

Digital Policy Hub – Working Paper

# Temporary Foreign Workers' Rights and Canadian Media

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Fall 2024 cohort

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The Digital Policy Hub working papers are the product of research related to the Hub's identified themes prepared by participants during their fellowship.

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## Key Points

- Temporary foreign workers (TFWs) have been coming to Canada for nearly six decades to do work foundational to the country's economy. Today, as political sentiments shift to the disapproval of TFWs, it is imperative that the language used to describe them and their work remains respectful.
- Some common critiques of the TFW program are that closed work permits tie many TFWs to their jobs with little ability to leave abusive situations and that employers can be left responsible for educating TFWs about their labour rights despite conflicts of interest. Allowing all TFWs the ability to work toward permanent residency alleviates many of these systemic abuses.
- Although not as empowering as permanent residency, mandated internet access in company-provided TFW homes would improve worker agency, including access to translation, abuse reporting, health-care services and so on.
- In democratic societies, there are significant incentives to shift blame onto populations who are unable to vote or otherwise participate in democratic processes themselves. This concerning phenomenon is observable in rhetoric used to describe TFWs in Canada today and has been a pattern in communication over a number of years with different governments in power.
- As a media topic, discourse around TFWs is often framed in terms of human rights, but then approached as an economic lever, calling for cuts with no substantial policy changes to improve remaining workers' quality of life. Fewer TFWs in Canada is not a solution to policies whose design enables abusive working environments, and short-term cuts to silence critics of the program have only prompted long-term cycles of public outrage.

# Introduction

In a recent emphatically edited video explaining immigration policies to Canadian citizens, Prime Minister Justin Trudeau (2024) referred to the flow of temporary residents in Canada as a tap for policy makers to turn on and off at will. As Trudeau explained his government's significant reversals in temporary immigration policy, his language choices were explicitly commodifying and represented a stark change from his previous messaging.<sup>1</sup>

The TFW program in Canada appears only occasionally in public discourse, although these appearances are often politicized. The aim of this working paper is to understand and track how TFWs' stories are shared in Canada and the impacts this has on both TFWs and Canadians. Through different communications lenses, this paper assesses the program's history, policy and democratic impacts.

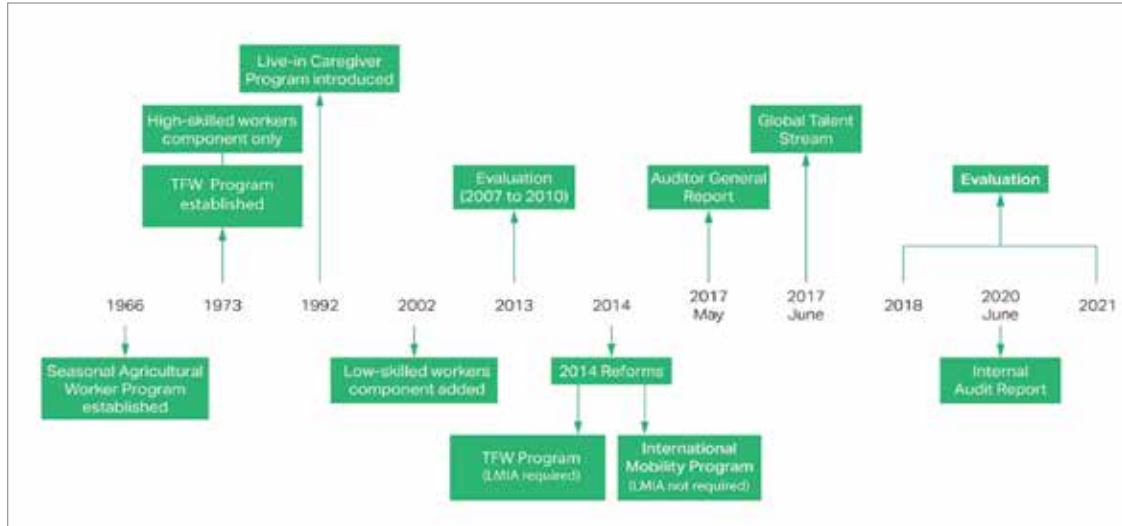
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<sup>1</sup> See [www.budget.canada.ca/2022/report-rapport/chap4-en.html](http://www.budget.canada.ca/2022/report-rapport/chap4-en.html).

