

WORKPLACE RIGHTS FOR IMMIGRANTS IN BC

THE CASE OF FILIPINO WORKERS

by Habiba Zaman,
Cecilia Diocson
and Rebecca Scott

DECEMBER 2007



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BC Office

AN ECONOMIC SECURITY PROJECT REPORT

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Summary

Barely a day goes by when we don't hear mention of the bullish BC economy. We're in boom times, we're told, with a provincial government surplus of over \$4 billion last year, housing starts up, consumer spending robust, and unemployment at historic lows. Given those indicators, we should all be feeling economically buoyant.

The truth, however, is somewhat different. When it comes to making economic advances, many British Columbians are on a treadmill, expending a lot of energy yet going nowhere. Between 2001 and 2006, there was no increase in real (after-inflation) hourly wages. And with the province's minimum wage frozen at \$8 per hour since 2001, and more than 20,000 workers earning even less than that, many British Columbians are steadily slipping backwards.¹ For the past four years, BC's child poverty rate has been the worst of any province. Overall, BC had the second worst poverty record of any province in 2005, with an estimated 17.2 per cent of all family units living below Statistics Canada's low income cut-offs after income taxes.² Evidently, the province's red hot economy is leaving some workers out in the cold.

Some sectors of the labour market have a harder time earning a decent living than others. These vulnerable workers include single mothers, racial minorities, youth and recent immigrants. Statistics Canada reports that, in 2006, very recent immigrants (those who have been in Canada five years or less) had the most difficulty integrating into the labour market, even though they were more likely than the Canadian-born population to have a university education.³

Why recent immigrants struggle long and hard to reach the economic standards enjoyed by most Canadians is a hugely complex question, and one that cannot be fully answered here. However, this report, which focuses on recent Filipino immigrants to BC, is a micro portrait of this group and can illuminate parts of this puzzle. Specifically, it examines how major changes in 2002 to BC's

Employment Standards Act (ESA) – the laws specifically intended to protect vulnerable workers – negatively affected the labour market experience and economic security of recent Filipino immigrants. Its findings speak to the question of why recent immigrants to one of Canada’s richest provinces are finding economic security increasingly elusive at a time when immigration is becoming more important to the nation’s wellbeing. (Roughly two-thirds of Canada’s population growth comes from net international migration, and projections show that net immigration could account for virtually all net labour force growth by 2011.⁴)

In July, Human Resources and Social Development Canada released *A Study of Poverty and Working Poverty among Recent Immigrants to Canada*. Author Dominique Fleury concludes: “Recent immigrants to Canada face more employment barriers than other working-age Canadians do and they are a lot more likely to experience poverty. It even seems that the difficulties that new immigrants encounter have worsened in recent years.” This report explains why that observation rings true for recent Filipino immigrants in BC, looks at how changes to BC’s ESA have served to exacerbate this reality, and recommends ways this situation can be improved.

Key Findings

This study took place between 2005 and 2006. It consisted of a structured survey of 100 Filipino immigrants to BC, detailed in-depth qualitative interviews and focus groups with 30 Filipino immigrants, plus a workshop on policy alternatives with Filipinos as well as with representatives of other immigrant and community groups.

Findings from the Survey of 100 Filipinos: Demographic Profile and Challenges

The survey provided an overview of the challenges Filipinos encounter in the labour market and how changes to the ESA have made existing challenges greater.

- Sixty-seven per cent of the survey respondents originally came to Canada as caregivers (under the Live-in Caregiver Program). The rest immigrated under various independent and family categories. The majority of survey respondents were women.
- While a majority first worked in Canada as caregivers, many respondents quit their caregiving jobs after the requisite period (two years). At the time of the survey, 42 per cent were still employed as caregivers.
- The unemployment rate (16 per cent) among respondents was high, and significantly higher than the overall unemployment rate, supporting the contention that immigrants suffer a long transition penalty.
- Sixteen per cent of respondents reported receiving less than \$8 per hour at some time since 2002; meaning, their employers were availing themselves of the “first-job” wage, i.e., the \$6 per hour wage (\$2 less than the regular minimum wage) introduced by the

provincial government in 2001. More than one third of those who reported receiving the first-job wage did not receive any training, even though this was the explicit impetus for introducing the reduced wage. Furthermore, 50 per cent of first-job wage workers reported not receiving a wage increase after 500 hours, the maximum length of time an employer can legally pay a worker this lower wage.

- About one-third of respondents reported being unaware of their rights in the workplace. Mandatory workplace posting of the ESA – a requirement prior to the 2002 changes – would likely have raised workers’ awareness of their rights.
- Twenty-three per cent of the respondents had seen workers’ rights posted in their workplace, although this is no longer a requirement. However, only 10 per cent had heard of the 2002 changes to the ESA.
- Thirty-four per cent of respondents felt that their workers’ rights had been violated, but only 19 per cent reported complaining about the violation. *These complaints all took place prior to the 2002 ESA changes*, when posting of the ESA was still mandatory, and use of the “self-help” kit was not required. Since 2002, use of a self-help resolution kit is now the required first step that employees must take if they have a grievance with their employers, a key change to the ESA that captures the non-interventionist approach of the government towards upholding employment standards. Only if that attempt is unsuccessful can they then bring the complaint to the Employment Standards Branch. Use of the English-only self-help kit, which is quite complicated, means that literacy, lack of information and language barriers are likely to prevent recent immigrant workers from receiving protection or wage recovery. Moreover, if an employee feels uncomfortable or fears discussing issues with her/his employer and thus does not use the kit, the Branch can dismiss the complaint. The self-help kit has become a clumsy bureaucratic barrier that seems designed to discourage workers from claiming their rights.
- Respondents relied heavily on public transportation. Fifty-two per cent reported using the bus to get to work. No respondent had a car. Often, they had lengthy traveling times to get to work – taking up to two hours and involving several transfers plus a long walk.
- The majority of respondents reported sending money to family in the Philippines, with 56 per cent remitting funds every month.

This study’s findings speak to the question of why recent immigrants to one of Canada’s richest provinces are finding economic security increasingly elusive at a time when immigration is becoming more important to the nation’s wellbeing.

Findings from the In-depth Interviews

The in-depth and focus group interviews with 30 participants provided detailed narrations about the labour market experience, its challenges, and the impacts of changes to the ESA and other policies since 2002.

- Even though a number of survey respondents received the first-job wage, only one participant in the interviews was paid this lower wage (i.e., less than \$8 per hour) and this was paid illegally, since she had worked more than 500 hours in previous employment. This participant did not file a complaint.
- The precarious nature of part-time or casual work is reflected in the interviews. For example, home-visiting care aides worked in one client's home for two hours, then traveled to another client's home. The aides were not paid for the in-between time or travel time. The fact that some paid shifts were only two hours long has been legal only since the 2002 ESA changes (prior to that, the minimum call-in period was four hours).
- Most participants received orientation and training pertaining narrowly to their job-related duties – the tasks and standards they were expected to perform. Participants reported that employers sometimes provided minimal verbal instructions about safety measures rather than showing videos or providing any formal safety training and, in some instances, important safety training was entirely absent. Moreover, many workplaces did not have written job descriptions, which are crucial to avoiding worker abuse.
- When their rights were violated, if any action at all was taken, this took the form of participants quitting their jobs, rather than demanding their rights or making a formal complaint. The good news is that, when participants quit, they tended to quickly find new jobs of a similar kind. The bad news, however, is that this tendency towards “job-hopping” has become a substitute means of coping with an unacceptable work environment – it has replaced the exercising of one's rights, and it rarely improves working conditions or income. For these participants, BC's low unemployment rate has not led to either improved workers' rights or better work environments.
- The absence of ESA or WorkSafeBC monitoring has eroded the work environment for these participants. Many worked in hazardous workplaces, with harms ranging from unwanted sexual advances, to dangerous machinery, to hazardous chemicals, to being required to stand all day.
- Several participants who experienced violations were reluctant to report them. An ESA regime that relies almost exclusively on a complaints-based system – made worse by the 2002 introduction of the “self-help” kit – has failed to protect these workers.
- Despite experiencing several workplace violations, no participant reported using the self-help resolution kit, which requires a certain level of English-language proficiency. This suggests that some employers in the sectors where recent immigrants work suffer no consequences when they violate workers' rights.

- Participants who worked in hospitals or public care facilities were more likely to receive job orientation, training and better information, perhaps due to the existence of unions.
- Many participants were eager to see an active and strong union that would provide information about workers' rights. Participants clearly felt that unionization leads to higher wages and indicated their appreciation of the advantages a union affords.
- Participants usually quit their jobs only when they were denied wages or monetary benefits. Otherwise, they continued to work in hazardous, exploitative workplaces where labour rights were not implemented, monitored or enforced. Thus, rights that are supposed to be enshrined in the ESA have become "paper-rights" only.

Recommendations

The paper concludes with a series of policy recommendations that would significantly improve the economic security of recent immigrant workers, and result in greater knowledge of, respect for, adherence to and enforcement of workplace rights. The recommendations are based on a workshop held in April 2006, at which more than 60 people participated, including members of the Filipino community, union representatives, academics, and representatives from non-profit and immigrant-serving organizations. Among the key recommendations:

- Eliminate the \$6 first-job wage, and increase the minimum wage to \$10 per hour.
- Restore mandatory posting of the Employment Standards Act in the workplace, ideally in multiple languages.
- Institute proactive monitoring teams (modelled on the former Agricultural Compliance Team), who would randomly investigate workplaces for workplace violations. Such teams would move enforcement of the ESA from being overly dependent on complaints.
- Eliminate the self-help kit. It is a clumsy and complicated document. Not a single participant used it despite repeated violations of the ESA. Workers need easy and speedy access to a third party to mediate a complaint. Replace the kit with a community-based, non-profit system, which would provide assistance, including advocacy, to workers who feel their rights have been violated. And allow workers to bring their complaints directly to the Employment Standards Branch.
- Institute higher penalties for ESA contraventions. Institute a point-penalty system, as is the case with driver's insurance. Make penalties higher for repeat offenders and when the contravention affects several employees.

