‘WILL WORK FOR FOOD’;
Canada’s Agricultural Industry and the Recruitment of South East Asian
Temporary Migrant Workers

By

Alia Ziesman

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ABSTRACT

‘WILL WORK FOR FOOD’: CANADA’S AGRICULTURAL INDUSTRY AND THE RECRUITMENT OF SOUTH EAST ASIAN TEMPORARY MIGRANT WORKERS

Alia Ziesman
University of Guelph, 2013

Advisors: Professor K. Preibisch
Professor V. Shalla
Professor K. Menzies

As of fairly recently, migrant workers from South East Asia are migrating to Canada for work in the agricultural industry. Little research has been conducted on migration routes and recruitment patterns of these migrant workers. Interviews with 13 workers and three support workers were conducted between May and July 2011 to learn about this process; specifically with how these individuals are getting to Canada, and how they maintain (or do not maintain) relationships with the private intermediaries and employment agencies that facilitate this movement. This research will fill a gap in the literature by describing the recruitment processes of ‘low-skilled’ workers into Canada and, more importantly, it will provide a much-needed space for South East Asian migrants to share their experiences about working in Canada.
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LIST OF ABBREVIATIONS

CIC (Citizenship and Immigration Canada)
HRSDC (Human Resources and Skills Development Canada)
ILO (International Labour Organization)
IOM (International Organization for Migration)
NOC C & D (Pilot Project for Occupations Requiring Lower Levels of Formal Training-
National Occupation Classification C & D)
LCP (Live-In Caregiver Program)
LSS (Low Skill Stream)
OECS (Organization of Eastern Caribbean States)
SAWP (Seasonal Agricultural Workers Program)
TFWP (Temporary Foreign Worker Program)
Chapter 1: Introduction

We are here to collect and pick your fruits. We are here to pick your worms. We are here to work for you and put food on your table but then no one does anything to help us. We complained to the police, we complained to whoever is interested, but they can’t do anything anyway, so… (Jody, migrant worker)

After spending two years volunteering and working throughout ten countries in Asia from 2007-2009, I developed a strong interest in migration and in the cultural history of the region; particularly South East Asia for its incredibly warm, kind, and hospitable people. Over the years, I met several transnational families where at least one member was working abroad. I quickly became interested in learning more about how these families operated despite the absence, and I also wanted to know more about the individuals who left their families behind to migrate. When I returned home to Canada, I began studying migration, specifically, the experiences of Filipina women in the Live-In Caregiver Program (LCP) in Toronto. Soon I realized that this topic was heavily documented in the literature, and finding a gap was proving challenging. I knew I wanted to learn more about migrant workers who come to Canada from Asia, so I spoke to my advisor Dr. Kerry Preibisch, who informed me that no one was documenting the experiences of South East Asian migrant workers within Ontario’s agricultural industry. Further, she suggested that I could be one of the first to explore this area. Although I had very little knowledge about Canada’s agricultural industry, after this conversation, something immediately ignited within me and I knew I had found my niche.

Over the last decade, there have been significant changes to Canada’s Temporary Foreign Worker Program (hereafter in this thesis the TFWP). Canada’s TFWP enables employers to hire foreign workers on a temporary basis to fill immediate skills and labour
shortages, when Canadian citizens and permanent residents are not available to do the job (Human Resources and Skills Development Canada). In 2002, the Canadian federal government expanded its TFWP by introducing the Low Skill Workers Project, renamed the Pilot Project for Occupations Requiring Lower Levels of Formal Training (National Occupation Classification C and D) in 2008 and the Stream for Lower-skilled Occupations in 2012 (hereafter in this thesis the Low Skill Stream or the ‘LSS’). The policy aim of the new immigration program, the LSS, was to meet employer demand for workers to perform jobs requiring lower skill levels by authorizing the employment of migrant workers. In Canada, occupations with lower levels of formal training are those which usually require at most a high school diploma or a maximum of two years of job-specific training according to the NOC Classification system. These occupations are coded at the NOC C or D skill level (HRSDC, 2008). The number of people in the Low-Skill Stream rose dramatically from 1,304 when it began to 28,930 in 2010, accounting to 2119% growth in just four years (Alboim and Cohl, 2012).