# TFWs in Canada

TFWs first came to Canada in 1966 with the establishment of the Seasonal Agricultural Workers program (Employment and Social Development Canada 2021). Although jobs in agriculture continue to be a significant portion of TFW permits granted annually, the program has since expanded to a range of job classifications over time. Figure 1 highlights key expansions and evaluation periods from inception to 2021.

Figure 1: TFW Program Timeline



Source: Author, based on Employment and Social Development Canada (2021).

Note: LMIA = labour market impact assessment

After 2021 — particularly in the wake of increasing unemployment rates and housing shortages — criticisms of the program have prompted an unprecedented cap on temporary residents of all types, including an outright ban on assessments for low-wage TFWs in metropolitan areas with unemployment rates above six percent (Employment and Social Development Canada 2024).

## Criticisms of the Current System

From August 23 to September 6, 2023, the United Nations conducted an in-person investigation into the state of modern slavery in Canada. A special rapporteur, Tomoya Obokata, met with governments at all levels, as well as civil society actors, and published a comprehensive report detailing criticisms of and recommendations to improve human rights abuses (United Nations Human Rights Council 2024). A large segment of the report is dedicated to the treatment of TFWs. The following is a summary of its criticisms:

- There are discrepancies in labour abuse reporting jurisdictions and enforcement capacity between various levels of government.
- Closed work permits create power imbalances between employers and TFWs as they limit the latter's power to freely leave their positions in cases of abuse. As many TFWs take on debt in order to obtain their positions, finances can compound the pressure to remain working to repay this debt.
- Although there are technically avenues for closed-permit TFWs to open their permit, these processes are expensive, time consuming and difficult.
- Communication issues — including language barriers, lack of access to the internet and the intentional withholding of information — limit workers' understanding of their rights as TFWs in Canada, and many who do understand fear being identified when making complaints.
- Not all TFWs have access to trade union rights.
- TFWs struggle to access health care and some employers prohibit them from seeking it despite regulations prohibiting this.
- Housing regulations for seasonal agricultural workers differ from the standards laid out in the National Housing Strategy Act for Canadians and living conditions have been reported to be overcrowded and unsanitary (ibid.).

While announcing its recent changes to reduce the population of TFWs, the Canadian government insinuated that lowering the number of TFWs in the country would create solutions for workplace abuse, even though the two issues are unrelated. However, the UN special rapporteur cautioned against any false sense of security that decreasing the number of TFWs in the country will help the ones who remain, emphasizing that abuse-targeted reforms are the only effective way to ensure a safer environment for all workers (United Nations Human Rights Council 2024).

In closing his report, the special rapporteur recommends that the Government of Canada provide TFWs with a pathway to permanent residency in order to alleviate abuses associated with closed work permits. He acknowledges the contribution that TFWs have made to the Canadian economy and emphasizes their worthiness to enjoy “the full spectrum” of human rights afforded to Canadians (ibid., 8).

## The Right to Connect

While the UN recommendations are significant ethical imperatives, they are also directly contrary to the current policy climate in Canada. As the government is promising to reduce its number of temporary residents, it appears increasingly unlikely that it will build more pathways to permanent residence anytime soon (Tasker 2024).

Considering the current political climate and the intent of this working paper to make actionable, communications-focused recommendations (in addition to the highly important aspirational recommendations above), the UN special rapporteur's report's mention of internet accessibility deserves further attention. At present, Canadian law states that workers in low-wage streams, meaning primarily agriculture streams and the

Seasonal Agricultural Workers Program, must be afforded “adequate housing” as they work in Canada (Employment and Social Development Canada 2023). The government’s definition of adequate housing includes the following characteristics:

- safe (free of hazards);
- not overcrowded;
- in good condition and weather protective;
- has a working fire extinguisher and smoke detectors;
- has proper ventilation;
- has functioning toilets, sinks for hand washing and showers that work properly and offer privacy; and
- has a constant supply of hot and cold drinking water (ibid.).

This definition is notably missing any mention of internet connectivity, despite multiple reports calling it a critical tool in protecting TFWs from abuse by allowing them to communicate their situations to the outside world (Employment and Social Development Canada 2022; United Nations Human Rights Council 2024). Given especially that agricultural workers are often located in rural communities with limited access to free internet services, TFWs should not be responsible for assessing infrastructure requirements for internet services themselves.

