

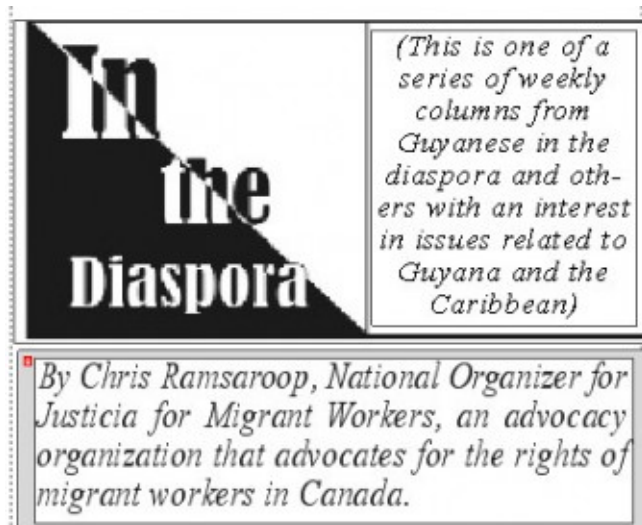
[Tell Canada Don't Be a Scrooge, Restore Migrant Workers Rights to Benefits](#)

By [Stabroek staff](#) MONDAY, DECEMBER 24, 2012 Updated: 10:24 pm

Diaspora Column Editor's Note: In October, travelling to Guyana from Toronto, I noticed that nearly all of the passengers were men, hauling bags of various shapes and sizes. They were temporary farm workers, heading home to Trinidad and Tobago in the off season. The man I sat next to had been coming to Canada for over eight years. This column is dedicated to them, and to all those who leave the Caribbean under similar work programmâes in order to support families at home.

Canada sent migrant workers back to the Caribbean with sombre news this December.

In a surprise move the Canadian Federal government enacted a series of regulations that makes migrant workers no longer eligible for 'Special Benefits' under Canada's Employment Insurance (EI) scheme. The benefits included access to parental, maternity and compassionate care benefits while migrant workers were home in the off season. The benefits lasted up to 35 weeks, providing migrants with payments of 55% of their salary. While the government has taken away their eligibility for EI special benefits overseas, migrant workers will still be compelled to pay mandatory deductions from their pay stubs towards Canada's Employment Insurance scheme.



The Federal Government describes this move as a cost cutting measure that will save Cdn\$18 million by decreasing the eligibility of approximately 13,000 migrant workers who will no longer be able to access Employment Insurance.

Migrant workers from the Caribbean have paid into Canada's Employment Insurance Scheme since 1966. Employment Insurance is a temporary financial assistance programme where workers can receive money from the Federal government through a matching contribution programme that is funded by workers and employers. In Canada there are two types of benefits: regular benefits when an employer lays off workers during an economic recession; and special benefits which provide financial support for families and their communities in times of sickness, death or for provisions of basic necessities for newborn babies. Canadian residency requirements virtually excluded Caribbean nationals from ever collecting benefits. In 2001 it was estimated that migrant workers from the Caribbean and Mexico contributed Cdn\$3.4 million dollars in EI premiums to the Canadian system without ever receiving a cent in return.

In 2001, migrant activists organized the first delegations to the fields of Ontario to document the conditions faced by migrant workers. Consistently, migrants from Trinidad & Tobago, Barbados, OECS, Mexico and Jamaica complained about the deductions to Canada's Employment Insurance scheme without receiving benefits in return. In 2002, Consuelo Rubio, a legal advocate from the Centre for the Spanish Speaking Peoples and an active participant in the

first delegations, discovered a loophole that would have a profound impact on the lives of thousands of migrant workers.

While migrant workers were excluded from regular benefits because they did not live in Canada on a permanent basis, the same requirements did not exist for maternity, parental and compassionate care benefits. In 2002, Consuelo was approached by a Mexican migrant worker and his employer to apply. Her persistence paid off and she was successful in this first case. In 2004/2005, Justice for Migrant Workers (J4MW) organized field trips and house visits to Caribbean migrant workers, beginning the first organized advocacy initiatives to access these benefits, resulting in millions of dollars being provided to families in the Caribbean and Mexico. However this past December 9th, the Canadian Government eliminated these benefits, without any consultation or transparency.

In the Canadian Toronto Star newspaper, a father of six and 12 year veteran of the migrant worker programme stated, "All of us are still paying into Canada's EI system, but we are not allowed to collect any of the benefit we help contribute to...Canadian workers can access the special benefits and spend time with their children, but how about our children back home?"

These sentiments were echoed by another migrant worker from Jamaica: "it's for ourselves and our kids to have a better life. It's a wrong move to do this, it can help our families go along with health care, and education and a better lifestyle of living. I believe that the Jamaican government and the Government of Canada should come back with an agreement so we can get back EI."

Since 2001, Canada has expanded its migration schemes to include numerous industries such as hospitality, services, construction and healthcare. Today there are an estimated 400,000 migrant workers across Canada, signalling a significant shift in our immigration policies away from family reunification (which resulted in the arrival of tens of thousands of migrants in the mid sixties) to an immigration system based on the needs of employers. Migrant worker programmes are employer driven and many migrants are tied to an employer without the ability to change employers or have access to any form of labour or social mobility. In 2008 it was estimated that migrant workers alone contributed approximately Cdn\$125 million dollars into Canada's EI coffers.

