

August 19, 2023

The Honourable Marc Miller  
Minister of Immigration, Refugees, and Citizenship  
House of Commons Ottawa, ON  
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Via email:

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**Re: Emergency Open Work Permits and Access to Employment Insurance Benefits Needed for BC Migrant Workers Impacted by Wildfires**

Dear Minister Marc Miller,

Presently, there are 380 active wildfires in British Columbia wreaking havoc on various regions throughout the province, with a particularly severe impact on the Okanagan Valley. This situation has led to significant hardships for many businesses and farms, and it has also caused hundreds of migrant workers to be displaced and without work. In response, the Province of British Columbia has declared a state of emergency.

As these migrant workers bear the brunt of these unfortunate events, we are composing this letter to urge you to take prompt action in providing support. We strongly advocate for the **immediate issuance of emergency open work permits to migrant workers**, to alleviate their difficulties during this challenging period.

Additionally, we urge the Canadian Government to **grant migrant workers affected by the fires the ability to avail Employment Insurance benefits during the period when they are unable to secure alternative employment**. This includes the extension of benefits to individuals who haven't fulfilled the stipulated minimum hours prerequisite for eligibility for regular benefits.

Hired under employer-specific work permits, migrant workers who have been displaced due to the fires encounter significant obstacles in seeking alternative employment on different farms

or in other workplaces. Instead of having the straightforward option to transition to a new job, these workers are now required to find a new employer willing to secure a Labour Market Impact Assessment (“LMIA”), await the processing of the LMIA, and subsequently pursue another employer-specific work permit. Under the current state of emergency, this process is arduous, financially taxing, excessively time-consuming, and unrealistic.

Regrettably, it is highly likely that these workers will face unemployment for an extended period – not due to a shortage of labour market demand, but solely due to the unjust constraints imposed upon them by Canada's immigration system.

Migrant workers make tremendous sacrifices to come to Canada, often driven by the desire to earn income that can be sent back to support their families in their countries of origin. This endeavor frequently involves expending substantial savings or acquiring loans before upending their lives, leaving loved ones and communities behind. Sustaining prolonged unemployment stands as an unjust and unfeasible prospect. Returning to their home countries at this juncture deprives these workers of the opportunity to access the wages they worked diligently to secure. For many, returning home may not even be possible due to flight cancellations stemming from the need for aerial firefighting operations.

Emergency open work permits would enable migrant workers to secure alternative employment in Canada and continue earning wages. These permits will also benefit Canadian employers who will be able to immediately fill labour market shortages in essential industries, putting food on our tables and keeping our economy strong.

To offer the best support, we kindly propose the incorporation of the following criteria in the issuance of these emergency open work permits:

- 1. Automatically grant the permits without requiring affected workers to submit an application.** Numerous migrant workers lack proficiency in English and lack access to computers. Compelling them to apply for new work permits would impose an unjust burden, further straining organizations dedicated to assisting these workers.
- 2. Grant the permits without imposing processing fees.** Given the current reliance of many workers on the tireless efforts of service organizations to meet their urgent requirements, subjecting them to a \$155 work permit fee and a \$100 open work permit holder fee would be financially catastrophic in these trying circumstances.

- 3. Issue the permits for a period of at least 12 months.** Issuing emergency open work permits for a period of 12 months is consistent with IRCC's established guidelines. For example, the guidelines for the Open Work Permit for Vulnerable Workers indicate, "on average, it may take approximately 12 months for migrant workers to find new employment and a new work permit and LMIA, if required".

Granting emergency open work permits and extending Employment Insurance benefits to migrant workers impacted by the wildfires in British Columbia represents a humanitarian and just decision, and its positive outcomes will have a spillover positive impact on the Canadian economy. It is simply the right thing to do. As the COVID-19 pandemic has underscored, migrant workers are pivotal contributors to our country. These individuals fulfill vital roles across various sectors, including in grocery stores, cleaning, care work, construction, transportation, and agriculture.

It is our ethical responsibility to ensure Canada's support for them during this time of need. We eagerly anticipate the government's swift action in fulfilling this request.

Founded in 1986, Migrant Workers Centre ("MWC") works to promote and advance access to justice for migrant workers by providing legal services, advocacy, research, public education and engaging in law and policy reform initiatives.

We are requesting a meeting with you as soon as possible to discuss our proposal and can be reached at 604-669-4482. Thank you for your consideration.

Sincerely,



Maria Cano  
Chair of Board of Directors  
Migrant Workers Centre