying me.

Migrant worker

One participant explained being slightly confused by this system. They had asked their co-workers about how this system worked; however, many were unable to explain it:

Ah because, I was worried because if one day I don't work, I don't work 30 hours, what will I do, because I want to apply. ... And they said, "No, here they will pay you those [35] hours per week." Because they pay [35]. But immigration asks for 30. But it's [35] that they pay. And they said, "Oh, yes." It's the co-workers that are sometimes more informed than the people that do, than the people that are supposed to give the information. "No, they are going to give you the [35]." And myself, "Ah, okay. And how does it work?" And sometimes they say, "We don't know! But they pay [35] and after. ... If you do more, it goes in the bank."

Migrant worker

Though workers received a salary throughout the year, the bulk of their work happened from April to November, with frequent work breaks from December to March. Since they were continuously paid throughout the year, these workers could not apply for Employment Insurance (EI) during the offseason, even though they were paying into it. Non-migrant seafood processing employees often supplement their seasonal salary by accessing EI in the off-season when they are not working. One service provider commented on the many people they supported who had applied for permanent residency:

And I think that's how most of them ended up getting permanent residency, because on a seasonal job, you can't get permanent residency as you know. But that has extensive costs as well, right? Like, you can't get EI, you don't get paid your overtime, like extra money for overtime. It's, it's quite a financial hit and people are really stuck until they get their PR [permanent residency].

Service provider

Language Testing

An additional barrier to applying for permanent residency was the language test requirement. Applicants had to meet a minimal score on a language test from an IRCC-approved institute. Two participants had difficulty passing the English test. One participant took the International English Language Testing System (IELTS) exam, one of the approved English language tests, and expressed frustration after they failed:

And I told him that, because for me, it's hard for me to, it's not, I'm not smart. I failed my IELTS exam. So, that's why it's happened to me, it's hard for me to pass my permanent residence like that.

Migrant worker

The language test itself is expensive, costing \$360 (Holland College, n.d.). The language test is also only offered in Charlottetown, one or two days per week (Holland College, n.d.) It was difficult for participants to find a suitable time to travel to take the test while working full-time. This created a challenge for migrant workers who would have to miss work and often travel long distances to write their test. One employer who supported their employees in writing the test explained:

Our biggest barrier has been the language; it's been our biggest thing. It's only offered in Charlottetown. It's never offered... here through Access PEI... I mean, Charlottetown is our urban, but I think we can do a better job of offering some services through Access PEI, you know, for other foreign workers. ... It cost us five, four, or \$500 to get [a worker] to Charlottetown for the driver to wait, and then to come back home. Plus, the three or \$400 it costs to write it.

Employer

Additionally, because workers are often in full-time employment and working long hours, there is limited time available to study. Our previous research in PEI confirmed this, with migrant worker participants adding that social isolation from the Island community and other English-speaking employees made the task of learning English even more difficult (Bejan et al., 2021). One service provider commented, *“And it’s the time while you’re working very long hours ... in living conditions and work conditions not conducive to you being able to study and ... they don’t have access to language classes to do that.”*

As stated by the service provider, temporary foreign workers and permanent residency applicants do not have access to English or French language classes. The federal government funds English or French language classes only for permanent residents, refugees and CUAET participants. Work permit holders are often prohibited from studying in formal settings. One migrant worker who failed the language exam spoke about the difficulty they had:

I think that the English exam, I see it as something difficult. Like, in order to become a permanent resident, well it seems to me that it’s a government requirement, but the truth is that I do see it as something difficult to be able to get that approved. ... It’s that for us, well as an adult, it’s something difficult to learn the language so, so quickly, easily. So, well if I had a place, a school where I could go to learn English more easily, because us farm workers, well we only speak Spanish. And well English, you know, it hardly sticks. So, if someone could, or there’s some place we could go to get help with English classes in order to facilitate learning, well, I think that would be good.

Migrant worker

The provincial government has funded settlement organizations to provide some English or French language learning. Organizations that receive this funding have volunteer tutors or facilitate informal conversation circles:

People looking for language training has been a very high need, especially some people, of course, they’re short that to apply for the permanent residence, right? You need the level four benchmark and so we do have informal language training funded, because you’re not legally allowed to study in Canada if you’re not on a study permit, but ours is very informal conversation circles which fall within the possibility to be able to do it. And it’s to help people to achieve their desired language levels.

Service provider

Another service provider spoke to the deficiency of this type of language training:

We have, we have a tutor program here that is open to all newcomers... Now that being said, it’s once a week for one hour. It’s not, you know, sometimes clients need a lot more or want a lot more to work faster, but it will help in the long run. So, because in order for them to apply, and the employer is still willing to back them, they have to have that language level. So, it’s to ensure that we get them to the tutor program so that they can start. We also have conversation circles to practice English. So, we get them involved in that to try and help, kind of excel a little quicker, I guess, at the language so that they can get what they need.

Service provider

“When Hell Starts”: The Permanent Residency Process

Nine of the twelve migrant worker participants had applied for permanent residency. One additional migrant worker was gathering documents to apply within a few months. Two migrant workers were unable to meet the permanent residency requirements. The process to apply for permanent residency can be incredibly difficult and lengthy. All migrant workers in the sample expressed frustration with the bureaucracy around the permanent residency process. One participant described the process bluntly as “*when hell starts.*”

Bureaucratic Violence

There were various aspects of the application process that participants identified as difficult. There was a significant amount of documentation that applicants needed to have prepared before submitting their paperwork. It could also be challenging to obtain all the required documents within the necessary timeline, since some of the documents were only valid for a limited time, such as the language test, which was valid for just two years. One participant shared their experience with the limited validity of some of their documents:

And later there was that fear of, ah, the English exam. If I could have already done it or. ... That's another thing. The English exam is only good for two years. ... those of the education credentials, five years.