The United Nations Human Rights Council has recognized internet accessibility as fundamental to freedom of expression and warns against the dangers of a world characterized by a “digital divide” (United Nations Human Rights Council 2011). In Canada, it is standard practice for hotels to provide internet included with rooms and the Canadian Transportation Agency’s air passenger protection rights require that any traveller delayed for more than two hours be provided with access to communications services such as WiFi.<sup>2</sup> These practices reinforce Canadians’ views that accessible internet is a necessary component of navigating and adapting to a new place when far from home. There have been various pilot projects conducted in a number of countries linking internet-based tools to TFWs exercising their rights (Farbenblum, Berg and Kintominas 2018). Without access to the internet, TFWs miss opportunities for translation, family connection and abuse reporting, in addition to access to the legal, medical and educational services that are increasingly becoming available through emerging technologies, such as large language models. For many TFWs, language and cultural barriers continue to stop them from accessing the full complement of rights to which the law entitles them, and accessible internet services would allow further software-based policy tools to be developed to support their well-being.

In October 2020, the Canadian government commissioned consultations with TFW stakeholders to “improve the living conditions of TFWs...[through] stronger requirements for employer-provided accommodations under the TFW Program” (Employment and Social Development Canada 2022). Stakeholders broadly supported the idea of granting all TFWs access to internet and phone services, but businesses cited cost challenges with doing so in remote communities and it ultimately never became a requirement in legislation.

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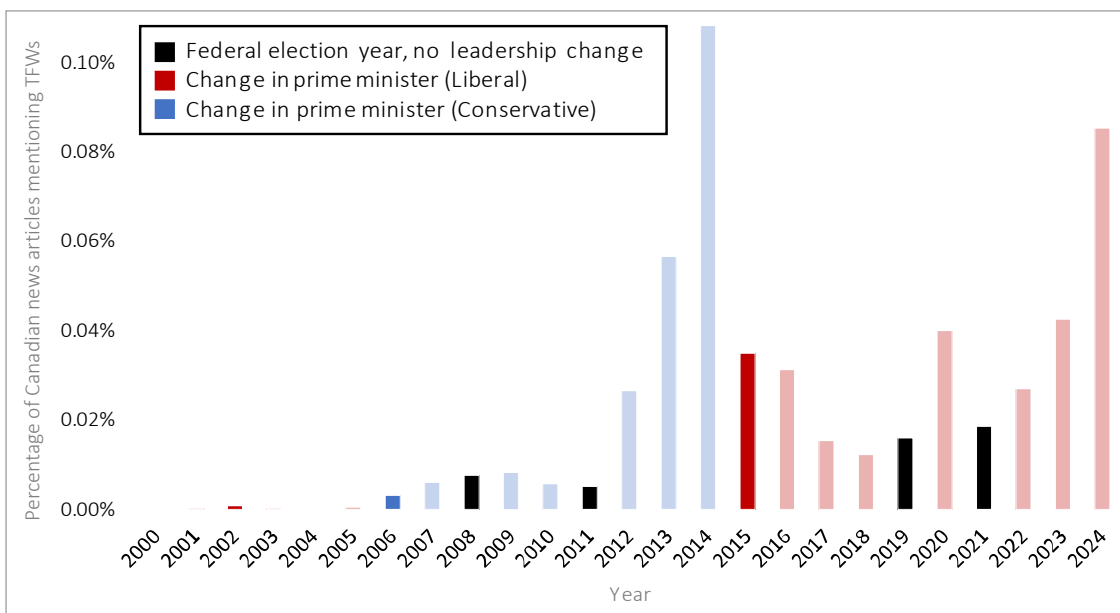
2 See <https://rppa-appr.ca/eng/right/flight-delays-and-cancellations>.

In 2025, internet is more affordable and accessible than ever. Advancements and new market entrants in satellite internet services have enabled remote communities to access internet beyond on-the-ground infrastructure availability and the Government of Canada has promised to reach 100 percent of Canadians with high-speed internet by 2030.<sup>3</sup> In light of these advancements, it is imperative that the government create policies to mandate internet accessibility in the homes of TFWs. Such services would also give them an equal opportunity to contribute to internet-based public discourse regardless of their physical location. Both Canadians and TFWs must have ongoing access to these online platforms because they play a critical role in balancing communications powers in our democracy.