Preibisch (2010) notes that very little research has been conducted on Canada’s latest, Low-Skill Stream (LSS), which appears to be facing a much more controversial and uncertain future than the long-standing Seasonal Agricultural Workers Program. Furthermore, there are indications in the literature that migrant workers from South East Asia have been working in Canada’s agricultural system since 2002, yet their experiences within the program have gone virtually undocumented by researchers. The literature also suggests that there has been a drastic increase in recruiters who are profiting from migration; likely from migrant workers in Canada’s Low Skill Stream. I wanted to know more about this relationship between recruiters and these temporary migrant workers
within Canada’s agricultural industry, by looking at the ways in which recruiters may be impacting their experiences in Ontario.

This research formed part of an ongoing research study called *Mediating Mobility: Temporary Migration and Private Sector Influence in Canada’s Immigration System*, directed in part by one of my academic advisors, Dr. Kerry Preibisch. This project seeks to explore how the recent expansion of temporary migration programs extends the involvement of industry and private sector in mediating migration flows, the direction of immigration policy, and the integration of immigrants in Canada. My research in this thesis will contribute to one aspect of this project by focusing on the involvement of the private sector, specifically recruitment, with a focus on the relationships between South East Asian migrant workers and recruiters in Canada’s latest TFWP, the Low-Skill Stream. This research was between May and July 2011.

**International Migration and Temporary Migration to Canada**

More people are on the move today than at any other point in human history. The International Organization for Migration currently estimates that there are 192 million people living outside of their country of birth, which is about three percent of the world’s population (IOM, 2010). Global changes such as multilateral government agreements, trade liberalization, and advancements in communication and transportation networks have enabled flows of the world’s poor into managed labour migration programs (Martin and Martin, 2001; Massey et. al., 1998; Stalker, 2000; Parreñas, 2001). “Furthermore, a number of high income countries have turned to temporary worker programs as a means of managing migration flows” (Preibisch, 2010:410). While movements of people across borders have shaped states and societies since time immemorial, what is distinctive in
recent years is their global scope, their centrality to domestic and international politics and their enormous economic and social consequences (Preibisch, 2010). Moreover, there is growing recognition that migration is an essential and inevitable component of the economic and social life of every society (IOM website).

As a colonized country, Canada has a long migration history. Immigration to Canada in the last century was so considerable, the nation is well known in the migration studies literature as an “immigration country.” Despite continued high levels of immigration, for the past ten years temporary foreign workers are playing a much greater role in Canadian society like never before (Standing Committee on Citizenship and Immigration, 2009). In 1973, 57% of all people classified as “workers” entered the Canadian workforce with permanent residency status; by 1993, only 30% of workers were permanent residents, while 70% came in as migrant workers on temporary employment authorizations (Sharma, 2001:424). Moreover, in 2006, for the first time, the number of temporary foreign workers entering Canada exceeded the number of economic immigrants who were granted permanent resident status (Canada Facts and Figures 2010). In addition, the overall number of all migrant workers in Canada have tripled in the past decade, to 300,111 in 2011 — about one-third of them in low-skilled jobs (Faraday, 2012). In 2012, Canada admitted 190,769 temporary migrant workers compared to 156,077 economic immigrants as permanent residents (Faraday, 2012).

Expanding in response to employer demand, with little public debate, the greatest proportionate growth in the number of migrant labourers have been among low-skill, low-wage sectors, with the most growth in agriculture (Faraday, 2012).
How Have Changes in Canada’s TFWP Impacted Temporary Migration into Canada?

The Introduction of the ‘Low Skill Stream’ (LSS)

Recent modifications to Canadian temporary foreign worker programs include greater availability of migrant workers, the creation of a global labour pool of workers, and shortcomings on government regulation (Preibisch, 2011:63). Canada’s TFWP has undergone significant changes in its purpose, size, and target populations (Nackache and Kinoshita, 2010). It is also evident that changes have made the program for low-skilled workers (the LSS) more “employer-friendly” than the previous SAWP (hereafter in this thesis the ‘SAWP’) (Fudge and MacPhail, 2010:7) by making it easier and faster for employers to access migrant workers from abroad. The LSS involves less restrictions and regulation and a less active administrative role from the government. Also, the LSS is not just open to agriculture, but that will be the focus in this thesis. In order to inform the future of immigration policy in Canada, it is crucial that research examines how these changes have impacted the experiences of temporary migrant workers.