Migrant worker

Some workers expressed difficulty in getting all the required documentation for their applications, since many of these items, such as their birth certificates, were still in their home country. A participant spoke about the difficulties of doing this from Canada, and the expenses associated with travelling to the nearest embassy. These trips were a financial burden and took time away from work:

Who is going to be able to bring the document? ... Or if you don't have anyone in Mexico, who is going to process the document? Now one can go to Toronto in, in the Mexican Embassy and process the certificates. But still, it's fly to Toronto, do the process, sometimes not in one day, if not two or three days and do it. Or if your passport expires, you need to go to Toronto and process the passport.

Migrant worker

Even when migrant workers met all the requirements, they could be set back by sudden, unexpected changes in policy at the government level. These policy changes could have significant impacts on their finances and timelines:

I tried to, to have, to study for a year because before I have read that if you studied for at least a year, you can apply for permanent residency. It's either online or a distance learning or actual face-to-face. So, I tried, I did, I did apply and study for a year, distance learning in Nova Scotia. I was already enrolled. ... I studied for three months, and then a new policy came in that distance learning [does] not qualify as a, for a basis for eligibility. But I already spent a lot. So, what I did is, I just continued the course. And then I finished for a year, which is really, like, frustrating, because I did everything that I can. And the money. It's so expensive.

Migrant worker

An additional challenge was the navigation of the permanent residency application process in either English or French, which often was not the applicant's first language. Applicants struggled with the technical language used by government bureaucracy:

It is difficult sometimes. Because there are things one doesn't understand even if they translate it. For example, well they tell me... I don't know, you need... this Endorsement Application Form. Now I understand more or less what it is. But even though they translated it and everything, I didn't know what it was. It is, it is difficult for someone, even though we know a bit of the language, it's difficult to understand because it's a lot, a lot, a lot of documents.

Migrant worker

After submitting the application, many participants reported having difficulties with the IRCC's online portal. Some participants struggled to access information about their account and when they finally succeeded, the information was inaccurate:

The portal. It wasn't easy, because all the updates that I made, they didn't even give me a number and everything. When I get a number, I couldn't link it to my account, to my CIC [Citizenship and Immigration Canada] account until I told them, I cannot do it. Okay, we're gonna make it for you. You have to be on your account now. So, I went there, I went to my account, and it was saying 100% of the progress. So, it was done. ... But I didn't have an answer yet. So, the portal is just a lie. It doesn't work.

Migrant worker

One participant felt the application process was discretionary, depending on the officer assigned to their application. They felt as though some officers would scrutinise applications more than others:

When you're applying and send your papers, it's pretty much the officer who will decide your future. You can have, from one of my experience, you can have officers that he's been there for, I don't know, many years and he's more relaxed, he knows what to check on all the applications, you know, the red flag, he knows when somebody makes a human mistake. And you're good, you're on the other side. But you can have this new guy who wants to make everything by the book and this you make a mistake, human mistake, but for him it's gonna be wrong, you get rejected.

Migrant worker

Many shared that it was nearly impossible to contact immigration staff over the phone and there was no physical location they could go to ask questions about their immigration application or its status. When they received responses, they would be from different people and places, highlighting a lack of continued, consistent support:

And there's no way you can contact them. It's like a really [explicit] customer service. There's no way to contact them. Because even if you wanted to contact through mail, you get an answer from Nova Scotia. You know what I mean, from Montreal, from Quebec, from Toronto, from Edmonton, New York. So, you don't know who you're talking to. Imagine you buy this product, I don't know, cell phone. And the cell phone is in another language, in Chinese. So, you need to talk to customer service to guide

you through the menu, because they supposed to know the menu, and everything. And suddenly, you cannot contact them.

Migrant worker

In lieu of contacting IRCC with questions about their application, many participants reported consulting members of their community who had previously successfully applied for permanent residency for advice on their application:

And when I comment this to another of my, of the Latin's community, [they] told me, eh it was not that choice. You did that choice? That choice is wrong. So, all right, who could I ask? If you asked to the IRCC phone call, is... crazy. Hours, hours wait, and when somebody pick up the phone is not clear because at first, we... sometimes don't speak English very well.

Migrant worker

Digging Deeper into Debt

Many participants decided to hire an immigration consultant to file paperwork on their behalf. This service can vary in price, but one participant stated they paid \$4,000 to an immigration consultant for their permanent residency application. One migrant worker commented on the limited options they had:

We as a foreigner, we have two ways to do it. One is for ourselves. Guessing, asking, choosing sometimes the best choice. The other one is [to] hire some immigration agent [to] do that for us. Obviously, the first have a lot of mistakes, but it's cheap. The second could be a little expensive, but most secure, [although] at the end is not 100% secure.

Migrant worker

Rather than hiring an immigration consultant, some of the participants decided to do the paperwork themselves, often citing a lack of trust in someone else overseeing their application:

So, I get to thinking if I go with another person [and] they don't do it well or they don't do it on time. ... For example, myself right now that I am, I have to do it before [date]. If certain people don't do it on time. So, I prefer to do it myself.