## Communication Trends in Democracy

While the economic and ethical impacts of TFWs are discussed broadly in government and the press, there are comparatively fewer mentions of their influence on politics itself. Although TFWs do not participate in elections directly, their inability to vote makes it easier for political figures to place blame on them, thus influencing the messages that Canadian voters receive as they prepare to cast their ballots (see Figure 2). The multifaceted design of the TFW program allows much of this scapegoating to appear morally focused, as many of the arguments are framed in ways that claim their principal intent is to protect human rights. This blaming of TFWs has enabled a potent evasion of political accountability that may have increased as the number of TFWs in Canada has grown over time.

Figure 2: Percentage of Articles Mentioning TFWs



Source: Author, using data from the ProQuest Canadian Newsstream Database.

3 See <https://ised-isde.canada.ca/site/high-speed-internet-canada/en>.

This is particularly notable as TFWs are one of few topics to have received enormous, nearly identical-sounding, bipartisan criticisms by both Liberal and Conservative governments. Based on these indicators, examining whether the popularization and normalization of anti-TFW rhetoric is indicative of any wider democratic trends is imperative.

To test this theory, the ProQuest Canadian Newsstream database was used to scrape national and local articles across Canada mentioning TFWs from January 2000 until November 2024 (see Figure 2). The search terms used were (*temporary foreign worker* OR *travailleur étranger temporaire*) AND *Canada* to ensure results would be drawn from both English and French sources, and that the article's focus would be Canadian. Then, to account for the changing number of publications each year, each annual number of articles was divided by the annual total in the database to get a final percentage of total news.

Although there have been TFWs in Canada for decades, public awareness of their work has varied substantially over time. There does not seem to be any correlation between media mentions of TFWs and individual elections, but there is a more pronounced increase in articles on TFWs prior to or during changes in political leadership. This increase is significant in a democratic society whose members may not have previously considered the impacts of their TFW programs on scapegoating, anti-establishment voting sentiments and election outcomes, and this subject should be investigated further.

As Canadians continue to hear more about TFWs in the news and during election campaigns, it is critical that respect for their humanity and service to this country be kept top of mind amid economic headwinds. As policies change, the style, tone and level of respect in their delivery matters. Regardless of national economic outlooks, temporary residents are human beings with hopes, dreams, families and fears and policy decisions should reflect this.

## Recommendations

- **Monitor respect levels in language choice:** All Canadians, and especially those in positions of political power, have an obligation to treat TFWs with the respect that they deserve in public discourse. The sacrifices that they have made for this country, regardless of the wider economic environment or the conditions under which they were hired, cannot be overlooked. This is especially pertinent in times of difficult policy trade-offs.
- **Increase permanent residency streams for TFWs:** Given the skills that TFWs bring to Canada, their proven integration into the country and the contributions that they have already made to Canadian society, there is mutual benefit to opening more paths to their permanent residency.
- **Add internet connection to the definition of adequate housing:** The increasing number of internet service providers across Canada progressively enables businesses across the country to have access to affordable internet plans, even in remote areas. Given the range of government services offered on the internet, especially relating to TFWs' abuse claim forms and list of rights, it is unacceptable that there continues to be workers whose employer-provided homes lack internet connectivity.



- **Further non-partisan research in TFWs' impacts on democratic power:** As Canada and other democratic countries increasingly rely on globalized TFW programs to address labour shortages and skills gaps, there is an increasing need to understand how these large portions of non-voting residents impact political accountability, scapegoating tendencies, power balances and democratic processes.

## Acknowledgements

The author would like to thank Ahmed Ilmi, Burcu Kilic and Amelia Hui.

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## About the Author

Maya Povhe is a Digital Policy Hub undergraduate fellow and a management, international business and economics student at the University of Toronto. Throughout her degree, she has completed internships in finance and policy, and served as a student governor on the university's governing council. She is a co-chair of Rotary International's Youth Advisory Council and has volunteered on Rotary projects around the world. Her multidisciplinary research interests stem from her work with the Reach Alliance, the Canadian Economics Association and as a research assistant. At the Digital Policy Hub, she is exploring intersections of public, private and non-profit solutions to social inequalities.

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