These recommendations would significantly improve the economic security of recent immigrant workers, and result in greater knowledge of, respect for, adherence to and enforcement of workplace rights.

- Extend the minimum call-in period from two to four hours. Two hours of pay is inadequate, particularly when workers must commute long distances to get to the workplace.
- Open more Employment Standards Branch offices, and set up a hotline for the Employment Standards Branch. Staff the hotline with people who can answer enquiries in more than one language.
- Support community organizations and their advocacy work. Community organizations can effectively and inexpensively inform immigrants about their workplace rights, and disseminate information in immigrants' native language.
- Provide mandatory information sessions on the ESA for employees and employers. Since 2001, seven of the top 10 immigrant-originating countries (China, Pakistan, the Philippines and others) have been from Asia. Employment standards are effectively non-existent in most of these countries. These immigrants need to know about their labour rights.

Introduction

*I pity the poor immigrant
Whose strength is spent in vain,
Whose heaven is like Ironsides,
Whose tears are like rain*

— *I Pity the Poor Immigrant*, Bob Dylan, 1968

When immigrants come to Canada, they are assessed for their skills and their potential contributions to the economy. Nevertheless, many immigrants face significant economic insecurity when they enter the labour market. In fact, a 2007 Human Resources and Social Development Canada study concluded that recent immigrants face more employment barriers than other working-age Canadians and are thus far more likely to be poor.⁵

Within British Columbia this economic vulnerability has been exacerbated by the changes made to the Employment Standards Act (ESA) in 2002. Economic insecurity may turn systemic and chronic as a result of both deregulation of the labour market and a reduction in the government's monitoring and enforcement of workplace practices. Consequently, labour market experiences are marked by a "transition penalty," lengthening the time it takes for recent immigrants to acquire even a reasonable quality of life.⁶ To shorten this transition period, it is essential that provincial policies protect immigrant workers' rights, inform them about those rights, enforce and monitor practices in the workplace and ensure that people are protected from maltreatment or unsafe work environments.

Recent immigrants are one of several groups in society who have historically experienced more economic insecurity than others. This study examines the ability of recent immigrants to reasonably meet their basic security needs within the labour market under the current regulatory structure. In particular, this paper explores changes to BC's ESA. These changes transform the employment standards regime, which is supposed to provide vulnerable workers, including recent immigrants, with certain rights, into mere "paper rights." The ability of immigrant workers to demand and exercise their rights has become increasingly elusive. Indeed, the changes to the ESA compromise immigrants on many levels.

Since coming to power in 2001, the BC Liberal government has restructured numerous economic and labour market policies, including the ESA and social services such as housing and social assistance. This deregulation has occurred in the name of enhancing labour market "flexibility."⁸ In the social service sectors, the move to budget-cutting and contracting-out has reduced the social safety net that has historically protected BC residents in times of financial challenges. Changes to the ESA reflect a shift to accommodate employers through a more laissez-faire approach to labour practices. These changes, in particular reduced protections for vulnerable workers, inevitably lead to economic insecurity and an inhospitable work environment for disadvantaged groups in BC. The result is increasing polarization of the BC economy.

The 2002 changes to the Employment Standards Act reduced the enforcement and monitoring role of the government, undermined workers' knowledge of their rights by removing the requirement to post the ESA in workplaces, reduced employment-related benefits, restricted worker control over their schedules and hours of work, and slashed the minimum wage for first-time workers, many of whom are recent immigrants. These changes profoundly affect the ability of recent immigrants to find basic security within the labour market.

What are Employment Standards?

Employment standards are part of the broader system of labour standards that govern the conditions in which people do paid work. They cover issues such as the minimum wage, minimum and maximum hours of work, overtime pay, parental leave and statutory holidays. They are supposed to offer a basic level of protection for all workers – providing assurance that they can earn a decent living under reasonable conditions, protect their personal safety, and balance work and family life. While employment standards matter to all workers, they are especially important for "vulnerable" workers – those who are least able to negotiate fair and decent working conditions with their employer and those not represented by unions. Vulnerable workers are disproportionately women, recent immigrants, racial minorities and young people.

Between 2001 and 2004, the BC government made a series of substantive changes to the legislation, regulation, administration and enforcement of employment standards in BC. As a result, workers' rights and economic security in BC have changed dramatically.⁷

This paper focuses on the Filipino community as a case study. The methodology for this study included a structured survey of 100 Filipino immigrants to BC, detailed in-depth qualitative interviews and focus groups with 30 Filipino immigrants, and a workshop on policy alternatives with Filipinos as well as with representatives of other immigrant and community groups. Throughout this report, the term “respondents” refers to those who completed the survey, and the term “participants” refers to those who took part in the in-depth interviews and focus groups.

Survey data and narratives from Filipino immigrant women and men provided first-hand accounts of immigrants’ vulnerability to economic insecurity in a restructured BC labour market. All tables in this paper are taken from the survey data and all quotations and narrations come from the interviews.

This paper first defines economic security by using the International Labour Organization’s (ILO) definition, then discusses major objectives of the study, explains the reasons for selecting the Filipino community, and provides a definition of recent immigrants. The paper goes on to describe the research methods and limitations of the study.

In the next section, the paper identifies and describes in more detail those changes to the ESA that are pertinent to this study. To provide a snapshot of Filipinos in BC, the paper then presents an analysis of the demographic profile reflected in the survey, including some of the challenges respondents faced. Since the cost of living in BC, including housing and transport, is higher than most provinces in Canada, this paper has included housing and transport in the survey.

Finally, drawing on the study’s in-depth interviews, the paper analyzes participants’ labour market experience, with quotations giving voice to the participants. The conclusion is based on the recommendations of the workshop participants. It proposes alternative policies for government on how to provide less exploitative workplace environments and how to help employers retain recent immigrants who are eager to work hard to achieve basic economic security. Should the government adopt these policy recommendations, economic security would be markedly enhanced for BC immigrants, whatever their country of origin.

Survey data and narratives from Filipino immigrant women and men provided first-hand accounts of immigrants’ vulnerability to economic insecurity in a restructured BC labour market.

What is Economic Security?

This paper uses the International Labour Organization’s (ILO) comprehensive definition of “economic security,” which focuses on an individual’s ability to develop capacities and to live purposefully.⁹ The kinds of security the ILO specifically identifies are:

- *Basic security* provides workers with a fair opportunity to acquire a decent life, including decent accommodation.
- *Labour market security* refers to the presence of adequate employment opportunities not dependent only on part-time, temporary, informal, and non-standard employment.

- *Employment security* includes protection mechanisms against arbitrary or wrongful dismissal.
- *Work security* refers to working conditions that promote workers' well-being as well as safety. Thus, work security encompasses occupational health and safety as well as emotional and mental well-being, including freedom from harassment, stress, violence, and overwork in the workplace.
- *Income security* refers to an adequate level of income pertinent to perceived "needs." It also includes an assurance of compensation in case of a crisis that affects income.
- *Voice representation security* (ensuring that workers can express their views and be heard by those in authority) is essential for many reasons, including negotiations over wages, benefits, monitoring working conditions, and other concerns. This security encompasses

Voice representation security is important for a reasonable level of economic security because it gives individuals or groups the ability to advance their own interests, needs and rights. Without this kind of security, workers are much more likely to be exploited.

not only the opportunity and ability to speak, but also the opportunity to be heard. Voice representation security is particularly important to immigrants for three reasons. First, immigrants often have a language barrier that prevents them from fully expressing themselves in the dominant language. Second, due to racism and discrimination, some immigrants' voices are ignored, discouraged and suppressed, and therefore not heard. Finally, immigrants, particularly immigrant women, tend to be concentrated in low-wage service sectors where strong vocal representation in the form of unions, for example, is frequently absent. Voice representation security is important for a reasonable level of economic security because it gives individuals or groups the ability to advance their own interests, needs and rights. Without this kind of security, workers are much more likely to be exploited.

Study Objectives

The study on which this paper is based took place from 2005 to 2006. Its objectives are:

- To document major changes in labour market policies, i.e., the ESA, that have had the greatest impact on the labour market experience of recent Filipino immigrants in BC.
- To examine the impact of labour market policy changes on immigrants' overall security in terms of labour market, income, employment, work, representation and voice, and access to adequate housing and transportation.
- To recommend alternate policies that would improve workplace environments for Filipino and other immigrants.

Sample Group: Why Filipino Immigrants?

The Filipino community has many characteristics that make it particularly appropriate for analyzing the economic security and labour market experience of recent immigrants. Many policy implications for Filipino immigrants could reasonably be extended to other immigrant groups, particularly those from Asia.

While an immigrant Filipino community has existed in Canada for many years, the number of Filipino immigrants has been growing sharply, and recent Filipino immigrants now represent one of Canada's largest immigrant populations. Between July 2003 and June 2004, the number of immigrants to Canada from the Philippines rose 56 per cent over the same period the year before.¹⁰ In both 2002 and 2003, the Philippines ranked fourth among top source countries for principal Canadian immigration applicants and their dependents.¹¹ Their recentness and increasing numbers make Filipinos an ideal group for a study focusing on recent immigrants.