Migrant worker

One migrant worker participant stated they paid \$8,000 to someone acting as their immigration consultant. This person worked to support both their work permit applications and permanent residency application and was connected to their employer. The immigration consultant was not listed on the Public Register of Regulated Canadian Immigration Consultants.

In addition to the expense of hiring an immigration consultant, participants also spoke about other financial difficulties. During the peak season, some participants reported working in excess of 70 hours and sometimes even 90 hours per week. The *Employment Standards Act* requires employers to pay most employees overtime pay if they work more than 48 hours a week, or 55 hours a week in the seafood

processing industry. One participant spoke about tracking their own hours, including overtime, to ensure that their employer was paying them correctly:

It's better to have your own chart. Yes. To keep tracking your hours. They will, and I don't have a complaint about that. They, they paid me what I have tracking, so, overtime and everything. They pay me good. And but yes, it's just to make sure you keep tracking your hours.

Migrant worker

Despite banking extra hours during the busy season, participants reported deficits in their hours once their employer continued to pay them full-time wages in the off-season. Because their employers were paying them for hours they were not working, they wound up in debt to their employers, having to pay them back in cash or through extra hours:

And then the previous, or the present work, same thing, seasonal, so if there's no fish, no money. But what happened is because you're in a full time, even though no fish, you still have money, but that money is not good money. You can spend it but in the future, you need to pay [it] back. If you can't pay in hours, you can pay it cash.

Migrant worker

One participant reported accumulating a debt to their employer totalling tens of thousands of dollars. Another participant reported owing their employer several thousand dollars. This participant paid back this debt by working out an agreement with their employer:

I got the PR already. But I was like, you know what, take \$500 each week from my paycheque. Because in my work, I can, I take home like \$1,200, something like that. So, it was like, take \$500 each week.

Migrant worker

A different migrant worker participant was not so lucky. They repaid their debt to their employer by using a loan agency:

So, what I did, I go to some agency loan. Here comes another problem of mine. I... didn't realize that it would be timestamp problem in the future. Because I was thinking maybe if I can, I borrow on the \$4,000. I [now] pay in a month \$475. [The loan is] good for five years.

Migrant worker

“You Know That They Have You”

Many migrant workers felt a lot of stress related to the permanent residency process and considered taking extra measures to ensure their application was successful. One participant shared that someone acting as their immigration consultant offered to falsify their education documents to meet the qualifications for a permanent residency application. The immigration consultant reassured the worker that this process worked, since some applicants who had submitted false documents had since received their permanent residency:

But they... do the certificate, fake, fake certificate that they are, that they have school, they have graduate like this, but it's not. So, but now is still, it's working because they are PR [permanent residency] now. Yeah. [He]'s smart... he told me again that you have to get fake diplomas and I will help you. ... He said that I'm not gonna tell you that you have to get, but you have to think that some people get the diploma, it's easy.

Migrant worker

When there were issues with permanent residency applications, the proposed solutions were not satisfactory. Two participants were told they had to leave the country after mistakes were made in their applications. Both mistakes were due to employer neglect. This was difficult, given participants had often spent years building community in PEI. Returning to their home country meant leaving their family, friends, and employment behind for an undetermined amount of time.

The... second time is a human mistake. I put something wrong. And that's it. So, this time, [government official] told me, the best thing you can do is go back to [home country]. That way, they will know that you're out and you want to come back and everything good.

Migrant worker

Many people awaiting their permanent residency are put into precarious situations since their permanent residency depends on their employment. This can increase the power imbalances that already exist between employers and employees. Some permanent resident applicants in the sample worried about making complaints in case it had an impact on their permanent residency application. One worker reported that their supervisor would often shout at them and time their bathroom breaks. However, they feared being fired if they reported this to their boss. One migrant worker participant commented, “I worry about if, if I say some, something, maybe [it] can influence my PR.”

Another participant reported that their employer took advantage of the situation and threatened to rescind their sponsorship:

I talked to the manager that, and he was like, well, I can take the offer that I give you for the PR [permanent residency] if you're still complaining, and I was like, I don't give a [explicit]. We can call immigration, and I will tell them what is happening. Maybe they will tell me [to] go back to [country of origin], and I will. I don't care.

Migrant worker

Many participants talked about having difficulty speaking up for their rights while they awaited their permanent residency. Although legislation such as the provincial *Employment Standards Act* does apply to all workers, regardless of immigration status, it is often harder for certain populations to have their labour rights respected. Closed work permits create significant power imbalances between workers and their employers, and those imbalances are amplified while workers are awaiting their permanent residency. One migrant worker commented that their Canadian co-workers knew they had rights and could access them, whereas migrant workers and those awaiting permanent residency were reluctant to access those rights for fear of jeopardising their status or application:

Because the Canadians... know that [they] have rights. Right? And we were like, yes, but we can't say no, because we're waiting for something. ... Yes, you know that they have you. You know what I mean? Like, you know, even if they don't tell you, you know, that you can't say no, or you have to be like more soft, more. ... And they take advantage of that.

Migrant worker

One worker mentioned being afraid to speak up about a potential workplace injury, as they did not want to risk their employment:

Besides, sometimes for fear, many people don't say, for example, you hurt your finger. And I would prefer to suffer than lose the job. Not to say, for example, when you go to the hospital, "Did it happen in work?" "No, it was outside." What for? To not lose work.

