

July 21, 2019

Uttara Chauhan

Director, Policy and Program Design
Temporary Foreign Workers Program, Employment and Social Development Canada
140 Promenade du Portage
Gatineau, Quebec K1A 0J9

Jordan Thompson

Acting Director, Temporary Resident Policy and Programs,
Department of Citizenship and Immigration,
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Ottawa, Ontario K1A 1L1

Dear Ms Chauhan and Mr Thompson,

This letter is in response to the Government of Canada / IRCC's consultation on introducing occupation-specific work permits under the Temporary Foreign Worker Program per the Canada Gazette, Part I (vol.153, no.25) dated June 22, 2019. We welcome the opportunity to provide feedback on this consultation.

The Whistler Chamber of Commerce represents more than 700 businesses in Whistler, British Columbia, many of whom will be affected by the recent proposed changes to the Temporary Foreign Worker Program (TFWP).

We understand and support that the proposed amendments are intended to enhance labour mobility, wage competitiveness and working conditions for temporary foreign workers. As well, we appreciate the need to reduce the risk of wages and working conditions abuse or worker exploitation. However, these changes come at a time when there are chronic domestic labour shortages severely affecting the British Columbian hospitality and tourism industries.

For several years, our Members and businesses associated with the Whistler Chamber have been challenged with the availability of labour. These businesses consistently rank access to labour as the #1 challenge to businesses' viability.

The TFW program was created to address certain sectors' demand for labour exceeding the domestic supply. Many businesses depend on the essential contribution of Temporary Foreign Workers to help them deliver quality service to their customers and retain a larger pool of Canadian employees.

The changes proposed will increase the risk for these employers – businesses with excellent track records as fair and reputable employers. The cost to employer to recruitment, settlement and training of TFWs is lost if workers leave for another employer who has only completed a Labour Market Impact Assessment. As well, the ensuing disruption exacerbates an already volatile labour market in the hospitality and tourism industry.

Canada’s tourism sector strategy “Creating Middle Class Jobs: A Federal Tourism Growth Strategy” - has ambitious growth targets that will contribute significantly to the visitor economy and outpace growth of the national economy. By 2025, the industry is expected to reach revenues of \$128 billion and add **54,000 new tourism jobs, an increase of 7.3%**. In order to meet these targets, we need the TFW program to remain a core component of the tourism and hospitality sector.

In response to the proposed introduction of an occupation-specific work permit under the TFW Program per the Canada Gazette, Part I (vol.153, no.25) and corresponding questions, the Whistler Chamber would like to register the following 4 points:

- 1) That the TFW recruited via the program remain with the initial employer under the proposed framework for **a minimum of 6 months** at businesses with seasonal work requirements in resort/tourism- based communities.
- 2) That Employers bear significant costs in recruiting a TFW and consideration must be given to how to compensate or reimburse those costs in the event the TFW voluntarily moves on. As the recommendation stands, the risk of sunk costs will dissuade employers from participating in the program in the future, defeating its purpose. The resulting unabated labour strains in turn impacts revenue and ultimately tax revenue. The two-month waiting period is not sufficient enough for the employer to recoup the recruitment and training investment.
- 3) That there are clearly defined terms and conditions under which a TFW can change employers. For example, if an employer does not meet their legal contractual obligations, a TFW should be free to exit the employment situation. Additionally, it should be made explicit what evidence is required for a TFW to leave to ensure both parties adhere to their respective obligations.
- 4) That the Canadian Chamber of Commerce is invited to develop an alternative model should the government look to move away from employer-specific work permits. This model could involve regional-based, community-focused or sector-specific temporary permit holder labour pools. The Canadian Chamber of Commerce recommended this in the past as an option for temporary workers who have lost their jobs and it could be adapted. The alternative model could also resemble the “Group of Employers” approach, which ESDC previously had in place. We support the Canadian Chamber in their efforts to modernize the program.

In conclusion, the Whistler Chamber is not supportive of the introduction of an occupational-specific work permit under the Temporary Foreign Worker Program, and is very concerned about the unintended consequences of any modifications within the proposed framework.

Should you have further questions of further follow up, please contact Melissa Pace, CEO, Whistler Chamber of Commerce (604-657-2529; ceo@whistlerchamber.com).

CC: Whistler Chamber Board of Directors
Whistler Blackcomb
Tourism Whistler
Resort Municipality of Whistler
Tourism Industry Association of BC
Canada West Ski Area Association
BC Chamber of Commerce
Canadian Chamber of Commerce
MP, Pamela Goldsmith-Jones
MLA, Jordan Sturdy