The growth in Filipino immigrants to Canada benefits the economy of both countries. Increasing immigration is a result of a Philippine government labour export policy, combined with a Canadian skills shortage and the economy-oriented policies of Citizenship and Immigration Canada (CIC). In other words, the Philippines has a surplus of workers while Canada has not enough. The Philippine government promotes the export of its citizens through an aggressive Labour Export Policy (LEP) because it reduces its high unemployment rate and – through the practice of remittance (Filipino workers abroad sending money back home to family) – results in a transfer of money from Canada to the Philippines. Canadian policy, on the other hand, focuses overtly on Canada's labour market needs. This combination of Canadian and Philippine policies has produced a vast number of Filipino immigrants in Canada, principally to fill a significant labour shortage of live-in caregivers; hence, this category figures predominantly in the survey. However, not all Filipino immigrants are or have been live-in caregivers, as is evidenced by the diverse profile of participants in the in-depth interviews. In fact, none of the participants for in-depth and focus group interviews were live-in caregivers at the time of the study, although a few arrived in Canada under the live-in caregiver program (LCP). All the interview participants were recent immigrants, a term explained in the next section.

Recent Immigrants: Who are They?

The concept of “immigrant” has legal, economic, political and social connotations. Legally, an immigrant is one who is a landed or permanent resident and has not become a naturalized citizen. Broadly, immigrants are people whose birthplaces are outside of Canada – the federal government generally uses this definition. CIC uses the terms “very recent” or “most recent” for those immigrants who have arrived within the past five years, while “recent” immigrants include those who have arrived within the past 15 years.¹² Because this study deals with changes to the ESA in 2002 and their impact upon the labour market experience of recent Filipino immigrants, the participants for focus groups and in-depth interviews were selected from immigrants who arrived within the past five years (2002 to 2006), but who were not currently live-in caregivers (as they are excluded from many provisions of the ESA – a long-standing reality that increases their workplace vulnerability, as has been documented in other studies¹³).

Research Methods: Survey, Focus Group/Individual Interviews and Workshop

The research for this study was carried out with the collaboration and active participation of the Philippine Women Centre (PWC) in Vancouver under the supervision of Cecilia Diocson.¹⁴ The study used three major research techniques: a survey, focus groups and individual interviews. In addition, as part of the consultative component of the project, the research team, in collaboration with the Canadian Centre for Policy Alternatives – BC Office, organized a one-day workshop so those who participated in the focus groups and individual interviews could develop recommendations for policy changes, along with representatives from other immigrant and community groups.

- The PWC in Vancouver distributed and collected 100 survey questionnaires. The results were compiled by Habiba Zaman¹⁵ in consultation with Cecilia Diocson. Each survey took 30 minutes to complete.
- In addition, 30 individual and focus group interviews were tape-recorded to obtain information pertinent to various issues related to the study.
- All the interviews were recorded with the consent of the participants and were conducted by Cecilia Diocson, who contacted these participants using a snowball technique, a recruitment method where participants are asked for recommendations to other potential participants. To make them anonymous, participants provided fictitious names. Each interview took two to three hours. Interviews were also used to fill some of the gaps in the survey findings.

The study faced a number of challenges that deserve mention in order to reveal the complexities of research with “recent immigrants.” Finding a “recent immigrant” was the most challenging task for in-depth and focus group interviews. Even when such a person was located, s/he was often too anxious or fearful to be interviewed, let alone taped. Another research challenge was that several participants had more than one job. Paid jobs, in addition to household chores, childcare and settlement issues, made scheduling extremely difficult. Interview schedules often had to be changed several times, especially since all recent immigrants in this study were part of the on-call, flexible, temporary and part-time workforce.¹⁶

Limitations of the Study

- Ideally, this study would have been able to include other Asian immigrant groups, in particular immigrants from India and China. Incorporation of these two groups could have provided comparative analysis of labour market experiences. However, this study applies only to Filipinos in BC, and no generalization is attempted for Filipinos’ labour market experience in other provinces. Indeed, employment standards, the minimum wage, and work conditions vary from province to province.

- The study was conducted at a time of strong economic growth and a tight labour market in BC. The provincial government is aggressively bringing temporary workers into various sectors, such as construction and farming. Moreover, the 2010 Winter Olympics, which will take place in Vancouver and Whistler, has made the labour market even tighter. This report's analysis and recommendations need to be contextualized within these complex factors. If the economy was suffering and the unemployment rate high, the work experience for recent immigrants would likely be even worse and their economic status more insecure. In that scenario, many more recent immigrants, as first-time workers in Canada, would probably receive the first-job wage, i.e., \$6 per hour, be allowed only one part-time job, and be stuck in an insecure financial situation for years.

The Context: Changes to the BC Employment Standards Act

Historically, the Employment Standards Act has provided minimum rights and basic standards necessary to protect the most vulnerable, disadvantaged workers, including women, racial minorities, youth, and those most relevant to this paper: recent immigrants. In other words, the ESA has tried to address the intrinsic power imbalances between workers and employers. However, these basic employment standards have not applied to all workers. For example, live-in caregivers (who work in people's homes) have been excluded from many of the provisions of the ESA. This is why this study chose not to include live-in caregivers in the in-depth interviews. Although employment standards undoubtedly provided some security for most workers in the past, including recent immigrants, recent changes to the ESA have undermined many facets of economic security and labour market experience for all workers who fall under its jurisdiction.

The following is a brief overview of the important changes to the ESA that relate to this study:¹⁷

- The introduction of a “first job” wage in 2001. This new sub-minimum wage (sometimes referred to as the “training wage”) allows employers to pay “inexperienced” workers \$6 per hour instead of the regular minimum wage of \$8, for up to 500 work hours. At that point, employers must pay the regular minimum wage. Anyone (e.g., youth, recent immigrants) without the minimum hours of work experience or entering the workforce for the first time can be paid a “first-job” wage. Recent immigrants face another challenge: “Canadian experience.” Despite being able to show documentation of paid work in other countries, immigrants have not done paid work in Canada. As a result, many recent immigrants are forced to accept a “first-job” wage in spite of educational credentials and job experience from their country of origin.¹⁸
- Prior to sweeping ESA changes in 2002, an employee was entitled to a minimum of four hours pay if s/he showed up for scheduled or on-call work but was sent home for any reason. (The only exceptions were conditions beyond the employer’s control, such as inclement weather, in which case the employee was paid for two hours.) The provision considered the fact that employees count on and plan their expenses around expected wages. Now, with the changes, the minimum call-in period has been reduced to two hours. (One exception is if employees have been scheduled for more than eight hours that day, in which case they would be entitled to four hours’ pay.) This change leaves employees more vulnerable to unpredictability in the workplace and ultimately forces them to be more “flexible.” The liability for these fluctuations has shifted away from the employer and onto employees, encouraging them to be flexible so that employers do not have to be. The employee’s right to basic economic security is now increasingly jeopardized by the fluctuations of the workplace and marketplace. Although the government claims that this change will create new employment opportunities, in reality a two-hour on-call day increases insecurity for workers, especially for part-time employees whose work is already of a precarious nature.
- Before May 2002, every employee was entitled to statutory holiday pay if s/he worked on a statutory holiday. Now, only employees who have worked 15 or more of the 30 days previous to a statutory holiday are entitled to statutory pay. This means that only employees who work approximately four days per week or more receive statutory holiday pay. This change can easily exclude recent immigrants who hold part-time jobs (for example, three days a week) or jobs in two different places (for example, three days for each employer). Some part-time employees could see their real wages decline due to these ESA changes.

Despite being able to show documentation of paid work in other countries, immigrants have not done paid work in Canada. As a result, many recent immigrants are forced to accept a “first-job” wage in spite of educational credentials and job experience from their country of origin.

- Prior to 2002, employers were required to post workers' ESA rights in the workplace. The 2002 ESA changes removed this requirement. Posting workers' rights was an important way to inform recent immigrants of their rights. Given that most immigrants currently come from Asia (e.g., China, Pakistan, and the Philippines) where BC's ESA is unknown and employment standards are effectively non-existent, it is reasonable to assume that many know little about their basic rights as workers. This dearth of information leaves workers susceptible to exploitation and work insecurity, especially since the complaint resolution process depends not only on a certain amount of literacy, but also on knowledge of basic employment standards.

- The introduction of a "self-help" resolution kit is likely the most injurious change to the ESA. Using the self-help kit is now the required first step that employees must take

The introduction of a "self-help" resolution kit is likely the most injurious change to the ESA. Using the self-help kit is now the required first step that employees must take if they have a grievance with their employers. The kit has become a clumsy and confusing bureaucratic barrier that seems designed to discourage workers from claiming their rights.

if they have a grievance with their employers, a key change to the ESA that captures the non-interventionist policy of the government towards upholding employment standards. Workers who feel their workplace rights under the ESA have been violated can no longer take their complaints directly to the Employment Standards Branch. Rather, they must fill in the self-help kit, bring it to their employer, and attempt to resolve the complaint. Only if that attempt is unsuccessful can they then bring the complaint to the Branch. Use of the English-only self-help resolution kit, which is quite lengthy (originally 16 pages, now eight pages) and complicated, means that literacy, lack of information and language barriers are likely to prevent recent immigrant workers from receiving protection or wage recovery. Moreover, if an employee feels uncomfortable or fears discussing issues with her/his employer and thus does not use the kit, the Branch can dismiss the complaint. The self-help kit assumes that both employers and employees know the mechanisms involved in dealing with complaints and are equally and adequately familiar with the provisions of the act. The self-resolution kit has become a clumsy and confusing bureaucratic barrier that seems designed to discourage workers from claiming their rights.¹⁹

- Employees covered by a collective agreement, i.e., a union, are now excluded from the ESA. According to BC labour researcher David Fairey, "This is the first time that a specific group of employees, by virtue of membership in a union, have been excluded by the Act [ESA]."²⁰ According to Fairey, this has several major implications, and two are particularly pertinent to this study: the provisions of a collective agreement may be below the minimum standards set out in the ESA; and, it encourages substandard arrangements between employers and employer-accommodating unions.²¹

- The former penalty schedule for employers who violated the ESA was nothing for a first offence, \$150 for a second, \$250 for a third, and \$500 for each subsequent contravention. Each amount was multiplied by the number of employees affected. The new penalty schedule is \$500 for a first contravention, \$2,500 for a second, and \$10,000 for a third. However, the greater escalating penalty for repeat offenders under the new act is largely an illusion, because penalties are no longer multiplied by the number

of employees affected. For example, \$500 is hardly a punishment for a contravention that affects hundreds of employees. Moreover, the escalating fine applies only when the same contravention occurs (it does not kick in if another provision of the ESA is violated). Thus, in many circumstances, this new penalty schedule is too low to prevent contravention of provisions of the act. Indeed, the Employment Standards Branch is no longer required to investigate all complaints, and much of its investigative power is decentralized due to the introduction of the self-help resolution kit and settlement agreements. This creates a labour market environment where workers are discouraged from filing complaints even when their work security is curtailed or eliminated.