The Federal Canadian government has taken to the airwaves to sell the elimination of these benefits for migrant workers as a matter of fairness to all Canadians. They argue that because migrant workers do not live in Canada on a permanent basis they should not be entitled to receive benefits when they are home with their families, and that the cuts will save Canadians Cdn\$18 million dollars annually in pay outs. In a recent government report they claim that "EI claims from claimants outside Canada also result in program inefficiency as they are often not submitted electronically and are often incomplete resulting in significantly higher processing costs than for other EI claims. Also, it is difficult to verify eligibility of clients who are outside Canada and, frequently, in locations where telephone and Internet connections are limited."

It is important for Caribbean readers to understand the facts of the matter. First, each migrant worker pays into the programme; irrespective of where they are they should be entitled to receive from it. Before the first worker received benefits in 2002, migrants subsidized Canada's EI scheme for about 40 years without receiving any money in return. Secondly, the majority of migrant workers (about 80%) have a strong labour attachment to Canada meaning that they live and work, often under deplorable conditions, up to eight months a year, many for decades. Thirdly, the new laws differentiate between Canadians and non Canadians who live overseas. The cuts only affect migrants, Canadians will not bear the brunt of this change.

We must see these cuts for what they are, an attack on 'foreign labour,' in most cases on those who perform the most precarious and dangerous work in Canada. The idea of fairness is being used to disguise the fact that what is going on is the jettisoning of responsibility to provide equitable protections for all workers, especially migrant workers.

In addition to the recent actions of Canada to eliminate special benefits for migrant workers, the Federal and Provincial governments have enacted a series of attacks on the dignity of migrant workers:

- * Differential wage regimes exist between migrant and non migrant workers. It is legal to pay migrants 15% (skilled) and 5% (non skilled) less than Canadians
- * Migrant workers continue to be denied access to permanent residency
- * Workers employed in the 'low skilled' category work for four years but are unable to work in Canada under the low skilled category for another four years
- * In the Province of Ontario there is an absence of protection and enforcement against recruiters and recruitment fees
- * Injured migrant workers living in the Caribbean continue to have their benefits under Workers' Compensation

eliminated because Ontario's Compensation Board compels them to find work in the Caribbean irrespective of whether the job exists.

* Despite high profile workplace deaths of migrant workers, there has never been a Coroner's Inquest into the over 50 deaths of migrant workers in the Province of Ontario

Fighting back

Canada's unemployment insurance scheme has a chequered history. The majority of workers at one time or the other have faced similar obstacles. Today the Canadian government seems to be hoping that because of their 'non Canadian status,' migrant workers will simply accept these cuts and accept indentured like conditions.

The first step is raising this with elected officials and putting pressure on them to demand that these benefits are restored. Caribbean politicians need to prioritize this issue in any discussions with the Canadian government. Collectively the countries of the Caribbean need to take a stance to protect the rights of their citizens working abroad.

Secondly, people in the Caribbean need to see this as an attack on our families. Migrant workers are separated from their families for long periods, sacrificing to put food on the table for two societies, and paying into an EI Scheme they are now told they cannot access. To honour their sacrifices we need to stand in solidarity with them so they can truly enjoy the fruits of their labour. Thirdly, Diasporic communities in Canada need to stand up. These workers are our neighbours, our sisters, our brothers, fathers and extended family members. Let us use our voice to say no more attacks on migrant workers. And migrant workers are organizing. Just over a week ago near Windsor, Ontario, over 100 migrant workers came together to strategize against these cuts. Workers sent strong messages to the Canadian government depicting the impact these cuts will have on their families. The consensus was that if Canada needs migrant workers then they should not treat us like second class citizens.

Migrant workers also organized leafleting activities at Toronto's Pearson International Airport where over 300 more migrant workers were informed of these cuts. Numerous side discussions occurred where workers discussed in great detail how the benefit has helped them. Migrants also leafleted Canadian passengers who shared in their outrage over these racist and exclusionary changes.

These cuts are part and parcel of a global phenomenon of attacking people we determine to be different. In this case racialized migrant workers are facing the largest brunt of attacks from Canadians. As we fight for dignity and respect, we also need to change the discussion. People have always moved from place to place. To eliminate the exploitation and injustice inherent in migration schemes, steps need to be taken to break down the barriers between citizens and non citizens. One concrete step that we can take is to ensure that social benefits such as Employment Insurance are portable (meaning transferable) beyond borders.

Based on similar protocols that have been developed in other areas of social policy such as in Pensions, Canada and Caribbean states should begin negotiations to expand the rights of migrants. Why shouldn't migrant workers receive full access to benefits irrespective of where they live? Their passport hasn't been a hindrance for the profitability of Canada's multi billion dollar agricultural industry. Shouldn't the workers who enable these profits be provided stability for their families? Migrant workers put food on the table of Canadians, they build our schools, take care of our children, the sick and the elderly. They serve us at our restaurants and they work to undertake scores of invaluable services so that Canadian society can function. It is a fundamental matter of fairness that we stop scapegoating migrant workers and ensure that their rights and liberties are not infringed upon.

<http://www.stabroeknews.com/2012/features/12/24/tell-canada-dont-be-a-scrooge-restore-migrant-workers-rights-to-benefits/>