

Citizenship and Employment Precarity (CEP) Research Project

2016 GTA AGENCY CONSULTATIONS – SUMMARY REPORT

Changes in immigration policy over the past decade have increased the number of people with precarious legal status (PLS) who live and work in Canada. Many PLS migrants as well as recently arrived permanent residents work in low-wage, unhealthy jobs with poorly enforced employment standards. Rising levels of precarious work along with narrowing opportunities for migrants to become permanent residents, and eventually Canadian citizens, raise the possibility that migration status on arrival is becoming a basis for lasting social inequality in the Greater Toronto Area (GTA).

The Citizenship and Employment Precarity Research Project (CEP) will collect empirical evidence and personal stories to analyse the intersections of precarious work, precarious legal status and citizenship in the GTA.

In this report, we summarize the challenges brought forward by management and front-line workers from thirty-five settlement, employment and social service agencies who attended three CEP consultations held in February and April, 2016.

1. There is a growing gap in access to services for all newcomers

- The settlement and employment service delivery sector has experienced many funding cuts. A growing number of staff at social service agencies is precariously employed, which impedes their ability to provide quality services and programming to newcomers.
- Service providers across a number of sectors are coming into regular contact with precarious legal status migrants. However, they are often unable to provide services due to funding and eligibility restrictions. If staff chose to provide assistance, which many do, they are not able to count these clients in their reports or receive pay for their time.
- Despite frequent immigration policy changes, settlement workers are not trained on how these changes apply to specific PLS clients such as work permit holders in the caregiver program, farm-worker program and other temporary residents such as international students.
- Despite the wide distribution network of promotional materials to settlement services, many newcomers continue to remain unaware of services to which they are entitled.
- PLS migrants are showing up in all kinds of spaces and institutions, such as health clinics, legal aid, housing supports and others, leading to institutional and cross-sectoral complexity.

CITIZENSHIP PRECARIETY

Refers to insecurities of state-generated forms of legal status. Recent trends include:

- Pathways to permanent residence and formal citizenship have gotten narrower, lengthier, more expensive and likely to include extended probationary periods
- Citizenship status is increasingly insecure
- Social and economic citizenship rights are being eroded

2. Newcomers are being forced into networks of precarization and exploitation

- Many newcomers, regardless of legal status, education and experience, encounter networks of exploitation that connect employers, employment agencies, low-end financial service institutions, ethnic networks, landlords (who are sometimes also employers), legal service providers and social service agencies.
- There is a landscape of profit seeking institutions that are creating a complex and predatory economy that is becoming a distinct feature of the Toronto labour market.

3. Precarious employment is on the rise with vulnerable populations experiencing even higher forms of marginalization

- Employment sectors are increasingly racialized. Migrants from specific ethnic communities are being funnelled to specific sectors to find work, e.g. Somalis – parking lots and school buses, Vietnamese – nail salons, Portuguese- construction, Spanish/Russian - cleaning, etc.
- Migrants are channelled into poorly paid unstable jobs through personal networks and/or through government funded employment agencies and temp agencies. Migrants typically turn to these when “traditional” job searches do not work.
- Due to strict banking regulations that prevent PLS migrants from accessing formal financial services, low-end money lending institutions are filling the void by providing paycheque transactions, loans and other services at high interest rates/fees.

4. Newcomers have difficulty accessing skills training, education and English language classes

- Temporary migrants with in-demand skills in the trades are not given the option to retrain, a path to legal employment and/or more permanent forms of legal status.
- Migrants with foreign credentials face a cumbersome, lengthy and expensive process. Many end up taking precarious low wage jobs just to get by.
- Many newcomers are unaware of innovative bridging and mentorship programs and/or may be reluctant to take unpaid opportunities due to financial obligations.
- Many newcomers are not able to take advantage of ESL/ELL classes due to employment constraints that make it difficult to receive the training needed to leave precarious jobs.
- ESL/ELL Training centres do not receive enough funding for all who qualify leading to long waiting lists.

5. Parents who work in low-wage precarious jobs struggle to care for their children

- Childcare is expensive and it is difficult to qualify for subsidized care. In addition, childcare centres do not offer flexible hours, making it hard for parents to accept work after-hours to gain Canadian experience.
- Some parents resort to sending their children back home to be raised by extended family until they can afford to build a life in Canada. However, after years of separation, the emotional toll along with dashed expectations means many families struggle.

PRECARIOUS WORK

- Is unstable and insecure
- Offers limited rights, protections, and benefits to workers
- Allows workers little control over their schedules
- Gives workers little say in decisions on how work will be done

6. Youth, women and other vulnerable groups have specific settlement needs and challenges

- Many children and youth without permanent residency are being denied access to elementary and secondary schooling, despite their legal right to access education.
- Police presence in schools is leading to a culture of vigilance and fear among PLS youth.
- Youth are facing greater mental health challenges with few able to access support.
- A number of youth and young women with PLS are engaging in dangerous under-the-table work conditions with some resorting to sex work. Agency staff members who encounter these persons are not trained in gender/violence issues despite an increasing need to help clients in these areas.

