

RankandFile.ca interview

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Guest: Wally Ewanicke

RF: On January 23, I spoke with Wally Ewanicke, Unifor National Representative and Organizer about the establishment of a confidential hotline that serves as a resource for Temporary Foreign Workers in need of answers about their rights at work. The hotline is an initiative of the Temporary Foreign Workers Association, a group started by Migrante Alberta and Unifor. The toll free number is 1-888-366-0194. Here's my interview with Wally.

RF: The Temporary Foreign Workers Association has recently created a confidential hotline to help workers get answers about their rights, it seems, both under the Temporary Foreign Worker Program and on the job. How did the Association actually start, and who's involved with it?

WE: The Temporary Foreign Workers Association, I would say, has come out of the work we have done with Migrante, with [Migrante General Secretary] Marco [Luciano]. I was invited a while back as a Unifor representative to a coalition meeting. And this first started when the moratorium [federal government moratorium on access to the Temporary Foreign Worker Program – enacted April 2014 after a series of abuses were exposed in the mainstream media] was announced back early last year. So it kind of initiated a lot of questions and concerns from Temporary Foreign Workers.

And so we formed a coalition after our first information meeting that was put together for the Temporary Foreign Workers, and I started working for this coalition as a Unifor representative, understanding, you know, the dilemma that many of them were in. Meaning they're the most vulnerable workers in Canada because much of the time they fall under the radar and they're, in the eyes of many, I think, that they are viewed as second class - I won't say citizen because they're not even considered a citizen. But they're second class workers. So it certainly put them very close to the edge of employers' abuse...and unfortunately they feel very much trapped that, you know, for them to file a complaint it pretty much means not having a job. And they are very limited because of the way the Temporary Foreign Worker Program worked. There has been some changes over this past year to the Temporary Foreign Worker Program, but from a Unifor standpoint, and the coalition's, we think the program is very much flawed and it's designed to be friendly for employers and not friendly for workers.

From the very onset, the Temporary Foreign Workers Program - under one name or another - has been going on for years and certainly Unifor came out very early saying that we don't support the Temporary Foreign Worker Program in the context of the way in which it was built because it's flawed and leads to workers being abused. But at the same time we also believe that every worker that is Canada who has come here under the pretense - either falsely or wrongly - that they're going to have a path to residency should have the right to stay in Canada if they want to. Giving them that path rather than saying "sorry, your work permit has expired, you're done, go home" - because a lot of them have been promised through agencies, through companies, promotion - if you come here and you're a good employee and all this, we can get you spots and you can have a better life here in Canada for yourself and then your family. And we see that, as a carrot, that is unachievable.

So we started to work with Migrante and this coalition on that message and that path. Out of the coalition - obviously it was a coalition, a very broad coalition with different community groups, different unions - and we aligned very easily based on our position to help the coalition and from there out of the coalition, Marco started to develop the Temporary Foreign Workers Association. And again, it's about creating among the workers a place to have, get some knowledge and know what their rights

are. And at the same time put a face to these workers that most Canadians don't ever think about. And that's kind of the context of that.

And coming out of our discussions working with Migrante and the coalition, from this association, one of the things we talked about was a hotline to get to help people. And that's how it came to be, quite frankly.

RF: So when workers are calling about say about employment standards violation or questions about labour relations, trade union certification, campaigns, what is the association then do with the hotline responses and the complaints?

WE: Depending on what the call is about, certainly from our background, labour background, regarding employment standards and rights in the workplace, we can help them with that, identifying what they are, and then depending on what that worker wants to do with that information we then help them and I'm actually in the process of working on some of those exact concerns, complaints today. I help these workers know their rights and then if they need some help with a voice, then we're willing to do that as well to talk to their employers, understanding we're coming from a non-union environment. If some of the Temporary Foreign Workers are talking about certification then that's a different conversation we have. A lot of the time the conversation is quite simply "my time is about to expire" or "my employer is not renewing my LMIA [Labour Market Impact Assessment], I need some help there." We try to put them in touch with different services to potentially help them.

If they have a very complicated immigration concerns or they have some problems there, that's maybe beyond what we can provide help with, we then make referrals - one of the groups we refer them to is the Edmonton Community Legal Centre - and other groups that can potentially help them that have more expertise on particular immigration concerns or problems. What we hope to do is grow this Association and develop and maybe produce some opportunity...we can turn it into some more funding and find some other funding to create a more complex hotline that maybe could provide more those answers to some of those more difficult situations that we're responding to. At this time, the hotline is fairly simple in the sense that people call in and Marco and myself and others try to return their calls, deal with their concerns, and help them in some way.