Migrant worker

A service provider spoke about the many instances of worker abuse and mistreatment that went unreported. They noted that although some people felt confident coming forward when they were mistreated, there were many others who did not, fearing that by doing so they would put their status in jeopardy. This was particularly true when someone was in the process of applying for permanent residency:

And the sad part of that is I think if we actually ever found the number of temporary foreign workers that are, like, been mistreated or feeling mistreated or not in a good work environment, it would be incredible versus the amount that actually come forward and say, this is what's happening. Because at the end of the day, their status is hanging over their head and they're terrified if they cause any trouble whatsoever. So, they'll take the mindset of just put up with it until you get your permanent residency.

Service provider

The same service provider noted that when a person did move to a different employer, they were especially grateful, even when the new employer was not exceptionally good and simply treating the worker with respect.

We've seen, I've seen clients leave places where they, you know, thankfully got an LMIA and got into another business. Could be still in the same area, you know, could be fisheries, for instance, could be farming, whatever, but get into a different one. And come in here and just be raving about like, you know, they're, they are exceptionally good. And not to be negative, but I'm like, and I don't say it, but I always want to be like, they're not exceptionally good. They're treating you how you should be treated. Like so, yeah, I mean, they struggle, man, they struggle. It's not, it's not easy. And that status is, you know, and you know, a lot of them right now too they have their families with them. So, it's not just affecting them. It's, you know, their, it's their other half, it's their children, it affects the whole thing.

Service provider

“I Said to Myself, I Am Rich”: Permanent Residency at Last

Five of the twelve participants we interviewed had received their permanent residency. Participants spoke of the elation they felt upon receiving permanent residency. One participant stated, *“When it came, I told my wife. I cry [sic].”* Another commented that they felt rich after receiving their permanent residency:

You know what, the time I get my permanent residency, I am really happy. And I said to myself, I am rich. Yes. Cause I can go anywhere. And not worry. I'm not worrying anymore with my, you know... application.

Migrant worker

A participant shared that they were now not limited by the 40-hours-per-week maximum and could earn more money. They commented, *“When they, it came, we upload it. We give it to our employers. They were happy. We were happy. I was able to be out of the 40 hours.”*

One service provider talked about an interaction with someone who had recently received their permanent residency, describing it as an “escape” from their previous workplace:

And I've recently had people come and refer to one and said, “I escaped there.” That was their terminology, I escaped. Well, what were you escaping? Like you escape a fire, you escape war, you escape things. They said, “I escaped there.” Because it's like they felt they had to be in survival mode the whole time working for that employer. Now they're working for another one, because they're eligible, because they got the permanent residency.

Service provider

Although participants expressed happiness at receiving permanent residency, others spoke about the difficulties they continued to experience, even as permanent residents. One participant shared that at the time of the interview, they were living in their car due to an ongoing debt related to the permanent residency process. They were also searching for an additional job to pay off their debts, explaining, *“I can work until 8pm, even though I wake up at 4am. And right now, honestly, I have no home. I'm staying in my car.”*

A service provider shared that this was common for the people they interacted with. They noted that immigrants often moved to larger cities to take on additional jobs and reduce their expenses:

Yes, but they still need to pay for those years that they've been here dealing with their papers, right? They have to pay for their loans, they have to support their family in [country of origin], so they need more money. Because PEI is like 15 per cent tax and, yeah, it's like they don't have enough hours to save money. It's like the housing is expensive. Everything's expensive, they still need to send money to [country of origin], they still need to pay the loans for, loans for how many years that they spent here. So, working, like in the big cities, they have more part-time jobs.

Service provider

One participant shared that although they now had permanent residency, the high costs of application processing and lost income over that time continued to have a negative impact on their life. They gave as an example the burden caused by being forced to make late payments on their credit cards: *"That really [expletive] up my score. So, it went down a lot. Because I was paying the minimum or getting late with the payments."*

One service provider shared that it was not uncommon for people to end up having to rebuild their lives once they received permanent residency:

And that's one of the challenges too, I know there's a lot of research around once people get their permanent residency, you know, stuff is still really hard, right? You know, then they have their family, they have their partners and kids they haven't seen in like, sometimes over a decade, right? And they have to sort of rebuild that. They rarely ever, ever go back to school. And they have been systemically deskilled by having spent so much time working at a fish plant when they were previously, I don't know, an accountant? I mean, that's just one example, or an electrical engineer or whatever. But like those sorts of things, and so then the outcomes are, are not awesome, right? Like it's not a happy ending for people. It's just like, okay, now you're starting life again, and you're gonna be low income and have a hard time. You're gonna have a hard time. ... And all of those things because people aren't able to bring their families, people don't have permanent residency, people are constrained.

Service provider

When asked if they would redo the process, knowing in the end they would receive permanent residency, one participant did question if it was worth it after being in the process for two long and difficult years.

While permanent residency solves many issues faced by people with temporary status in PEI, some issues remain. Many migrant workers were racialized and experienced xenophobia and racism, regardless of their immigration status:

I have faced [racism] in my workplace, I have faced [racism] in my neighbourhood, I have faced [racism] in the mall. And yeah, and mostly, for me nowadays, I don't care. For me nowadays I'm not getting hurt like I used to. I think I've grown a bit and sometimes I was called names, [racially charged expletives]. ... And plus, I had some issue where I felt like they... were not like, really wanting to socialize with me.