The introduction of the LSS has resulted in a number of changes to the ways international migrant workers are integrated into the Canadian labour market. First, the Canadian government has opened up the doors for employers to source from any country in the world. “This has liberalized the international “reserve army of labour” by allowing growers to access the global labour market for farm workers” (Preibisch, 2010:432). Now, employers are able to exercise greater freedom with sourcing temporary foreign workers with a change in the source countries (Preibisch, 2011). These changes have increased the vulnerability and precariousness of migrant workers in a way that did not occur within the SAWP. Second, changes to the program in February 2007 were made to
make it more ‘employer friendly’. For example, work permits, initially valid for twelve months, could be extended to twenty-four months. “The most notable impact of this policy is to facilitate heightened competition between workers and migrant sending countries to meet employers’ demands for a more flexible workforce” (Preibisch, 2010:432).

Third, less regulation from the government means there is room for private recruiters in the LSS to provide services to employers and charge migrants extortionate fees (Hennebry, 2008; Hennebry and Preibisch, 2008; Nackache and Kinoshita, 2010; Rekai, 2010; Fudge and MacPhail, 2009). These changes have given employers more power over the process of how they choose and design their workforce and one way of exercising this power is to pay a recruiter to select his/her workers. This ability for recruiters to exercise power within the industry (in addition to employers) also highlights the decreased regulation from the state. Finally, South East Asia now provides some of the largest numbers of temporary foreign workers to Canada. The literature suggests that the number of temporary migrant workers from Asia has grown significantly in recent years. The proportion of temporary foreign workers from Asia and the Pacific working in Canadian agriculture has increased, while that from Europe and the U.S. has decreased (Nackache and Kinoshita, 2010).

**Differences between the SAWP and the LSS**

As mentioned earlier, the LSS is different from the SAWP. The SAWP, enacted in 1966 by the Canadian government, enables the movement of foreign workers from Jamaica (1966), Barbados (1967), Trinidad and Tobago (1967), Mexico (1974), and the Organization of Eastern Caribbean States (OECS) (1976-1982) for the purpose of
working in the Canadian agricultural industry (Preibisch, 2010:418). While the SAWP restricts employers to choosing workers coming only from these countries, the LSS has no such source country restrictions (HRSDC, 2008). This means employers are able to exercise greater flexibility in choosing their source country; this expansion of the labour force also draws attention to the global processes that pressure farm operators to seek out more flexible labour arrangements (Preibisch, 2007, 2010; Fudge and MacPhail, 2009; McLaughlin, 2010).

As Preibisch (2007:441) observes, “the LSS is also less regulated than the SAWP-it operates outside of bilateral agreements between Canada and the labour-sending countries, freeing employers from the annual negotiations and the levels of government scrutiny built into the SAWP”. A recent report by Faraday (2012:6) suggests: “The evolution of these temporary migration programs shows a progressive stepping down in government’s commitment to workers and government involvement and accountability in program administration”. Likewise, Preibisch argues “this movement away from bilateral agreements between countries (which occurred in the SAWP and LCP and is absent in the LSS) not only reduces the role and responsibility of the Canadian state, but also the involvement of sending countries in the structure and practices of the TFWPs that their citizens participate in” (Preibisch, 2010:426). Currently, weak regulation and monitoring within the LSS makes it possible for abusive recruitment to flourish (Preibisch, 2010).

**Similarities between the SAWP and LSS**

Despite notable differences, the SAWP and the LSS hold a number of features in common. To begin, both programs issue temporary work visas that have a maximum length: 8 months for the SAWP and 24 months for the LSS. For migrants to retain their
eligibility for subsequent authorizations, they must return to their countries of origin at the end of their contracts (Preibisch, 2011:412). Further, in both programs, the work permits are employer-specific, meaning that legally migrants are only able to work for one employer. According to Nackache and Kinoshita (2010:40), “research suggests that this restriction can serve as an act of bondage: migrants who are unhappy in their jobs and would like to switch employers often refrain from complaining for fear of being deported”. In addition, both programs, designed to prevent settlement, grant visas to single applicants; they do not contain policies for family reunification or eventual permanent residency (Preibisch, 2010:413). Also, employers must pass an initial labour market test to show they were unable to attract Canadian residents before they seek out foreign workers (Preibisch, 2010). Finally, unlike many other high income countries, these programs operate outside of quotas on the volume of persons admitted (Preibisch, 2010:413)