- The enforcement of the ESA is largely complaints-based, and there is discretion about which complaints will be investigated. Proactive investigative teams have been disbanded. The wording of the act has changed from “the director must investigate a complaint made,” to “the director must accept and review a complaint made.” Thus, investigations are largely left to the discretion of the director.

Evidently, the changes to the ESA do not enhance the economic security of recent immigrants. In fact, the survey, as analysed in the next section, shows that the changes to the ESA exacerbate the economic insecurity already experienced by recent immigrants and other vulnerable workers.

Survey Snapshot: Demographic Profile and Challenges

The survey conducted for this study provided a demographic profile of 100 Filipinos who have immigrated to BC. To obtain an overall picture of challenges many immigrants face when they migrate to Canada and to assess how these challenges affect economic security, the survey asked participants about their immigration category, gender, year of arrival, education, place of residence, housing, mode of transport, remittance (money sent to the Philippines), first jobs in Canada, first-job wage, current jobs, mobility in the labour market, and knowledge of workers' rights.

Immigration Categories

- Sixty-seven per cent of the survey respondents immigrated as caregivers (under the Live-In Caregiver Program), while the other 33 per cent immigrated under various independent and family categories. Interestingly, there were no refugees in the sample. This is attributable to the fact that Filipino immigrants in this survey immigrated more for economic than political reasons.
- The PWC selected respondents who either were members of the PWC or had made contact with the PWC for several reasons, such as finding housing or dealing with employers. As many scholars have argued,²² caregivers are one of the most marginalized groups of immigrant workers and often need community support in dealing with employers, employment conditions, and immigration authorities. The PWC plays a significant role for caregivers needing assistance of any kind.²³

Gender

- Caregivers were heavily represented in the survey, and most caregivers are women. As Table 1 shows, the majority of survey participants (89 per cent) were women. This preponderance of women may account for the marginalization and economic insecurity reported in the surveys.

Years of Arrival

- The majority of immigrants in the survey were either “very recent” (55 per cent) or “recent” (25 per cent) arrivals. Table 2 illustrates this more clearly.

Table 1: Gender Representation	
Gender	Number of Participants
Female	89
Male	11

Table 2: Year of Arrival	
Year of Arrival	Number of Participants
2000 to 2005	55
1995 to 1999	25
1990 to 1994	12
before 1990	8

Education

- The educational attainment was very high – 56 per cent of the respondents had undergraduate degrees. The most common undergraduate degree was nursing – 21 respondents reported having nursing degrees in the Philippines. Four reported degrees in commerce, and three in education. Other degrees included mathematics, pharmacy, agricultural economics, psychology, and architecture.
- Besides degrees, some respondents had other kinds of training, including midwifery.
- Only 28 per cent of respondents reported not obtaining any post-secondary education in the Philippines. Many of these were respondents who immigrated younger than working age. In other words, they came to Canada as children/minors.

Place of Residence

- Most survey respondents lived in the Greater Vancouver Regional District, in areas such as Burnaby, Coquitlam, Delta, New Westminister, Richmond, Surrey, and Vancouver. A few lived in Victoria and Kelowna (see Table 3).

Housing

- Most survey respondents lived in rental units, although live-in caregivers lived in the homes of their employers. No respondents lived alone, with an average of approximately four or five people per housing unit – whether the respondents lived in apartments, basement suites, duplexes or townhouses. This indicates that the majority of respondents experienced overcrowding. Some respondents in fact reported that their dwellings were too small.

Table 3: Current Place of Residence

Place of Residence	Number of Participants
Vancouver – East side	33
Vancouver – other	16
Kelowna	9
Surrey	9
Richmond/Delta	8
New Westminister, Coquitlam, Burnaby	8
Victoria	2
Other, not reported	15

- Despite the fact that the majority of respondents were of low income and lived in crowded accommodations, only two of the respondents received housing subsidies. This indicates that despite their heightened economic insecurity, the respondents did not (or were unable to) seek housing subsidies.
- The majority of respondents paid rent ranging from \$700 to \$800 per month for their accommodation, with no one paying more than \$1,000. Live-in caregivers paid roughly \$325 per month for housing, and this amount was deducted from their paycheques.
- Twenty-four per cent of respondents lived in a house, and many of these were caregivers who lived in the home of their employers. Only 9 per cent of respondents reported owning their own home (this includes owning an apartment).
- Caregivers' experiences with housing were mixed. Sometimes, the employer had a beautiful, large home containing a suite with a private bathroom for the caregiver. Other caregivers barely had their own room. Some caregivers were silent regarding their accommodation. Given the fact that caregivers often live in the home of their employers, it is reasonable to assume that they may feel ambivalent about claiming their rooms and living arrangements as their own.
- Proximity to community played a significant role in respondents' level of satisfaction with their accommodations. The community was a great source of strength and support to these respondents. In fact, their level of satisfaction appeared primarily linked to having a good neighbourhood with access to the Filipino community and public transportation.
- Respondents who were dissatisfied with their accommodation complained about noise, neighbourhood safety, and malfunctioning utilities. Respondents who were not live-in caregivers made more complaints about their housing situation.

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Mode of Transport

- Respondents relied heavily on public transportation. No respondents had a car. Fifty-two per cent reported using the bus to get to work. This cost was between \$60 to \$95 per month for a pass and \$2.25 per one-way bus ride in one transit zone – a substantial expense. Commuting to and from work could cost a minimum-wage earner most of an hour's wage. Often, commuters had long traveling times, taking up to two hours and involving several transfers and a long walk.
- Some respondents had little access to public transportation, a situation that restricts their access to shopping, necessities and the Filipino community. Caregivers who did not have their own transport and lacked access to public transport were susceptible to isolation. This particularly applied to the nine caregivers in Kelowna.

Remittance

- Survey respondents, especially live-in caregivers, migrated mainly for economic reasons, as their high rates of remittance shows. Remittance is funds earned in Canada and sent back to family in the Philippines, where they are often used to pay for housing, food, education, and other needs. The Migration Policy Institute supports the theory that migration for economic reasons leads to higher rates of remittance: "... it is possible to say with some confidence that remittances are likely to be higher in situations where the migrant leaves broadly for economic rather than political or social reasons."²⁴
- Remittance is particularly common among the Filipino immigrant community. The Philippines ranked fourth among the countries with the highest total remittances in 2001.²⁵ Most respondents reported sending remittances to the Philippines, with 56 per cent remitting funds on a monthly basis.
- Eighty-four per cent of respondents mentioned that it was difficult both saving and sending money overseas. Remittance can be a financial burden, as it places strains on recent immigrants' finances at a time when they are trying to settle in a new country and achieve basic economic security.

First Jobs in Canada

- As Table 4 shows, two-thirds of the respondents reported "live-in caregiver" as their first job in Canada. The remaining one-third reported jobs in fast food restaurants, sales, warehouse and janitorial work. These jobs tend to have low wages and exploitative working conditions, particularly caregiving, where workers often put in long hours and in isolation. Whatever their credentials, respondents held these low-paid, "unskilled" jobs because they received no recognition for their skills and work experience in the Philippines. Respondents were heavily concentrated in these five areas, with very few working in professions or in trades.
- Nursing degrees were common among respondents, yet only one respondent with a nursing degree was able to obtain a first job in Canada as a nurse.

Job	Number of Participants
Live-in Caregiver	67
Fast Food/Restaurants Entry Level	12
Warehouse/Production	7
Other: Professional, Other	7
Sales/Customer Service Entry Level	4
Cleaning/Janitorial	3

First-Job Wage

- Sixteen per cent of respondents reported receiving less than \$8 per hour at some point between 2002 and 2004, years during which employers could pay the “first-job” wage. Six of the 16 respondents who had received less than \$8 worked as caregivers. This clearly contravenes the legislation since the first-job wage does not apply to caregivers. More than one third of those who reported receiving the first-job wage did not receive any training, even though training was an explicit impetus for introducing this substandard wage. Furthermore, 50 per cent of the first-job wage workers reported not receiving a wage increase after 500 hours. Three reported being fired or laid-off while receiving the low wage.

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Current Jobs and Mobility in the Labour Market

- As Table 5 shows, just under 50 per cent of respondents reported caregiving as a current job. That’s because while many Filipina women come to Canada under the live-in caregiver immigration program, and are required to spend two years as caregivers, after two years they are then entitled to apply for permanent immigration status. Once this is granted, they are free to pursue other work. However, this reduction in caregiving was not offset by an increase in fast food, customer service, janitorial or warehouse work. In fact, caregivers reported a startling high rate of unemployment – 16 per cent.

Table 5: Current Job

Job	Number of Participants
Caregiving	42
Unemployed	16
Care Aide, Dietary Aide, etc.	8
Mobile	7
Fast Food/Restaurant Entry Level	5
Cleaning/Janitorial	4
Customer Service Entry Level	4
Warehouse/Production	4
School	3
Maternity Leave/Stay-at-home	3
Other	4

It appears that a significant number of caregivers become unemployed once they leave their first jobs. As for jobs in fast food, customer service, janitorial and warehouse work, it must be noted that these have limited to no upward mobility.