Migrant worker

All five participants who received permanent residency continued to live in PEI. Four of the participants worked, while one participant had returned to school. Although all participants faced challenges in applying for and receiving permanent residency, they noted that it was still beneficial to receive it. One migrant worker shared that things would have been much worse if they had continued to be temporary foreign workers:

What about if I don't have my residency? I'll be dead. Yes. The only thing that I survived because of the permanent residency because I can work easily, you can apply easily. Without that, no you're garbage, just like the company did to me. Not in the garbage bin but just in the street. ... That's what happened. So hard, that's the life of TFW.

Migrant worker

Conclusion

Our research highlights how migrant workers in PEI are made vulnerable because of their temporary immigration status. This temporary status leads to them being harmed by predatory recruiters, inadequate protective policies, large power imbalances, and limited supports. As migrant workers transition to permanent residency, these vulnerabilities are heightened as the stakes grow – sadly, not always with a happy ending.

Findings showed that the struggle to obtain permanent residency has challenging and oftentimes insurmountable barriers that can lead to some workers being permanently stuck with temporary status. Those who do meet the qualifications to apply for permanent residency are forced to endure difficult living and working conditions while they wait to find out if they will be approved.

This report shows that migrant workers have played a vital role in supporting rural industries in PEI, especially in the agricultural and seafood processing sectors. Employers spoke of the challenges of finding local workers and the importance of hiring migrant workers who provided them with a reliable workforce. Migrant workers have allowed for companies to stay in business and expand their operations in ways that would not have otherwise been possible.

While employers spoke of the benefits of hiring migrant workers, they had limited knowledge of how the immigration system worked. Workers reported significant stress related to renewing and extending their status in Canada. They found the process cumbersome and tense. However, it was essential if they wanted to continue to provide for their families, pay their rent and groceries, and reduce the debts they had accrued.

The employers we interviewed expressed differing and sometimes conflicting views. Some expressed fear that workers would leave for another job after obtaining permanent residency. At the same time, employers shared their frustration over not being able to properly train or plan their year's work with a transient labour force. While some thought the financial and time investment involved in sponsoring a worker for permanent residency was not worth it, others pointed to supportive working conditions and good wages as being important to worker retention.

Many workers reported facing numerous challenges when they arrived in the country with temporary status. They faced systemic barriers due to their closed work permits, which tied them to a specific employer, making it impossible to leave undesirable or potentially abusive situations. Migrant workers relied heavily on their employers not only for work, but also often depended on employers for housing, transportation, and their legal status in the country. Employers struggled to meet many of the requirements of the TFWP, particularly in securing housing, dealing with recruitment agencies, and completing the significant amount of government paperwork and processes required to hire workers.

The significant reliance of workers on their employers established an almost paternalistic relationship between the two groups. This led to many challenges for both parties. This was especially true given the dire consequences a worker faced if they had any problems with their status. If a work permit extension was denied or a deadline was missed and they were no longer able to work legally in the country, workers risked losing access to medical coverage or being deported. A simple misunderstanding of the permit application process or a lack of communication with an employer could result in an employee losing their status in Canada.

While some employers were supportive of their workers obtaining permanent status, others felt it was more beneficial to their companies to have workers continuously enter on a temporary basis. One noted that permanent residency could create the opportunity for a better work-life balance for workers, which could have a negative impact on their business. This highlights a problem of an immigration system that makes employers gatekeepers of who has access to permanent status and who does not. Given employer ambivalence, this is not only risky but also unfair to workers who want to immigrate permanently.

Workers reported having few options for support or guidance. While service providers recognized the significant challenges faced by temporary residents, they were often limited in their capacity to support them, primarily due to a lack of funding. This is especially troubling given that work permits issued for the TFWP have more than doubled in the past five years and PEI has shown an increased dependence on immigration as a solution to labour shortages. Although some federal funding is available to support migrant workers in PEI, this funding is temporary, inconsistent, and inadequate. Our research has highlighted the unique issues faced by migrant workers in PEI and the importance of consistent funding for organizations with the capacity to provide information, support, and resources to workers.

Migrant workers are vulnerable to exploitation by recruiters and immigration consultants. The research has highlighted the sometimes-blurry line between the two. Both domestically and internationally, recruiters charge exorbitant fees to find job openings for migrant workers. Although the PEI Legislative Assembly passed the *Temporary Foreign Worker Protection Act* in the spring of 2022, the Government of PEI has still not proclaimed this legislation, which will require recruiters to pay a deposit and register with the province. Until then, recruiters will continue to operate without any oversight. The provincial government must proclaim the act and the federal government should play a stronger role in regulating recruiters and consultants as well as capping the fees they charge.

The strict requirements that must be met to qualify for permanent residency exclude a large number of temporary residents. Workers must have a full-time, non-seasonal work contract and pass an advanced language test to meet the criteria of most permanent residency pathways, including the PNP and the AIP. The non-seasonal contractual requirement is unreasonable in a region of the country where the industries most likely to hire migrant workers – farming and seafood processing – are seasonal. This affects most workers coming to PEI under the SAWP, who are prevented from applying for permanent residency because the program limits their work contracts to a maximum of eight months. It also affects low-wage migrant workers in the seafood processing industry. Due to caps on the number of migrant workers who can be hired by any given employer, there is competition between workers for contracts that are long enough to enable them to apply for permanent residency.