**The Gap**

My research seeks to explore how temporary migrant workers from South East Asia in the LSS experience recruitment. Less government regulation and management within the LSS (compared to the SAWP), has led to an opening for recruiters to become more involved in the migration process. Thus, recruiters are facilitating migration within a regulated but loosely monitored industry and the individuals who are being the most negatively affected are foreign workers. Until now, research has not thoroughly examined the role of non-government actors such as private intermediaries, specifically third party recruiters, in shaping temporary migration to Canada (Hennebry and Preibisch, 2008). It is suggested that, “the increasing role of the private sector in Canada’s migration system is largely unknown” (Hennebry and Preibisch, 2008, 2010). Furthermore, “the role of
private agents, including recruiters, is amongst the most understudied aspects of international labour migration” (Martin, 2005:1).

Globally, Castles and Miller (2003:28) point out that “some migration agents, or ‘recruiters’, are unscrupulous criminals, out to exploit defenceless migrants or asylum seekers by charging extortionate fees for non-existent jobs”. It is noted in the literature that many migrants have been swindled out of their savings and have found themselves marooned without work or resources in a strange country (Castles and Miller, 2003). According to Hennebry (2008) recruiters are often charging foreign workers for work placements instead of earning their income from employers. Since recruiters are also unregulated throughout most of the country, there are no guidelines for behaviour (Hennebry, 2008:29; Preibisch, 2010; Nackache and Kinoshita, 2010). Although no study has focused exclusively on employers, industry organizations, and the private sector in general, the literature indicates these groups play a significant role in shaping the demand for, and recruitment of, temporary migrants (Basok, 2002; Stasiulis and Bakan, 2005; Hennebry, 2008; Preibisch, 2007; Satzewich, 1991; Verma, 2003).

In addition, a broadening of the range of countries sending migrants to Canada under the LSS has meant that migrant workers are working in Canada’s agricultural industry from farther away than ever before; this has resulted in the rising employment of South East Asians in Canadian agriculture since 2002 (Preibisch, 2010:419). “In fact, migrant workers from these countries are now contributing to one of the largest inflows of temporary foreign workers in Canada” (Hennebry, 2008:6). For example, in 2009, migrants from the Philippines working in agriculture in Ontario totalled approximately 1,000 workers, representing the fifth largest population of temporary migrants in this
province, just behind workers from Jamaica, Trinidad & Tobago, Guatemala, and Mexico (CIC, 2009). Because the entry of South East Asian migrants is fairly recent, there is virtually nothing documented in the literature about their experiences in the LSS or their relationships with recruiters. In 2006, as a result of the changing immigrant source countries to Canada, the proportion of the foreign-born population who were born in Asia and the Middle East (40.8%) surpassed the proportion born in Europe (36.8%) for the first time. Though these trends reflect the numbers of immigrants with landed immigrant status rather than temporary foreign workers, it is clear that the numbers of Asian immigrants is on the rise in Canada, reflecting a changing demographic.

The people who control this migrant labour have not been examined, and this important relationship between recruiter and migrant worker is not yet understood. Given the recent developments/changes within the LSS that I spoke about earlier, it becomes even more important to understand the implications of changes to the LSS for migrant workers, since we know very little about how recruiters are maintaining the vulnerability of migrant workers within Ontario’s agricultural system. Hennebry and Preibisch (2008) and several other authors in the literature put forth that Canada has experienced a proliferation of private recruiters, yet very little is known about their relationships with migrant workers (Hennebry, 2008; Walia, 2010; Nackache and Kinoshita, 2010). Recruiters in Canada have become central to the migration process in Ontario. However, in Canada and many other receiving countries, migrants do not enjoy the same rights and privileges as citizens and are not protected against abusive intermediaries (Fudge and MacPhail, 2010). Thus, in this thesis I will bridge these two gaps within the literature: I will look at the relationships between one recruiter and 13 South East Asian temporary
migrant workers within the LSS, which will highlight how this one recruiter is organizing the migration of some temporary migrant workers within Ontario. My findings rest on qualitative interviews I conducted in 2011 with migrant workers and three Canadian service providers/migrant worker advocates.