- Former caregivers (N=25) generally moved into one of five categories: (1) maternity leave and/or caring for their own children, (2) going to school for upgrading, (3) upwardly mobile work according to the respondent's perception (the "Mobile" category in Table 5), (4) care aide and other types of aide work, and (5) unemployment.
- The high rate of unemployment supports the contention that immigrants suffer a long transition penalty. The government's justification for introducing the "flexible labour strategy" – including changes to the ESA – was to create more jobs. Yet this study indicates that for a significant number of immigrants that strategy has proven ineffective.

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- The "mobile" category includes respondents who felt they had experienced upward mobility or who worked in positions that offered opportunities for advancement in terms of promotions, wages, benefits, etc. Several examples may be cited, such as from a part-time crew member at a restaurant to a manager, a domestic worker to a nurse, a banquet server to a web designer, a domestic worker to a librarian, and a caregiver to a hairstylist.
- Care aides (as well as dietary aides) were placed in a separate category from "mobile" workers for a few reasons. First, aides made up a significant portion of the survey's current jobs; indeed, there were no first jobs that were care aides. Second, the decline in live-in caregiver work was replaced by a significant increase in another form of care work. It is debatable whether care aid work constitutes upward mobility for a former caregiver. On the one hand, the duties may not be significantly different between care aides and live-in caregivers. On the other hand, care aides live in their own homes, have their free time to themselves and can have and live with their own families. Further, some aides receive

extended benefits and overtime pay, depending on whether they work for a private company or a public hospital. Still, the question remains whether the occupational shift to aide work represents significant mobility, although the movement towards this kind of work indicates that respondents think it does. While care aides earn more per hour than live-in caregivers, they often work part-time or on-call. Of the eight care aides in the survey, half had only part-time or casual hours.

Knowledge of Workplace Rights

- Table 6 shows that 23 per cent of the respondents saw workers' rights posted in the workplace. These workplaces still posted the ESA even though this was no longer a requirement. This suggests that some employers are comfortable with posting the ESA, as they believe workers need to know their rights.
- Since 2002 there has been little access to the ESA in the workplace. Only about one quarter of the respondents noticed the ESA in the workplace (Table 6). As Table 7 shows, even fewer, 10 per cent, had heard of the 2002 changes to the ESA.
- Another finding is that 34 per cent of respondents felt that their workers' rights had been violated, but only 19 per cent reported complaining about the violation. These complaints may have been possible because they all took place prior to the 2002 ESA changes, when posting of the ESA was still mandatory and use of the self-help kit was not required.
- Another significant issue arising from this survey is that when participants were asked to name barriers to getting a job in BC, many respondents named "racism" after "lack of training." "Lack of training" is a broad concept that may indicate lack of job experience in a particular area or lack of credentials for a specific job. Several scholars have demonstrated that immigrants in Canada encounter racism in the labour market as well as in the workplace.²⁶ As the goal of this study was to examine the changes to the ESA and its impacts upon immigrants' economic security, this issue was intentionally avoided in the survey.

The survey provided an overview of the challenges Filipinos encounter in the labour market. As the next section shows, participants' narrations during the in-depth interviews reveal the nature and extent of these challenges.

Table 6: Participants Who Reported Noticing Workers' Rights Posted in the Workplace

Response	Percentage of Participants
Yes	23%
No	69%
N/A, no response	8%

Table 7: Participants Who Reported Being Aware of the Changes to the ESA

Response	Percentage of Participants
Yes	10%
No	69%
N/A, no response	21%

Labour Market Experience: Participants' Narrations

The following analysis is based on the in-depth and focus group interviews, which provided detailed narrations about the participants' labour market experience and its complexities due to changes to the ESA and other policies since 2002. This section discusses hourly wages, and workplace orientation, training and safety. In the next section, the overall workplace environment is analyzed, and the last section discusses participants' experience with unions.

Hourly Wages

There was some variation in the hourly rate of pay among the participants, depending on the job. Workers in retail and farm work made the minimum wage, while workers in security jobs, care aide jobs and production sometimes made more – as much as \$15 per hour. The few professionals, including registered nurses, eventually made a decent wage, but began by working in low-wage sectors upon arrival. Only one participant was paid the first-job wage of \$6 per hour, but this wage was illegally paid since the person had worked more than 500 hours in previous employment. However, this participant did not file a complaint. As mentioned earlier, few immigrants complain because the self-help kit is complex and requires a certain level of English language proficiency that a recent immigrant may lack.

Workplace Orientation, Training and Safety

Most participants received orientation and training pertaining narrowly to the nature of their job-related duties – the tasks they were expected to perform and the standard to which they should perform them. However, many did not receive training related to rights and benefits in the workplace, and this lack of training compromised work security. Several workplaces did not provide written job descriptions and simply informed their employees verbally about what they were expected to do. Job descriptions are crucial to avoiding worker abuse and exploitation. Some participants noted that employers would not want to tell employees about their rights because it would be inconvenient for the employers, but some enquired about these issues on their own initiative, recognizing that the employers were not going to freely offer information.

Rose's narration shows that her orientation covered job-related duties, but not rights or safety, and thus compromised work security. Luckily, because Rose had received more advanced training on the use of hazardous materials in a previous job, she knew enough to protect herself:

Rose

I have a WHMIS [Workplace Hazardous Materials Information System] certificate. Also, I have experience at the casino and that also involved industrial cleaning. ... My boss there just trained me how to do the work of cleaning up the casino. But when I studied, I took the WHMIS course as part of the care aide program. It was a complete course.

Several workplaces did not provide written job descriptions and simply informed their employees verbally about what they were expected to do. Job descriptions are crucial to avoiding worker abuse and exploitation.

There was no training for William, who handled dangerous machinery, including a manual cutter. His narration describes a situation that was a clear violation of the WorkSafeBC rules:

William

They just tell you of the specific job that you are supposed to do. When it comes to safety, it is all up to you. There is also no training. No training in the handling of equipment or machinery in the workplace. ... They have a machine, which is electrically operated. We are cutting them crosswise and by feet in terms of length. ... The cutter is like that of a manual cutter. But it is hydraulic-pressured and you have to do it by foot.

In some places, coworkers, not supervisors, provided informal orientation. According to Noel, "They just buddy you up with someone who shows you how to do the work. That is all." The absence of a job description also undermines basic rights and security. The worker is often expected to do work beyond routine duties, as Regan's narration illustrates:

Regan

After I gave my resume, I started working right away. They did give me some papers, but I do not remember anymore what they were. ... I did not work in areas that require those [masks, gloves]. They do have supplies of gloves for when we do our cleaning up. I would

use them. ... [Later on] I replaced the cleaner, which was not supposed to be my work. I ended up cleaning eight floors.

Several participants spoke of starting work right away after they were hired, without having any knowledge of their rights, as there was no job orientation. Joseph's narration below, which includes three different workplaces as a security guard, clearly illuminates how employers overlook safety, hazards, and security due to lack of enforcement and monitoring by the ESA or WorkSafeBC:

Joseph

They would give me around 36 hours of work per week. I would receive a cheque for over \$300 a week. Now, I am only getting around \$100 a week. They don't give me enough time. And when they give a shift time, it is mostly in the evening and I don't usually take it. It is ok to work at night if you have a car. You can work outdoors. Then, you can use the car while working outdoors. Then after 30 minutes outdoors, you can go inside your car and warm yourself up. But if you have no car, you have to endure the cold outside. Sometimes, after your patrol (outdoors) you can go to a corner of the building, but you still have to suffer the outside temperature, which is very cold. And sometimes the temperature goes down to minus 1 degree Celsius.

Several participants spoke of starting work right away after they were hired, without having any knowledge of their rights, as there was no job orientation.

Like the one at the T... site. ... There, after our patrol, we could go to the tent for a rest. But the tent is also open and there is no heater in the tent. So, it is very cold. ... I finally refused the assignment. ... But of course, once they pull you out, you have no more work. You have to wait for another assignment.

...I explained to the agency that I should have these safety gadgets to be able to work there as security guard. But the agency insisted that I should just go there and that I am not going inside the plant and I will be only securing the perimeter from the outside of the plant. Of course, because I need money, I decided to work. But then, if anything had happened to me or if there is any accident ... the agency insisted that I would be outside the plant, so I can work without these safety gadgets. Fortunately, nothing happened.

Joseph's narrations demonstrate how workplace safety can be compromised. The Vancouver Sun recently reported²⁷ that WorkSafeBC is proposing to restore its safety regulations, "word for word."²⁸

Several participants expressed fear of asking about their rights, perceiving that such an enquiry might jeopardize their job. However, Sid and Ronnie found the courage to ask:

Sid

They did not tell me anything. I ended up asking them. My husband's nephews and nieces were telling me not to ask. But I did ask on the second day of my work. I asked: "How much is the hourly rate here?" They told me that it was \$8 per hour. They said that there were also no benefits.

Ronnie

They did not explain anything to me. I learned about the CPP [Canada Pension Plan] and the EI [Employment Insurance] after I started working there because I asked.

Some participants reported receiving adequate orientation, with reading materials and supervisor attention. It is evident that participants such as Joy, who worked in hospitals or public care facilities, had job orientation, training and better information, perhaps due to the existence of unions or the presence of more conscientious employers:

Joy

Yes. We have orientation. They oriented us about the patients and how to handle them. Also, they showed us to get a hold of nurses in cases where we could not handle the patients. Also, these things were part of our studies at school. In dementia or Alzheimer cases, for instance, we were taught how to redirect the patient's attention to something else. ... At the hospital, the nurses kept informing us about the status of the patients, so we had fairly good information about the patients.

