MIGRANT WORKERS IN THE GLOBAL ECONOMY: PRECARIOUS MIGRANT STATUS AND PRECARIOUS EMPLOYMENT NORMS

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Outline

- Precarious employment norms
- Precarious migrant status
- Taxonomy of the Nexus Between Precarious Migrant Status and Precarious employment
- Case study: The Three Low-Skilled Streams of the Canadian Temporary Foreign Worker Program
I. Precarious Employment

Precarious employment is work for remuneration characterized by uncertainty, low income, and limited social benefits and statutory entitlements.
A Multidimensional Approach

Precarious employment is shaped by the relationship between employment status (i.e. self-employed or paid employment), form of employment (e.g. temporary or permanent, part-time or full-time), and dimensions of labour market insecurity, as well as social context (e.g. occupation, industry, and geography) and social location (or the interaction of social relations, such as gender, and legal and political categories, such as citizenship) (Vosko 2010).
Social Location Dimension of Precarious Employment

• Citizenship is a dimension of precarious employment.

• However, citizenship too narrow and too broad a concept for this purpose.

• Migration status preferable because it recognizes the productive source of immigration law in creating a range of different employment statuses.
II. Precarious Migrant Status

Goldring, Berinstein and Bernhard (2009) define precarious status as marked by the absence of any of the elements normally associated with permanent residence (and citizenship) in Canada:

(1) work authorization,

(2) the right to remain permanently in the country (residency permit),

(3) not depending on a third party for one’s right to be in Canada (such as sponsoring spouse or employer), and

(4) social citizenship rights available to permanent residents (e.g. public education and public health coverage).
Migrant Status and Employment Norms

Bridget Anderson and Martin Ruhs (2010) explain that “in most high-income countries, immigration Policies are characterized by a multitude of different types of status. Each status (such as work-permit holder, student, working-holiday maker, and dependent) is associated with different rights and restrictions in and beyond the labour market. These restrictions, which cannot be imposed on citizens, may give rise to a specific demand for particular types of migrant workers.”
III. Taxonomy of the Nexus between Precarious Migrant Status and Precarious Employment

This taxonomy is a combination of

1. Vosko’s conception of precarious employment
2. Goldring, Berinstein, and Bernhard’s conception of precarious immigration status; and
3. Anderson’s (2010) idea of immigration controls
Taxonomy of the Nexus between Precarious Migrant Status and Precarious Employment

*Conditions of Entry*

- Migrant worker: skill level, age, gender, country of origin, marital status
- Family accompaniment
- Employer: occupation, sector
- Temporal: duration of visa
- Spatial: mobility to leave and re-enter receiving country and to move around it
Employment relations

• Labour market mobility: dependence on an employer

• Duration of employment relationship

• Terms and conditions of employment: wages, hours, health and safety

• Legislative protection: employment standards, occupational health and safety, collective bargaining, workers compensation

• Unionization
Institutional insecurity

• Social citizenship entitlements: health, unemployment insurance, social assistance

• Pathways to more secure migrant status

• Family reunification
IV. Case Study: Canada’s Temporary Foreign Workers Program (TFWP)

The Case study examines the three low-skilled programs. Each of these program is demand (employer) driven.

1. The Live-in Care giver Program, which is for workers who live in private dwellings in order to care for a family member;

2. The Seasonal Agricultural Workers Program, which is a seasonal and circular migration program governed by bilateral agreements between Canada, several Caribbean countries, Mexico and Guatemala.
Low-Skilled streams of the TFWP con’t:

3. The Pilot Program for Occupations Requiring Lower Levels of Formal Training (High school or two years on-the-job occupational training is the highest skill level in the program. This program was formally known as the low-skill program. These workers are recruited for the hospitality sector (fast food and hotels), as unskilled labourers in construction, laundry workers, etc.

Note: Low-skill is the federal government designations and refers to formal qualifications that are recognized in Canada. Some of these workers are highly skilled and may have formal qualifications recognized in their home countries.
Application of the taxonomy to each of the three streams of the TFWP: Findings

• Low-skill migrant workers are heavily recruited into jobs in hospitality, construction, agriculture, and private household sectors that are known for the precarious nature and low pay of the employment they generate.

• The unionization rates in these sectors are very low.

• Some of the sectors, such as domestic work and agriculture, are exempted from basic labour standards and rights.
Findings cont’d

• Four of the top ten occupations in which migrant workers were employed in 2006 were in the bottom 5 per cent of occupations in terms of average remuneration.

• Unlike resident workers, workers admitted to Canada under these migrant categories cannot simply quit and find another job; they need official permission to circulate in the labour market. Many of them are also required to live on property under their employers’ control.
Conclusion

• The low-skill streams of the TFWP serve to differentiate migrant from resident workers.

• Migrant workers admitted under the LCP, SAWP, and LSPP form a different category within the Canadian labour supply because they are more precarious than resident workers, either because they are assigned fewer rights or because the rights that they are entitled to are not effective.

• These workers precarious migrant status is used to assign them to jobs that are precarious and it limits their ability to improve their terms and conditions of employment.
Immigration and employment laws combine to create precarious employment norms that permit employers to establish terms and conditions of employment in these sectors (live-in care work, agriculture, and the private service sectors) that resident workers do not tolerate.

Immigration law is a device for regulating labour markets and low-skilled temporary foreign workers programs segment labour markets on the basis of migrant status with the broader impact of deteriorating employment norms in specific sectors.