7. The Employment Standards Act offers little to no protection for many workers

- Many newcomers hold on to precarious jobs with poor working conditions for fear that unemployment will be worse. Many are unaware of their legal rights or forms of recourse.
- PLS migrant workers with authorized work permits who are injured on the job have difficulty seeking legal counsel if they are part of a workplace union. Their union is hesitant to provide assistance because they are not permanent residents; however, they are barred from seeking external legal help because of their union membership.
- PLS migrants without authorized work permits who are injured on the job often do not report employers if they are at fault for fear of being deported.

PRECARIOUS LEGAL STATUS (PLS)

Refers to people with any of these situations:

- Authorized or unauthorized forms of non-permanent legal status
- Uneven or no access to social and health services
- Temporary or no work permit
- Deportability

8. Immigration policies are in conflict with the Employment Standards Act and other regulations and policies

- PLS migrants that apply for permanent residence under Humanitarian and Compassionate grounds are asked to prove they can sustain themselves financially, often through job letters from employers. Yet, these applicants are not legally entitled to work in Canada. Employers who hire PLS workers for precarious under-the-table work are often not willing to provide job letters for fear of reprisal or fines.
- Despite Toronto being designated a sanctuary city, migrants continue to live in fear of accessing social services to which they are entitled. Many live underground without access to public health services and other necessities to avoid drawing attention.
- Staff at a variety of social service agencies do not have the time or funding to meet with each other to build partnerships and connect with advocacy groups and policy makers to address cross-sectoral challenges and/or increased demand for services.

Citizenship and Employment Precarity – Why it Matters

Migrants and their families are facing complex issues. These include: income insecurity, underemployment, limited career prospects, mixed-status situations within families, increased surveillance, and even violence.

The challenges experienced by a person with precarious legal status and/or precarious employment can have long-term negative repercussions on family members – even those with permanent status or citizenship. With less time to invest in schooling, getting a better job, save money, volunteering, etc. the challenges that migrants and newcomers face can have a detrimental impact on entire communities.

“The Challenges that affect migrants and newcomers impact entire communities”

Many PLS migrants eventually attain permanent resident status but years spent in legal limbo may have long-term consequences on their future employment prospects and on their children’s ability to succeed. This may negatively impact outcomes for the next generation, i.e. Canadian born citizens.

Participating Agencies

- Agincourt Community Services Association
- Albion Neighbourhood Services
- Bangladeshi-Canadian Community Services
- Canadian Centre for Accreditation
- Canadian Centre for Refugee and Immigrant Health
- Catholic Children’s Aid Society of Toronto
- Catholic Cross-cultural Services
- Centre for Immigrant and Community Services
- City of Toronto – Family Residence Scarborough
- Colour of Poverty – Colour of Change
- Durham Region Unemployment Help Centre
- Ernestine’s Women’s Shelter
- FCJ Refugee Centre
- Jane/Finch Family Community Centre
- Harbourfront Community Centre
- Hong Fook Mental Health Association
- Jamaican Canadian Association
- JVS Toronto
- Mathew House Refugee Reception Services
- Metro Toronto Chinese & Southeast Asian Legal Clinic
- North York Harvest Food Bank
- North York Community House
- Polycultural Immigrant and Community Services
- Rexdale Community Legal Clinic
- Settlement Assistance and Family Support Services
- Sistering
- South Asian Leal Clinic of Ontario
- St. Stephen’s Community House
- The Lighthouse
- Toronto South LIP / WoodGreen
- Women’s Habitat
- WoodGreen Community Services
- Working Women Community Centre
- YMCA of Greater Toronto
- Yonge Street Mission

Next Steps

While much has been done to gather evidence on issues of precarious employment in the GTA, we do not know enough about how citizenship precarity intersects with precarious employment.

Recognizing the increasing complexity of the settlement and employment landscape, the CEP Research Project aims to **conduct a large-scale survey of citizens, permanent residents and precarious legal status workers** to analyze the relationship between changes in migratory legal status and employment outcomes. The CEP project will also **carry out a smaller sub-set of in-depth interviews to gather personal stories** to showcase the role of institutional actors and worker strategies in shaping labour market experiences and legal status trajectories.

Staff members who attended the CEP Agency Consultations and expressed an interest in becoming involved in the project as advisors/partners will be contacted in Spring/Summer 2016, to discuss the extent of their involvement.

Research Team

Co-Lead Researchers

Luin Goldring is a Professor of Sociology at York University. Her research analyses immigration status as a fault line of social inequality. Recent publications include *Producing and Negotiating Non-Citizenship: Precarious Legal Status in Canada* (co-edited with P. Landolt).

Patricia Landolt is Professor and Chair of the Department of Sociology at the University of Toronto Scarborough. She has fifteen years of experience conducting research on global migration and its impacts on Canadian society.

Project Coordinator

Kamla Ross-McGregor has a background in food security education and community outreach in the non-profit sector. She is also a part-time Professor in the School of Social and Community Services at George Brown College.

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* An extended version of this report is available upon request