Workplace Environment

Several participants obtained jobs through informal networks in the Filipino community – an important source of job postings and work-related information. However, one problem with this informal system is that it hinders proper advertisement of the positions. As a result, regulations regarding the nature of the job, employers' obligations, workers' rights, and so on are not formally outlined.

While these informal networks help participants find jobs, the jobs are often casual and/or part-time, with participants sometimes patching together numerous part-time positions. The consequences include: the informal process can diminish bargaining power and jeopardize rights; casual full-time jobs have little security; several part-time jobs can add up to more than one full-time job – causing work-life stress; and, job-hopping as a coping mechanism (as is explained later) perpetuates unsafe and unfair conditions.

1. The informal process can diminish bargaining power and jeopardize rights

Sid, whose narration appears below, was not the only participant to note that employers sought out Filipino workers because “they don't complain” and “they work harder than others” and are willing to accept a lower wage. Combined with the restructuring of the ESA, this stereotype about an immigrant community can diminish an employee's bargaining power for workers' rights and a decent wage. Sid's narration also reflects the tight labour market in BC. Sid's employer was so desperate for help that he/she hired Sid without a social insurance number and asked her to start right away.

Sid

Well, we were going around Richmond. The cousin of my husband was on leave for seven days. Of course, he drove us all over the Lower Mainland. ... When we arrive there, we saw a sign “Now Hiring.” The cashier was Filipina. Sherwin asked if they are hiring. And the cashier said yes, that they are hiring. She even asked him if he knows someone who would be interested. Sherwin said that he knows someone who just arrived but has still

not received her social insurance number. The woman said that it is alright. The social insurance number can follow as long as she has applied for it. Of course, they brought me up and asked me fill in the application form. They asked us to return the following day. ... After I submitted my application form, William (the guy in the store) immediately asked me to start. ... So, I started the following day. ... Almost all of my co-employees there were Filipinos. ... We were paid \$8 per hour. But it is just part-time work for me... He said that he wanted Filipinos to work for him because they don't complain much. Unlike those Caucasians who just leave right away if they don't like the work.

Other participants also found a job in a haphazard way. For example, Ronnie walked into a store and was approached by a worker there, asking if she was looking for a job:

Ronnie

I think I was just lucky. I went into this vegetable and fruit store to buy something and one of the sales ladies asked me if I wanted a part-time job. Of course, I was interested in the job if there was one available. So, she asked me to return to the store for the job. I went back and they interviewed me. They liked me and accepted me right away. I just give them my resume after which they just asked me to sign the form. My designation is store retailer or storekeeper.

Ronnie's hiring process did not include a formal job interview and job advertisement. Without a formal hiring process, there is little opportunity for a prospective employee to ask questions about the nature of the job. Indeed, this informal procedure makes it more unlikely that a new immigrant employee will be informed about her/his rights.

2. Casual full-time jobs have little security

Several participants reported having "casual full-time" jobs. They are considered casual by their employer but in fact they work full-time hours. This situation benefits the employer at the expense of the employee, as employees under the new regulation may work up to 39 hours a week and still be considered casual. The employer can lay off a casual worker or reduce his or her hours at any time to two hours a day. An employer is also unlikely to provide benefits to casual workers. Consequently, there is little employment security, income security or voice representation security for these "casual full-time" workers.

3. Several part-time jobs can add up to more than one full-time job

Many participants had the types of jobs frequently called part-time. These types of jobs seem to have increased due to the new reduction of work hours from four to two. Most often, participants did not want part-time jobs, which lack employment and voice representation security. However, some participants found it hard to obtain a full-time job even after working for years:

Joseph

My job as security is like a filler. I just filled in the work whenever they call me. If there is no security in a certain place, they send you there. ...They said that I am a regular. You see,

I signed a contract with them. But they gave me just a little time. Sometimes, they would just give two days' work in a week. This is 12 hours per shift – so, 24 hours a week. They paid me for 24 hours at \$9 per hour.

In Joseph's case, being a "regular" meant he had a steady part-time job without any benefits.

Edgardo, who arrived in April 2005, had held several jobs that totalled 40 hours or more per week, but he was still considered part-time:

Edgardo, on Job 1

I worked in the farm – it was a greenhouse mostly planted with tomatoes. This was in Richmond. ... I was a picker, a loader. I would unload lots of stuff. They were quite heavy. I am not used to that kind of work. There was not a day upon coming home that I would not have a back massage. I was in pain all over my body... No. I was only working casual there. ... I was working for five days and eight hours a day. Sometime, we worked for six days. So, it is more than 40 hours sometimes.

Edgardo, on Job 2

It was cleaning (janitorial) work there. It was a graveyard shift. ... I was also working five days a week for eight hours a day.... It was also casual work. But if you want to be permanent, they would also accept you because they were also looking for permanent workers. After I was there for one month, I applied at the hospital and got accepted. So, I ended up with two jobs.

Edgardo, on Job 3

I did not bother anymore because I already decided to leave that job. I did not get it [4 per cent vacation pay].

Several participants reported having "casual full-time" jobs. They are considered casual by their employer but in fact they work full-time hours.

Edgardo's narration about three different workplaces points out that many recent immigrants are not using the ESA self-help kit to receive vacation pay or claim rights or complain about physical pain due to the nature of the job. The restructuring of the ESA has provided a way for employers to hire full-time casual workers like Joseph and Edgardo, but label them as part-time regular and thereby not provide benefits. The absence of monitoring and enforcement in the workplace has left these workers at the mercy of their employers.

Another example is Lila. After she arrived in Canada, Lila landed a job right away. Her job was casual and has remained so. Despite the fact that her workplace is unionized, Lila still does not have the full-time job she desires:

Lila

I have been on a casual basis since 2002. P has this seniority policy so I cannot apply for a permanent position right now. ... Others have been there for five years already but they are still on the casual list. There are no permanent positions available.

The precarious nature of part-time or casual work is reflected in many workplaces. For example, home-visiting care aides worked in one client's home for two hours, then traveled to another client's home. Not only were the aides unpaid for the in-between time or travel time, but these times were considered off-time. In fact, there was not enough time between clients to go home and rest or use the time for personal, let alone family, well-being,²⁹ as Joy's narration shows:

Joy

No. It is not really eight hours. Sometimes, when I attend to four patients I am only [paid for] six hours. Sometimes, it is only five hours. Sometimes, the company only gives you one hour for a client. Every client is not necessarily good for two hours' work. There are some who are only assigned one hour. You just do only personal care. You cannot do much in an hour. And then, you move to the next client in another place. And sometimes, the interval is three hours. This is the time when I go home and then go to another client. This is what I do for [the employer] that pays \$15.50 per hour.

Some home-visiting care aides said that they “kill” their in-between time by visiting shopping malls. Joy's narration demonstrates that home-visiting care aides often juggle several patients in one day, and assignment changes from four to two hours' work has made their schedule even more precarious.

Due to financial need, several participants held more than one job. Having two part-time jobs often resulted in dedicating more time to job-related activities than having one full-time job, especially when travel time between jobs is not counted as job-related time. Some participants worked 30 or more hours a week at one job without any benefits and then worked similar hours at another.

4. Job-hopping as a coping mechanism perpetuates unsafe or unfair conditions

Participants described their jobs as monotonous, stressful, hazardous, and not challenging – characteristics of the kinds of work in which immigrants tend to concentrate. A large amount of job-hopping was evident among the participants, who quit jobs rather than demand their rights or complain about workplace violations. Participants who quit or were fired from jobs frequently quickly found new ones of a similar kind.

Although job-hopping was a coping mechanism used by participants in a deteriorating work environment, it did not appear to improve their income and/or working conditions. Indeed, the absence of monitoring and the deregulations of Employment Standards and WorkSafeBC accelerated the situation in the work environment for these participants from either bad to worse or good to bad. Consider the narrations of Jen and Ed. In a few short years, Jen worked at more than five restaurants plus a food store as well as at a salon. In the case of Ed, his first job experience in Canada was devastating and his only alternative was job-hopping rather than filing a complaint, as there was no enforcement and monitoring of the ESA:

Jen

The first time I went on delivery, the owner just gave me the keys to the car and asked me to deliver to this particular area. I did not know the area and the customer had to wait for almost an hour. The food was cold by the time I arrived. He was very angry. Also, sometimes we would have customers who are frightening to me. ... After one week working

there, I began to feel tired in my work. By the time I arrived home at 9 p.m., I would cry. I was so tired and my hands were numb. Then I have to wake up again early in the morning and start all over again.

Ed

I experienced working at Langley lifting heavy doors. This was my first job... I decided to work because our funds [were] getting low and nothing was coming in... I was crying at the time because I was getting all these cuts and bruises at my workplace. And there is not much rest and I am physically exhausted. We would lift almost 40 kilos every minute... I worried that I might not last two months without getting injured... I developed tendonitis and rheumatism. I would have headaches and I don't want to start spitting blood because of heavy lifting. And sometimes, I could hardly stand when I arrived [home] from work.

Job-hopping would occur as a means of dealing with undesirable situations, including part-time jobs, overwork, workplace hazards and violations of workers' rights.

Violating Workers' Rights

The participants' narrations revealed that the changes to the ESA jeopardize all forms of economic security. The participants shared a similar experience upon arrival in Canada. They almost exclusively found jobs in the low-wage service and production sectors quickly upon arrival. Due to financial needs, they had to obtain work quickly, and the short-staffed labour market was more than willing to oblige. Most participants, however, were not familiar with the ESA .

Home-visiting care aides worked in one client's home for two hours, then traveled to another client's home. Not only were the aides unpaid for the in-between time or travel time, but these times were considered off-time.

William

I don't know [about the ESA]. And I have not received any information about this. Is this not supposed to have been shared with employees once they are hired? ... I don't think they would necessarily give this information to employees because employees might start asking questions. ... They are only given [work schedule/time] verbally. They can change it any time during the day.