The language requirement presents significant challenges to workers who generally have little access to instruction and testing. Although they are already living, working in, and contributing to PEI communities without having passed a language test, they lack the same protections as permanent residents and Canadians. Proficiency in English or French is not a factor that should determine whether someone receives permanent residency. The language proficiency test presents a financial burden and can be difficult to schedule, since it is only offered in Charlottetown.

Our research has highlighted many obstacles in the pathways to permanent residency and the precarity they create. Pathways create wait times that amplify the power asymmetry between workers and employers. A worker is more likely to endure adverse conditions when their permanent residency application is tied to their employer. Other obstacles include the criteria used to determine eligibility for permanent residency. We found multiple examples of employers and people acting as immigration consultants finding ways to circumvent or work around these criteria to support workers with their applications. If criteria (such as full-time, non-seasonal work contracts) are going to be manipulated in this way, it raises the question of why they are even necessary in the first place.

Who benefits from temporary immigration? Employers have been outspoken about the benefits of these programs in helping them to fill jobs that most local workers do not want. These jobs are often monotonous, dangerous, and low-paying, with few benefits and inconsistent work hours. The federal government generates tax revenue from workers who do not have access to many of its programs, at the same time lauding the program as a key part of Canada's dynamic immigration system. Foreign governments benefit from remittances sent by workers in Canada to their families back home, generating economic activity and reducing the need to build the domestic economy by creating suitable jobs. These benefits do not necessarily accrue to workers within the program or the Canadian communities they live in. Workers send a large portion of their earnings back home to their families, meaning much of their economic activity is not happening in their local PEI communities. These rural communities are also deprived of sustained growth, since workers' temporary permits have expiration dates, and they often cannot bring their families with them. When a migrant worker is uncertain about their future in a community, it can impair their ability to build strong local connections.

Employers in agriculture and seafood processing have spoken publicly about their reliance on the TFWP. This raises several questions. Given their importance to PEI's economy, why are workers limited in the length of time they can work here? Why are there so many barriers to the process of applying for permanent residency?

Migrant workers who participated in this research made it clear that they wished to remove one key element of the TFWP: its temporariness. Migrant workers and service providers both spoke of the relief and happiness people experienced once they were granted full, permanent status in Canada. Their lives changed when they were free to live and work where they wanted to, with their families, and with full access to essential government services and benefits such as Medicare and Employment Insurance. However, the financial burdens and stress associated with the process continued to affect some participants, who struggled to pay bills and onerous debts – which in one case led to a participant living in their car.

Without full, permanent residency status, migrant workers live and work under drastically different circumstances than their Canadian counterparts. Their temporary immigration status places them in a separate class of workers and creates significant barriers to protection of their labour rights. The unnecessarily stringent requirements for permanent residency leave many interested workers stuck in a cycle of temporary permits and create significant debt and stress for those who do qualify.

As PEI continues to see an increase in its dependence on the TFWP, we must ask ourselves what type of communities we are trying to build. We shouldn't perpetuate temporary existence for a group of workers who are essential to local businesses, but instead ensure they have access to the same rights, dignity, and permanence that everyone deserves.

Recommendations

The Government of Canada must:

1. **Grant permanent residency to all migrant workers on their arrival in Canada** in order to ensure their legislative protections as well as their access to health care, social services and other benefits.
2. **End the practice of issuing employer-specific work permits and provide open work permits for migrant workers**, which would allow workers to change employers more easily, and to leave abusive or otherwise unsatisfactory situations.
3. **Remove the permanent residency application language requirements** for people living and working in Canada.
4. **Remove the prerequisite requiring a full-time, non-seasonal job contract for permanent residency applicants.**
5. **Implement a policy to ensure migrant workers are paid for a minimum number of hours per week.**
6. **Ensure immigration applications receive responses within their estimated timelines and that information on applicants' profiles are accurate.**
7. **Create a consistent, reliable funding structure for community organizations who support temporary foreign workers.** This should be based on an accurate estimate of the number of workers arriving yearly in each province and territory.
8. **Ensure that frequent, unannounced workplace inspections are carried out** to ensure that employers abide by their legal obligations and workers are not facing abuse.
9. **Provide permanent residency status to workers whose employers have been found in violation of the TFWP.** Workers should automatically receive full, permanent status to ensure they can sustain themselves in cases of employers' abuse and neglect.
10. **Ensure that workers have full access to the Employment Insurance benefits** that they have paid for, regardless of whether they are in Canada or not.
11. **Provide bridging open work permits to all workers who have applied for permanent residency** so they are not tied to their employer while they await the issuance of their documents.