RF: So how does this system work? Is it a message system or actually call centre workers that are dealign with this?

WE: No, it's just a message system at this point. Like you say, it's very simplistic. There is a number. They call in, it comes into our system. We recognize if there's been a call. It flags that there's been a call. They leave a message. We check the message. Call them back and connect that way.

RF: Are there other organizations, unions in Canada doing this similar project?

WE: Not that I'm aware of. Certainly I think from a labour standpoint I've been involved in the Alberta Federation of Labour before. The Fed, years ago and to this day continues to support the voices of Temporary Foreign Workers in a context of dealing with your employers. And they have the same message, right. They believe that the Temporary Foreign Workers Program is flawed and that it should cease. That they should have a good path to immigration rather than a Temporary Foreign Workers Program. And we align with that as well. But we can't forget about the workers, so though labour has been supportive - I know the UFCW has done a lot of work with migrant workers as well - there are a lot of labour groups that are doing some things, but I'm not aware of particularly in the sense of a hotline.

RF: How do you wish to see paths to citizenship or at least permanent residency facilitated through this? Is there an idea here working with employers to actually lending assistance to Temporary Foreign Workers to take that road?

WE: In the context that's part of the design now, right? An employer can sponsor a Temporary Foreign Worker through the AINP [Alberta Immigrant Nominee Program] program here in Alberta and that's sometimes, they say, a carrot. If you do this and do this for us, we will sponsor you into that program. But that sponsorship doesn't really expedite you in any way, unless of course you're a particular worker that the program is looking for, such as maybe a skilled worker. But what we've been working with locally is unskilled workers. Canada immigration have made it very clear if there is a skill set we want and you can provide it, come on in. There's a complete different treatment and path, right, for those workers. But with the workers we're dealing with, are the workers have been recruited either through agencies, and really they don't come to Canada, these workers. They're actually coming to an employer. It's all sponsored through an aspect of the employer, and the work permit, and the LMIA: it all comes through the employer and they literally come and arrive at Tim Hortons or McDonalds. They don't arrive into Canada. And then they start from there. And that's why they're so susceptible to potential abuses, right?

What we want is an open immigration. If we need workers we should just have that. That's as simplistic as I can put it: that we need a better immigration system that just allows to people to come to Canada and then find work as we've had in the past. I mean, my mother and father both immigrated to this country. My dad was back in the '20s and my mom was back in the '50s. They came to Canada unskilled and they were able to immigrate and have a better life. That's what my perspective is what everybody should have. No this idea that if you have something to offer, then we'll take you but if you really don't have, if you're just low skilled, we'll take your back for a period of time and then we'll put you to work, but we don't want you to stay in this country, though while you're here ,you're contributing paying taxes, you're contributing paying EI, you're contributing paying CPP - those are things you can't access, but we expect you to pay those and contribute to our society like everybody else but that's only for a period of time until we're done with you - and that's just not right or fair.

RF: With the decline in oil prices what do you think is going to happen here with regards to Temporary Foreign Workers in the province. Do you think this is going to create more conflict between Temporary Foreign Workers and Canadian workers? Do you think this is going to solve the TFW numbers problem where you're going to see it sink?

WE: That's a really good question and I don't have a lot of data to give you a data answer. It's very complex. Certainly on the skill side and we still see it: that's where the problem is. The government is not just allowing these workers in on the skilled side, but allowing employers to pay less than the going rate. Of course that becomes a very sore issue with labour and rightfully so. The part of the unskilled side, you know when you talk about the numbers, and it's gonna be really interesting to see because - I'm not sure you're aware or a lot of people are aware, you have parts of more recent changes, you have a maximum of four years to stay in Canada even if you get into a path of residency, or you have to go home. There's a large number of people in Alberta - Temporary Foreign Workers - that basically, the clock is ticking as of April of this year, leading to the end of the year, there's going to be thousands of Temporary Foreign Workers who have not been able to get on a path of Canadian residency that are going to go home. So, it's going to be really interesting because the government has limited the ability for the unskilled workers - they've made it harder to work to get them to come in. It's going to be really interesting to see how things come out here in Alberta on the unskilled side.