The few participants who were familiar with their rights did not try to enforce them. Again, these workers may have made some kind of "trade-off"; perhaps they were happy to have benefits, and did not want to risk losing them. Edgardo's narration reflects this:

Edgardo

I am not really interested [to know about my rights]. I just wanted the part-time job. ... What really interested me is that I have not much to do during the weekends. So, I just decided to work. My other friends who work there were telling me that after having worked there for a while, they were getting bus passes.

Many participants worked in hazardous work environments. These harms ranged from unwanted sexual advances, to dangerous machinery, to hazardous chemicals, to being required to stand all day. Participants were worried about the risks of working in these workplaces, but very often did not complain or try to enforce their rights:

Loy

They have safety glass that we wear. We have also to wear steel-toed shoes. ... We don't wear masks or anything for that matter. We do inhale the fumes of the glue. I did inhale the desiccant, which is a hazardous chemical. We only have glasses for our eyes. We don't wear any mask. ... No [did not complain]. ... But the other workers like the cutters and others use masks. They have uniforms that prevent them from being injured if the glass they are working on breaks. ... Yes, I did learn skills there. But I don't want to do it anymore because I am worried about the work. ...I think the chemicals are cancerous – especially the desiccant. ... No. They [WorkSafeBC] did not tell us. But we can read about the chemicals because we are the ones using them. We would read the warning of the desiccant. It would say: "Hazardous and could cause cancer." We read this. ... We would put them in the barrel. You see, there is a machine that sucks up ... We just pour the desiccant from the bag to the barrel so that the machine will be able to suck this up. With regards to butile, which is the glue, we would also load two packs of butile into the butile machine. Once the machine is empty, then I have to load it again. I have no one helping me out. I only wear gloves, but it is a thin glove – only to prevent dirt from sticking to you because the butile glue is dirty and it sticks. ... No. They [the company] did not show us anything. They just trained us and let us do the work at once. ... Except for the masks and jackets for glass. But even these are not enough as some are still injured. ... No [there is no company nurse]. The lead man would do the first aid. ... Yes [I have witnessed an injury incident at the workplace] ... One of these glasses fell down and one of the guys was hit by the glass splinters in his arm. The other one was hit on the head. ... People get cut, they get scratches or because the glass is sometimes very clear, they could not see it and hit it.

Not a single participant reported using the ESA self-help resolution kit. The self-help kit neither advances nor enforces workers' rights, and employers in sectors where recent immigrants work almost exclusively "get away with" violating workers' rights.

Noel

It is difficult to reach that place. So, they give us additional pay. ... People don't stay long in that company. You see you have put on a suit and mask when you work. The fibreglass smells so much. And when you come home after work, the smell sticks to you and your dress. ... [T]he Filipino workers there did help me understand the work. They were the ones who helped and trained me in the work there. But I could not remember if the company ever gave me any orientation about the hazards in the workplace. ... I guess so. They just buddy you up with someone who shows you how to do the work.

In addition to teaming up a new worker with a coworker, employers sometimes provided verbal instructions about safety measures rather than showing videos or providing training.

The participants told of a number of instances where workers' rights and ESA regulations had been violated, yet no one filed a complaint. The interviews also revealed that some recent immigrants did not have a family doctor, a situation shared by many non-immigrant Canadians. Consequently, walk-in clinics were the only option for work-related injuries. Ronnie's narration is an example:

Ronnie

I think I lift up to ... they are quite big. I think I would lift up to 22 to 25 pounds and sometimes up to 40 pounds. If it is too heavy, we would ask the men to lift it for us. ... Yes, we have [trolley]. They tell us to be careful with our backs. ... None [no training about work hazards and weight lifting]. They just tell us to be careful especially when we do lifting. ... You are not allowed to sit down while working. ... You work standing up for the whole day. You only get to sit down during break time. ... They just told us that we are covered by WCB and we should report at once anything that happens to us or if we are injured. ... No. We just go to the walk-in clinic. We don't have a family doctor yet.

The new focus of a complaints-based system – epitomized by the self-help kit – does not protect Filipino workers and significantly compromises their basic security. According to data obtained by labour researcher David Fairey, since the 2002 ESA policy changes, complaints by workers dropped by 45 per cent in a single year, and over 60 per cent over the next three years.³⁰ This study mirrors Fairey's findings – not a single participant reported using the ESA self-help resolution kit. Recent immigrants are either reluctant to use the self-help kit or do not know how to use it, as it requires a certain level of English language proficiency. The self-help kit neither advances nor enforces workers' rights, and employers in sectors where recent immigrants work almost exclusively “get away with” violating workers' rights. In short, the self-help kit advances the employers' interests at the cost of the employees' rights. Finally, some employers do not keep accurate records of employment, making it difficult for participants to prove their claims to wages, EI benefits, and other entitlements.

Experience with Unions

An interesting and important finding of these interviews pertains to unions. Some participants had difficulties in getting protection, benefits and so on, despite being unionized. The union did not always inform workers about their rights. This may happen, as Fairey contends, because the changes to the ESA allow unions to sign collective agreements with provisions below the standards set by the ESA.³¹ This policy change has encouraged some employers to enter into “voluntary agreements” with “employer-accommodating” or non-confrontational unions. Indeed, our interviews revealed that some of our study participants (particularly those most likely to have complaints about their union) were indeed represented by unions or locals with a reputation for being employer-accommodating. According to Nenit, her union is not protecting her due to its weaker role:

Nenit

We have a union but it is not strong and the members are afraid to lose their jobs. The union hardly speaks for the members. ... I also worked there as a data entry operator. You have to accept whatever job they give you. After working there for eight months, I started looking for another job. This was also after I finished with my studies in computers.

Many participants were eager to see an active and strong union that would provide information about workers' rights:

Edgardo

There are still discussions between the union and the company about our benefits. But it was explained to us by HEU [the Hospital Employees' Union] the different working conditions in the hospital.

In Loy's workplace, there were workers who were not unionized, and there was a six-month period before new employees were included within the bargaining unit. Loy and other workers were laid off before the six months, with no repercussions on the employer from the union. (The union in question is among those widely considered to be "employer-accommodating.") Thus, even jobs in unionized workplaces did not provide security for all workers:

Our interviews revealed that some of our study participants (particularly those most likely to have complaints about their union) were represented by unions or locals with a reputation for being employer-accommodating.

Loy

Yes. There is a union. But I have not filed for membership yet because I have not been there for six months. I would have been able to qualify for union membership had I been able to stay there for six months. ... We were told that we could become union members only after six months. Only the older employees have unions.

Participants felt that unionization leads to higher wages and indicated their appreciation for the advantages of having a union in the workplace. Joy and William's narrations reiterate the point:

Joy

At B..., I worked from Monday to Friday. It is regular. But I am only on call. ... It's like a casual job. ... I am guaranteed at least 30 hours a week at B. It is really more than 30 hours if I wanted to do more work. But it still depends on the call. My experience has always been that it has never been below 30 hours. ... Their rate is \$13 per hour. ... At C it is \$15.50. ... Because C is unionized.

William

They are also assigned work. That's why everybody feels like he/she is just a replacement for any kind of work there. That is why some of the guys even wanted to form a union. But once, the company overhears this, they right away terminate the potential union leaders. The Filipinos there really want to form a union. The only ones who are not willing to do so are the older workers who are mostly the "eyes and ears" of the company among the workers. They act like "spies" for the company.

Participants' narrations demonstrate that, while the majority of recent immigrants do not have unionized jobs, they support a strong union in the workplace.

Recommendations

The following recommendations are based on a workshop held in April 2006, at which more than 60 people participated. Participants included members of the Filipino community (including those who took part in the interviews and survey), union representatives, academics, representatives from non-profit and immigrant-serving organizations, and a few representatives from the provincial and federal governments. Participants were asked to develop policy alternatives and solutions to the problems identified in the research. The recommendations are directed to the BC government, and if implemented, would result in a significant improvement in the economic security of recent immigrants in the labour market.

The province should:

- **ELIMINATE THE FIRST-JOB WAGE.** Considering high living costs in Greater Vancouver, the first-job wage of \$6 per hour is too low. One of the in-depth interview participants received the first-job wage (in violation of the ESA), as did several respondents in the larger survey.
- **RAISE THE MINIMUM WAGE TO \$10 PER HOUR.** This would pave the way to increased basic economic security for all workers.
- **RESTORE MANDATORY POSTING OF THE EMPLOYMENT STANDARDS ACT IN THE WORKPLACE.** Workplace rights are meaningful only if workers know them and feel able to demand and exercise them. Otherwise, they are “paper rights” only. The language of the ESA should be accessible and also exist in pamphlet format and in multiple languages. To increase awareness, the ESA should be available in places other than the workplace, such as bus stations, airports, community services, and other public places.