The Government of PEI must:

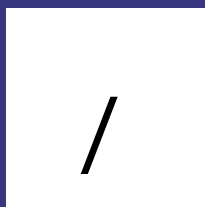
1. **Ensure that all migrant workers entering the province have access to full provincial health coverage**, as well as accessible information about what it covers and what it does not.
2. **Implement the proposed *Temporary Foreign Worker Protection Act* and hold recruiters accountable** by introducing meaningful consequences for non-compliance, requiring deposits for recruiters and developing proactive enforcement measures.
3. **Ensure farm workers are fully covered by the *Employment Standards Act* and that the standard work week for seafood processing workers is changed from 55 to 48 hours.**

References

- Allahdua, G., & Dunsworth, E. (2023). *Harvesting freedom: The life of a migrant worker in Canada*. Between the Lines.
- ARAISA. (n.d.). *Call for proposals: Better together – Supporting temporary foreign workers*.
<https://araisa.ca/cfp-better-together/>
- Balancing needs of and need for temporary foreign workers focus of senators' farm tour*. (2023, September 13). CBC News.
<https://www.cbc.ca/news/canada/prince-edward-island/pei-temporary-foreign-workers-senators-1.6964736>
- Bejan, R., Allain, K., Glynn, T., Wheatley, A., & Soto Flores, P. (2021). Safe at work, unsafe at home: COVID-19 and temporary foreign workers in Prince Edward Island. TFW Maritimes.
https://tfwmaritimes.ca/pdf/Report-Safe_at_Work_Unsafe_at_Home-TFWMARITIMES-PEI-2021.pdf
- Bejan, R., Allain, K., Glynn, T., & Soto Flores, P. (2023). Unfree labour: COVID-19 and migrant workers in the seafood industry in New Brunswick. TFW Maritimes.
https://tfwmaritimes.ca/pdf/Unfree_Labour-TFWMARITIMES-NB-2023.pdf
- Casey, R., Tucker, E., & Vosko, L. (2019). Enforcing employment standards for migrant agricultural workers in Ontario: Exposing underexplored layers of vulnerability. *International Journal of Comparative Labour Law and Industrial Relations*, 35(2), 227–254.
<https://doi.org/10.54648/ijcl2019011>
- Cordasco, L. (2022, March 23). B.C. report finds temporary foreign workers suffer 'troubling' abuse. *Vancouver Sun*.
<https://vancouversun.com/news/local-news/bc-report-finds-temporary-foreign-workers-suffer-troubling-abuse>
- CUPE PEI. (2021, February 21). Submission to the Government of Prince Edward Island in response to a call for public input on the proposed legislation the Temporary Foreign Worker Protection Act, 2021.
- Depatie-Pelletier, E., Deegan, H., & Berze, K. (2022). Band-Aid on a bullet wound—Canada's Open Work Permit for Vulnerable Workers policy. *Laws*, 11(3), 36.
<https://doi.org/10.3390/laws11030036>
- Di Cintio, M. (2024, January 24). Government efforts to help vulnerable workers may be retraumatizing them. *The Walrus*.
<https://thewalrus.ca/government-efforts-to-help-vulnerable-workers-may-be-retraumatizing-them/>
- ESDC. (2023a, July 5). Compliance information for employers hiring temporary foreign workers. <https://www.canada.ca/en/employment-social-development/services/foreign-workers/employer-compliance.html>
- ESDC. (2023b, December 22). How to report abuse of temporary foreign workers.
<https://www.canada.ca/en/employment-social-development/services/foreign-workers/report-abuse.html>
- ESDC. (2024, January 31). Program requirements for low-wage positions.
<https://www.canada.ca/en/employment-social-development/services/foreign-workers/median-wage/low/requirements.html>
- Government of PEI. (2024, February 22). *Province launches PEI's population framework and introduces measure to slow down population growth*.
<https://www.princeedwardisland.ca/en/news/province-launches-peis-population-framework-and-introduces-measures-to-slow-down-population>
- Hannay, C. (2021, October 27). Ottawa sees few claims for residency under Agri-Food Pilot. *The Globe and Mail*.
<https://www.theglobeandmail.com/business/article-ottawa-sees-few-claims-for-residency-under-agri-food-pilot/>
- Henaway, M. (2023). *Essential work, disposable workers: Migration, capitalism and class*. Fernwood Publishing.
- Holland College. (n.d.). *IELTS (International English Language Testing System)*.
<https://www.hollandcollege.com/ielts/>

