Canadian unions' chauvinist campaign against "temporary foreign worker" expansion

Vic Neufeld
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A union-instigated law suit challenging a federal government decision allowing a mining company to import two hundred Chinese workers has brought renewed attention on Canada's Temporary Foreign Worker Program.

Canada has a long history of importing workers from abroad to perform heavy, undesirable work at depressed wages, then expelling them when they are no longer needed. This reactionary practice continues under Canada's Temporary Foreign Worker Program.

However, the unions' campaign to block Chinese-owned HD Mining International from importing "temporary" Chinese workers is a dangerous, chauvinist diversion. The United Steel Workers, the Council of British Columbia Building Trade Unions and other unions are pitting worker against worker in the name of "defending Canadian jobs."

The Temporary Foreign Worker Program imports workers from economically devastated areas where low-wage expectations prevail, then binds them to Canadian employers under a work-permit regime reminiscent of the ancient Master and Servant laws. Workers are not allowed to change employer at will, can be told where to live, are deprived of citizenship and residency rights, and are not allowed to even apply to change their legal status. The threat of removal and deportation is kept hanging over these workers, so as to ensure that they are compliant to their employers' demands.

The program is driven by employer demand and has undergone dramatic growth in recent years. For example, in 1999 Canada imported 82,000 workers under temporary work permits, while allowing just 41,000 skilled workers to settle in Canada permanently. By 2011, the number of people arriving under temporary work permits had risen to 300,000 while skilled workers settling permanently in Canada had dropped to 36,000.

The program's cheap labour stream places downward pressure on wages and working conditions. The federal government claims to mitigate this effect by obliging employers to obtain a Labour Market Opinion (LMO) before allowing them to import temporary workers. In order to issue a favorable opinion, government officials must be satisfied that an employer made reasonable efforts to recruit citizens and permanent residents, and that the employer is paying the prevailing "Canadian" wage rate to foreign nationals.

Last year Canada's Conservative government introduced an Accelerated Labour Market Opinion process (ALMO) that allows employers to suppress wages by up to 15 percent of the posted prevailing wage rate in areas with skilled-labour shortages, provided that they pay all their employees, irrespective of their citizenship or residency status, the same wage. In other words, the ALMO gives low-wage employers easier access to the Foreign Worker Program.

Late last year the International Union of Operating Engineers, Local 115 and the Construction and Specialized Workers Union (Labourers) Local 1611 filed a court suit to force a judicial review of the federal decision allowing HD Mining to hire 201 workers under the Temporary Foreign Workers Program to work its coal properties, near Timbler Ridge in northern British Columbia.

The unions charge the company did not make sufficient efforts to recruit Canadian miners, advertised sub-standard wage rates and included a Mandarin language requirement in job postings.

The company has denied these allegations. Moreover, it claims that it will be employing a "longwall" method of mining that has never before been used in Canada and therefore needs to employ foreign workers familiar with the technique.

How the courts will ultimately dispose of this case in light of the new ALMO process remains to be seen. But already, a judge has rejected the unions' request for an injunction that sought to stop the import of 60 more workers to assist the 16 currently in place.

During the nineteenth century, Canadian employers developed a preference for unskilled labour from Southern

Europe, while out west, the Canadian Pacific Railway (CPR) brought upwards of 15,000 Chinese labourers to Canada to complete its western leg. The federal government considered both ethnic groups "unsuitable" for permanent settlement.

Parliamentarian Ed Lewis caricatured Southern Europeans declaring that, "We do not want a nation of organ grinders and banana sellers in this country." Once the CPR was completed in 1885, Chinese workers were discouraged from permanent settlement through a discriminatory head tax of $50 and ultimately $500, colossal amounts for the time. The head tax was abolished in 1923, when Canada passed the Chinese Exclusion Act, which effectively barred all Chinese immigration to Canada.

Many unions shared these divisive racist views and in British Columbia, in the name of protecting jobs for "white" workers, lent support to hysterical "yellow peril" campaigns. In 1907, in the midst of an economic downtown, the Trades and Labour Council in Vancouver helped create an Asiatic Exclusion League that targeted ethnic Chinese and Japanese and in September of that year instigated a major riot in that city's "China" and "Jap" towns.

Decades later, in 1973, the Canadian government instituted a general temporary foreign worker program called the Non-Immigrant Employment Authorization Program or NIEAP. It formalized existing practices, while removing the overtly racist justifications for importing and deporting workers. Under this new, sanitized model, "temporary" workers could be treated like servants, bound to their employers with few if any rights, made to perform dangerous low-status work at low wages, and then deported—not because of their race, but because they were "foreigners."

This divisive perspective characterizes the International Union of Operating Engineers (IUEO) and the Construction and Specialized Workers Union law suit, and more generally the response of the trade unions to the Conservative government's expansion of the "temporary worker program." IUOE Business Manager Brian Cochrane recently wrote that, "We are fighting to protect jobs for ***all*** qualified Canadians. Without an open and transparent LMO process that adheres to a set of well-reasoned regulations, each TFW [Temporary Foreign Worker] who arrives in this country effectively deprives a Canadian of the opportunity to access a high-paying job."

Cochrane's sentiments have been echoed by other union leaders. Interviewed on the CBC Radio One's "As It Happens" program on November 21, British Colombia (BC) Building Trade Unions Bargaining Council president Mark Olsen argued that the Chinese workers already in BC should be sent home. Other union officials go further, and would pit Canadian workers from different provinces against each other. Officials of District Three of the United Steelworkers have put out a leaflet titled "BC Jobs for BC Workers." It proclaims, "Stop the sellout of our province."

The unions' chauvinist campaign in defence of "Canadian jobs," serves to pit workers against each other and is entirely predicated on acceptance of the economic dictatorship of big business—its prerogative to hire and fire workers based on what will reap investors the biggest profits.

In the name of "saving Canadian jobs," the pro-capitalist unions have accepted massive concessions, speed-up and plant closures over the past three decades, while sabotaging any and all initiatives aimed at uniting workers in Canada with their class brothers and sisters internationally in a joint struggle against the transnational corporations.

It is not a coincidence that the unions' complaint against H.D. Mining has gained national media attention at a time when Canada's elite is debating if and to what extent Chinese state-owned companies should be allowed to invest in Canada's resource sectors.

Last month, the Harper government announced its approval of the China National Overseas Oil Corporation multi-billion dollar takeover of Nexen, a major player in Canada's oil sands, while stipulating that only in exceptional circumstances would state-owned companies henceforth be allowed to takeover Canadian-based oil and natural gas companies. In the debate over Chinese investment the unions and union-supported New Democratic Party have played a foul role, repeating right-wing claims about threats to Canada "national security" and promoting the reactionary canard that Canadian-owned companies are less rapacious and should be viewed as "ours."

Today when global capitalism is in its greatest crisis since the Great Depression and workers all over the world are facing a big business offensive on jobs, wages and social services, more than ever the watchword of the working class must be "Workers of the World Unite!"

Programs and appeals that rank, sort and divide workers by race, state or otherwise must be rejected outright. The answer is not to restrict, ban, or discriminate against "foreign" workers. Instead, as a crucial element in the fight to forge the unity of the working class against big business and the profit system, workers must fight for full citizenship rights for people wherever they choose to live and oppose all restrictions on the free movement of people across the globe.