- **STRENGTHEN THE MONITORING AND ENFORCEMENT SYSTEM.** Without a vigorous monitoring and enforcement system workers' rights are "paper rights" only.
- **INSTITUTE PROACTIVE MONITORING TEAMS SUCH AS THE AGRICULTURAL COMPLIANCE TEAM.** A monitoring team would be able to identify hazardous workplaces where workers' rights are violated or have the potential to be violated. Such a team could also protect employees against arbitrary and wrongful dismissal.
- **MAKE THE ESA APPLY TO BOTH UNIONIZED AND NON-UNIONIZED WORKERS.** It is the government's responsibility to protect all workers, whatever their status. Taking this step would secure proper representation in the workplace and provide basic economic security.
- **ELIMINATE THE SELF-HELP KIT.** It is a clumsy and complicated document. Not a single participant used it despite experiencing repeated violations of the ESA. Workers need easy and speedy access to a third party to mediate a complaint. Replace the kit with a community-based, non-profit system, which would provide assistance, including advocacy, to workers who feel their rights have been violated.
- **INSTITUTE HIGHER PENALTIES FOR CONTRAVENTIONS.** Institute a point-penalty system, as is the case with driver's insurance. Make penalties higher for repeat offenders and when the contravention affects several employees.
- **MAKE SAFETY ORIENTATION MANDATORY.** Safety orientation should be a requirement for all large and mid-sized companies. Smaller workplaces should be required to have a risk assessment. As previously mentioned, WorkSafeBC is proposing to restore sections of its safety regulations that were removed by the government. This proposal reinforces this study's findings that lack of safety and workplace hazards are significant issues in BC.
- **EXTEND THE MINIMUM CALL-IN PERIOD TO FOUR HOURS.** Two hours of pay is inadequate, particularly when workers must commute long distances to get to the workplace. Restore the previous regulation, which was a minimum of four hours. This would also enhance workers' productivity and loyalty to the workplace.
- **EXTEND THE RESTRICTION FOR COMPLAINTS TO AT LEAST TWO YEARS.** Extending the complaint period is one of the key mechanisms to reduce abuse of workers' rights and encourage workers to file a complaint when they feel their rights are violated. The current six-month limitation is too short and discourages workers from complaining.
- **INSTITUTE AN INDEPENDENT REVIEW OF THE ESA.** An independent review will inform the government about how the ESA can be improved. WorkSafeBC's proposal to restore previous safety regulations is a clear indication that a review is needed.
- **SET UP A HOTLINE FOR THE EMPLOYMENT STANDARDS BRANCH.** Staff the hotline with people who can answer enquiries in more than one language (i.e., avoid a touch-tone phone system). Language barriers as well as the complexities of the Act deter immigrants from making legitimate complaints.
- **SET UP MORE EMPLOYMENT STANDARDS BRANCH OFFICES.** Branch offices would be able to clarify clauses of the Act of which many immigrants either don't understand or are unaware.

- **SUPPORT COMMUNITY ORGANIZATIONS AND THEIR ADVOCACY WORK.** Community organizations can effectively and inexpensively inform immigrants about their workplace rights, and disseminate information in immigrants' native language.
- **ASSURE HOUSING FOR RECENT IMMIGRANT WORKERS.** This provision would allow for a transition period in housing, to lay the groundwork for future economic security.

The province should also institute new workplace regulations that require employers to:

- **PROVIDE A WRITTEN JOB DESCRIPTION** including expectations, and a contract to the employee on hiring. A written job description helps create work security and avoid workplace abuse and exploitation.
- **MAKE WORK SCHEDULES AVAILABLE WELL IN ADVANCE.** Stable and predictable schedules may help workers maintain another job when needed. In addition, such stability can help workers organize their own personal and family life and ultimately strengthen their economic security.
- **PROVIDE MANDATORY INFORMATION SESSIONS ON THE ESA** for employees and employers. Since 2001, seven of the top 10 immigrant-originating countries (China, Pakistan, the Philippines and others) have been from Asia. Employment standards are non-existent in most of these countries. These immigrants need to know about their labour rights. The alternative is either exploitation of workers or losing workers, who will job-hop like many participants in the study. Retaining workers is an effective way to build a successful business.
- **PAY WORKERS FOR THE SHIFT THEY WERE ORIGINALLY SCHEDULED TO WORK.** This will nurture worker loyalty and enhance workplace productivity.
- **MAKE ORIENTATION SESSIONS CULTURALLY APPROPRIATE** in terms of rights, duties and safety, and make orientation a requirement on the first day of work. BC's booming economy wouldn't exist without contributions from diverse cultural groups. If, for example, large numbers of Filipinos work in one place, the employer can provide workplace orientation with regard to rights, duties, and safety in Tagalog, and provide brochures in Tagalog.
- **PROVIDE WORKERS WITH A SUBSIDIZED BUS PASS.** This will not only enhance workers' economic security, but reduce pollution, thus advancing the BC government's environmental agenda. A proportionate discount could be based on income.

These recommendations are directed to the BC government, and if implemented, would result in a significant improvement in the economic security of recent immigrants in the labour market.

The above recommendations are not directed at unions because most participants were not union members. However, unions can take an active role by recruiting immigrants to unionized jobs. Through word of mouth, these workers will disseminate information about workers' rights to the immigrant community.

Conclusion

This report shows that recent immigrants to BC face numerous challenges during their settlement period, ranging from finding a job that ensures workers' rights to working in a non-hazardous workplace. This settlement period is turning into a transition penalty, as it takes longer for recent immigrants to establish basic economic security. It is clear that changes made to the ESA compromise immigrants' employment opportunities, work quality and income security. Further, the deregulation of the ESA, especially the introduction of the self-help kit, has deprived immigrants of representation and voice representation security. It is not an exaggeration to state that the transition penalty stretches into unsatisfactory employment for years and can eventually result in long-term economic hardship.

In-depth interviews revealed hazardous workplaces, violations of workers' rights, workers' ignorance of ESA, little job training and no use of the self-help kit by participants. Recent immigrants coped with violations of their rights, abuse, health hazards and lack of personal safety in the workplace by job-hopping rather than by demanding their rights or complaining about violations. Although recent immigrants enter casual, low-paid jobs fairly easily and job-hopping provides a level of freedom that is virtually non-existent for live-in caregivers, job-hopping ultimately leads to chronic economic insecurity. Further, job-hopping does not indicate improved labour rights; rather, it is a sign of an eroding work environment. Usually recent immigrants quit their jobs only when they were denied their wages or monetary benefits. Otherwise, they continued to work in hazardous, exploitative workplaces where labour rights are neither implemented, nor monitored, nor enforced. It appears that rights that are supposed to be enshrined in the ESA exist as "paper-rights" only. It is high time for the government to implement the actions necessary to ensure labour safety and security for recent immigrants.

Notes

- 1 BC Federation of Labour, 2007.
- 2 BC Progress Board, 2007.
- 3 Statistics Canada, 2007.
- 4 See Zietsma, 2007.
- 5 Fleury, 2007.
- 6 Lockhead, 2003:1.
- 7 Fairey, 2005.
- 8 Ibid.
- 9 For details, see: ILO, 2004; Standing, 2004.
- 10 *CIC Monitor*, Fall 2004.
- 11 *CIC Monitor*, Spring 2004.
- 12 Infometrica Limited, 2001.
- 13 See, for example, Pratt, 1999.
- 14 Cecilia Diocson, the co-investigator of the project, supervised the survey questionnaire, which was conducted by members of the Philippine Women Centre. Cecilia conducted both in-depth focus groups and individual interviews across BC, from Kelowna, Nanaimo, and Victoria to parts of Vancouver. Transcriptions and translations from Tagalog to English were done by members of the PWC. The PWC was formally launched in 1990 and was officially registered by the province of British Columbia as a non-profit society in 1991. The PWC's goals reflect its determination to uphold the principles of global human rights for all women of Filipino ancestry: to raise awareness among Filipino women about their common interests and the constraints they face as "an ethnic minority" in Canada; to foster feminist views and to link with other "ethnic" communities to build mutual understanding; to publish information about events in the Philippines and about the Filipino community in Canada; and to build ties with other groups having similar and common interests and to empower Filipino-Canadian women through community-based programs and projects.
- 15 Randi Drevland of Simon Fraser University's political science department assisted Habiba Zaman in revising and editing the questionnaire.
- 16 For example, Cecilia Diocson set up a focus group interview for a long weekend in summer 2006. Ironically, the group was not able to meet due to the participants' "flexible" work schedules, which meant that they had on-call jobs and routinely received last-minute calls. These conditions made the interview process time-consuming and complex. However, the author's stature in the Filipino community and her extensive community network facilitated recruiting participants, and helped researchers gain their trust.
- 17 For details, see: Fairey, 2005; Irwin, McBride and Strubin, 2005; Klein, 2002.

- 18 For details, see Zaman, 2006.
- 19 For details, see Fairey, 2005.
- 20 Ibid:18.
- 21 Ibid: 18-19.
- 22 Bakan and Stasiulis, 1995; Macklin, 1992; Pratt, 1999.
- 23 For details, see Zaman and Tubajon, 2001.
- 24 Black, 2003.
- 25 Migration Policy Institute, 2001.
- 26 Driedger and Halli, 2000; Gupta, 1996.
- 27 *The Vancouver Sun*, 2007.
- 28 Three years ago WorkSafeBC downgraded about one-third of safety regulations to guidelines during the provincial government's drive to deregulate industry. A regulation requires an employer to follow a specific procedure whereas guidelines give an employer more discretion in how to achieve a safety goal.
- 29 For similar findings, see Cohen et al., 2006.
- 30 Fairey, 2005.
- 31 Ibid.

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About the Economic Security Project

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The Economic Security Project is a major research initiative of the CCPA's BC Office and Simon Fraser University, in partnership with 24 community organizations and four BC universities.

The project examines how recent provincial policy changes affect the economic well-being of vulnerable people in BC, such as those who rely on social assistance, low-wage earners, recent immigrants, youth and others. It also develops and promotes policy solutions that improve economic security.

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About the Philippine Women Centre

www.kalayaancentre.net

Since 1989, the Philippine Women Centre of British Columbia (PWC-BC) has been educating, organizing and mobilizing Filipino women and the broader Filipino community in British Columbia. A member organization of the National Alliance of Philippine Women in Canada (NAPWC), the PWC-BC has a long history of conducting ground-breaking participatory action research into the root causes of why Filipino women remain marginalized and underdeveloped in Canadian society. This research includes studies on the situation of live-in caregivers, mail-order brides and trafficked women. The PWC-BC links the situation of these women who are forced to migrate to Canada to the impacts of imperialist globalization here in Canada and in the Philippines.

To find out more information about the PWC-BC or to obtain copies of our research, please call (604) 215-1103, e-mail at pwc@kalayaancentre.net or visit us online at www.kalayaancentre.net.