- Ibrahim, H. (2023, March 2). *Unclear whether N.B. employers will face consequences over alleged abuse of foreign workers*. CBC News. <https://www.cbc.ca/news/canada/new-brunswick/new-brunswick-temporary-foreign-worker-abuse-investigation-1.6765856>
- IRCC. (2022a, March 31). Open work permit for vulnerable foreign workers who are victims of abuse. <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/permit/temporary/vulnerable-workers.html>
- IRCC. (2022b, January 5). Restoration of temporary resident status. <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/visitors/restoration-status.html>
- IRCC. (2022c, February 23). Temporary residents: Maintained status during processing (previously called implied status). <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/visitors/implied-status-extending-stay.html>
- IRCC. (2023a). 2023 consultations on immigration levels – Final report. <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/consultations/2023-consultations-immigration-levels-report.html>
- IRCC. (2023b, June 28). Bridging open work permits for certain economic class permanent residence applicants. <https://www.canada.ca/en/immigration-refugees-citizenship/corporate/publications-manuals/operational-bulletins-manuals/temporary-residents/foreign-workers/provincial-nominees-permanent-resident-applicants/bridging-open-work-permits.html#toc4>
- IRCC. (2024a). Agri-Food Pilot. <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/agri-food-pilot.html>
- IRCC. (2024b). Atlantic Immigration Program. <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/atlantic-immigration.html>
- IRCC. (2024c). *Canada - Admissions of permanent residents with prior Temporary Foreign Worker program work permit holder status by province/territory of intended destination and immigration category* [Data set]. <https://open.canada.ca/data/dataset/1b026aab-edb3-4d5d-8231-270a09ed4e82/resource/d236aac9-7ca1-47b6-8e9e-33d869259ad2>
- IRCC. (2024d, February 2). Employers who have been found non-compliant. <https://www.canada.ca/en/immigration-refugees-citizenship/services/work-canada/employers-non-compliant.html#table1>
- IRCC. (2024e, February 20). Fee list. <https://ircc.canada.ca/english/information/fees/fees.asp>
- IRCC. (2024f). Hire through the Atlantic Immigration Program. Get designated. <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/atlantic-immigration/hire-immigrant/get-designated.html>
- IRCC. (2024g). Immigrate through the Atlantic Immigration Program. Who can apply. <https://www.canada.ca/en/immigration-refugees-citizenship/services/immigrate-canada/atlantic-immigration/how-to-immigrate/eligibility.html>
- IRCC. (2024h). *Permanent residents – Monthly IRCC updates - Canada - Permanent residents by province/territory and immigration category* [Data set]. <https://open.canada.ca/data/en/dataset/f7e5498e-0ad8-4417-85c9-9b8aff9b9eda/resource/5582034d-8f89-49d5-8597-483d628078a1>
- IRCC. (2024i). *Temporary residents: Temporary Foreign Worker Program (TFWP) and International Mobility Program (IMP) work permit holders – Monthly IRCC updates - Canada - Temporary Foreign Worker Program work permit holders by province/territory of intended destination, program and year in which permit(s) became effective* [Data set]. <https://open.canada.ca/data/en/dataset/360024f2-17e9-4558-bfc1-3616485d65b9/resource/4ff7924d-d606-4320-85e2-581af8f12b6b>

- Landry, V., Semsar-Kazerooni, K., Tjong, J., Alj, A., Darnley, A., Lipp, R., & Guberman, G. I. (2021). The systemized exploitation of temporary migrant agricultural workers in Canada: Exacerbation of health vulnerabilities during the COVID-19 pandemic and recommendations for the future. *Journal of Migration and Health*, 3, 100035. <https://doi.org/10.1016/j.jmh.2021.100035>
- Legislative Assembly of PEI. (n.d.). Bill no. 19 - *Temporary Foreign Worker Protection Act*. <https://www.assembly.pe.ca/legislative-business/house-records/bills#/service/LegislativeAssemblyBillProgress/LegislativeAssemblyBillView;e=LegislativeAssemblyBillView;id=a19ac908-ad65-4a02-998a-627ae81e678a>
- Macklin, A. (1992). Foreign domestic worker: Surrogate housewife or mail order servant? *McGill Law Journal*, 37(3), 496–574.
- Marsden, S., Tucker, E. M., & Vosko, L. F. (2020). Federal enforcement of migrant workers' labour rights in Canada: A research report. <https://doi.org/10.2139/ssrn.3601870>
- Marsden, S., Turner, E. M., & Vosko, L. F. (2021). Who bears the burden of enforcement: The regulation of workers and employers in Canada's migrant work programs. *Canadian Labour and Employment Law Journal*, 22(1), 71–102.
- Migrant Rights Network. (2021, July 16). Immigration program closes in ten weeks leaving hundreds of thousands without rights. <https://migrantrights.ca/prclosed/>
- Migrant workers in Canada 'vulnerable' to modern-day slavery: UN expert*. (2023, September 6). Al Jazeera News. <https://www.aljazeera.com/news/2023/9/6/migrant-workers-in-canada-vulnerable-to-modern-day-slavery-un-expert>
- Northcott, A. (2024, February 15). *Campaign to crack down on fake immigration lawyers aims to protect newcomers from 'scam artists.'* CBC News. <https://www.cbc.ca/news/canada/montreal/montreal-campaign-fraudulent-immigration-lawyers-consultants-1.7115296>
- Office of Immigration. (2022). Provincial Nominee Program. <https://www.princeedwardisland.ca/en/information/office-of-immigration/provincial-nominee-program>
- Office of Immigration. (2023). PEI workforce application guide. https://www.princeedwardisland.ca/sites/default/files/publications/pei_workforce_application_guide.pdf
- Open Government. (n.d.). *Temporary Foreign Worker Program (TFWP): Positive Labour Market Impact Assessment (LMIA) employers list* [Data set]. <https://open.canada.ca/data/en/dataset/90fed587-1364-4f33-a9ee-208181dc0b97>
- Sharma, N. (2006). *Home economics: Nationalism and the making of 'migrant workers' in Canada*. University of Toronto Press. <http://www.jstor.org/stable/10.3138/9781442675810>
- Statistics Canada. (2023, September 27). Canada's demographic estimates for July 1, 2023: Record-high population growth since 1957. *The Daily*. Statistics Canada catalogue no. 11-001-X. <https://www150.statcan.gc.ca/n1/daily-quotidien/230927/dq230927a-eng.pdf>
- Thanthong-Knight, R. (2024, February 6). *Canada must end reliance on cheap foreign labour, minister says*. BNN Bloomberg. <https://www.bnnbloomberg.ca/canada-must-end-reliance-on-cheap-foreign-labor-minister-says-1.2031458>
- Yarr, K. (2022, August 16). *Temporary foreign workers rescued from abusive situation on P.E.I. farm*. CBC News. <https://www.cbc.ca/news/canada/prince-edward-island/pei-temporary-foreign-workers-open-permit-part-one-1.6534796>



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