I don't know if, as oil prices drop and people start looking for work, especially from skilled, that they're going to choose to go work at McDonalds, or at Tim Hortons as an unskilled worker. Most

people will either try to find work in their field is what I'm saying. So, that, I see, is very difficult in that sense. But only time will tell how long this lasts, what type of layoffs. But the layoffs we are seeing in the industry, because we represent members in oil and gas - I have a pretty good understanding of it - has been high skilled. We're talking about engineers, pre-job planning type areas at this point, and depending on how long this lasts, what other type of layoffs may happen. But that's going to be very interesting to see and obviously the other part of that is if these companies that do employ the unskilled such as the Tim Hortons and McDonalds and they start laying off, I'll be curious of who they're laying off and who that will effect. Certainly people need to have - Canadians need to work. We recognize they're first, and they should work first, but at the same time Temporary Foreign Workers should have - that have contributed to society - should have a right to stay. It's complex but I think it's they're workers - we need to ensure that the workers have a voice and right now many of them don't as Temporary Foreign Workers. Where it all falls out, I don't know, Andrew.

RF: What's your sense of the membership perspective on this hotline and some of whom may see themselves in competition with Temporary Foreign Workers? Have you received support from Rank and file members for this initiative?

WE: What we did very early on from when we first engaged in this here in Alberta, because it has started here in Alberta, we actually invited Migrante. We had a function with our locals here in Alberta, and so I invited Marco to do a presentation about Temporary Foreign Workers to our local leaderships so they could understand rather than having an uninformed opinion, we wanted them to have an informed opinion. That was very beneficial to gain support from our locals. Obviously we've been very clear depending on what side of the argument that needs to be represented, we're going to represent our members, right? So in our workplaces, if an employer is using Temporary Foreign Workers as an advantage, we're going to identify that. But we haven't seen that actually from our membership. We've had nothing but support.

Actually, some of our locations have actually had Temporary Foreign Workers in their workplaces, such as our Jasper Park Lodge at one time. And we had a really good experience there because it was unionized. The union, first off, as the Temporary Foreign Worker comes in, they fall under the collective agreement, so they get paid the same as all our members so there is no direct competition. That's the big part. If a workplace is unionized when a worker comes in, they have to be paid the contract. That's the part I think is missing a lot of the time in labour's argument: If we had more places unionized, right, the employer couldn't take advantage by paying them less because they'd have to follow their collective agreement.

RF: Is this an Alberta-specific initiative or can Temporary Foreign Workers from across Canada look at this hotline as a source of information?

WE: Well, Andrew, at this point what we did is started from the idea, because its simplistic and we're trying to make sure we don't have any bugs and can actually provide a decent service and we're not overwhelmed, it has been just released in Alberta. But we have, I'll tell you right now, we have received calls from British Columbia, Saskatchewan, Ontario...and we're not turning those people away. We're doing whatever we can to deal with that. And as we get more polished in managing the hotline, obviously we're going to continue broadly across Western Canada and Canada. So we're taking steps to make it available to everybody.

RF: Do you think this could be a launch point for community chapters that has really helped to define Unifor and made it stand out when it was formed last year?

WE: Absolutely, Andrew. I mean this is one of the initiatives of why this kind of falls into place. I'm

not sure how familiar you are with our community chapters, but it really is about a group of workers that have an initiative and they come in and join with Unifor and Unifor tries to help them achieve their initiative. As an association it falls into very much in line with our community chapters. And in time maybe the association will become a community chapter but that will be up to the members of the association.

RF: Do you wanna see the TWA cross borders? It seems like it is very much linked with Migrante Alberta. It sounds like something you could see spread to Saskatchewan and BC as a national organization, no?

WE: Absolutely. As it gets some momentum and if we can do the things that we're trying to do and be successful, obviously I think it has an opportunity to cross provincial borders and grow right across the country. We're constantly, with the supporters, the coalition as well, continuing to reach out to different groups. We're always hoping that more people come in, and community groups come on board to help this initiative. Like I say, it's going to be interesting times in 2015 as we see a lot of these workers having to go home, how is it going to impact our economy, how is it going to impact employers to provide services to their customers. All that stuff is going to come out and work itself out, so it's going to be a very interesting year.

RF: Wally, thanks a lot for your time. Do you have anything to add?

WE: No, Andrew. Hopefully I was able to provide some good information and obviously if anybody is interested in getting more information about this association they can email us at tfw.association@gmail.com. We'd be happy to talk to them about our initiative.