**Why Is This Research Important?**

If we want to understand the level of exploitation facing migrant workers within the migration industry, we must understand their relationships with one of the groups that exploits them. Recruitment matters because it shapes the experiences of migrant workers in Canada, specifically how recruiters control and manage the lives of migrants. This research is crucial to understanding how migrants themselves perceive the ways that recruiters handle and facilitate temporary migration within Canada’s LSS. Public policy made in the name of economic development must reflect this reality: that the basic units of migration, and the most important actors for development, are migrants themselves, not the state (Migration Policy Institute, 2003). The overall goal of this thesis is to contribute to policy-making with hopes of improving Canada’s Temporary Foreign Worker Program (Low Skill Stream) by shedding light on some of the injustices that are currently taking place within Ontario’s agricultural industry. Drawing from Castles and Miller’s (2003) ‘migration industry’, and the Political Economy and Network Theory literature, I will illustrate the experiences of two groups of migrants with privatized recruitment.

This research is important for several reasons. First, it contributes to understandings about temporary migration in Canada’s immigration system. Second, it provides a unique contribution to the literature by presenting how private actors,
specifically recruiters, facilitate the migration process in Ontario’s agricultural system. Third, this research fills a gap in the literature by bringing to light how migrant workers from an area of the world that is unexplored in the literature experience recruitment in Ontario. Thus, it bridges a gap by linking recruitment to migrant workers. This research will provide insight that can inform policy and have implications for Canada’s international reputation as a worldwide leader in immigration. In summary, the goal is to shed light on the injustices that exist in Canada’s agricultural migration programs with a special focus on how recruiters are organizing migration and contributing to the precariousness of migrant workers in the global food system.

**Research Questions**

Initially, my curiosity about this research began with questions such as: What are migrants’ relationships with recruiters? How is their Canadian experience impacted by their relationships with recruiters? What are the social and financial costs associated with migrating? Questions such as these began to guide my thinking and gave rise to the following research questions:

1. What are the migration experiences of South East Asians employed as migrant workers within Canada’s agricultural industry in the LSS?
   a) Specifically, what are their experiences of recruitment?

2. How do migrant workers describe their relationships with recruiters?
   a.) How do migrants maintain their relationships with recruiters?
   b.) What are the financial costs to migrants?
   c.) How do migrants finance these costs?

3. What are the broader implications of these relationships for:
a) Migrants under the LSS?

b) Temporary migration to Canada and the future of Canadian immigration policy?

c) Temporary migration to high-income countries in general?

**Thesis Structure**

Chapter One has set the framework for the rest of this thesis. This chapter introduced the topic of international migration, highlighted the gap that exists in the literature, and underlined the focus of this thesis. Chapter Two will present a review of the relevant literature with a focus on the changes that have occurred in Canada’s TFWP since 2006, including a brief historical overview of migration and the theoretical framework which this thesis is based upon. Some of the possible implications of the recent changes within the TFWP will also be introduced, as discussed in the literature. This section will highlight how recent changes in Canada’s TFWP have enabled the migration of South East Asian migrant workers to Canada and will delve into the relationship between these migrants and recruiters within Canada’s LSS. Chapter Three will provide a methodological discussion. This chapter seeks to qualify the need to use qualitative research and its implications, followed by a discussion regarding methods of analysis. The various methods that were used for this research project are then explained, including a discussion of how my participants were recruited. Chapter Four will be dedicated to presenting my findings and analysis; it will include quotes from participants, and answers the research questions listed above. The final part of this chapter will present an analysis of what the relationships between migrants and one particular recruiter reveals for temporary migration to Canada, for the future of Canadian policy, and for
migration to high-income countries more broadly. Chapter Five concludes with a
discussion of the findings, provides ideas for the future of migration and for future
research, and ends with the limitations of the research.
Chapter 2: Theoretical Framework and Literature Review

This chapter will be organized as follows: First, an overview of the main theoretical framework (which includes three theories from the migration literature) will frame the discussion for the rest of this thesis and will set the stage for the literature review to follow. The literature review will provide an overview of the following: a brief historical account of migration to North America (post World War II) including present day migration; a look at recent changes within the LSS which have opened the door for the involvement of recruiters; and a closer look at how the changing role of the state has adopted a neo-liberal agenda, including an analysis of how capitalism’s deepening roots coupled with changes in the workforce have resulted in a growing demand for ‘low-skilled’ workers. Intertwined throughout these topics, there will be an analysis of how larger macro changes have created a demand from high-income countries for cheap and flexible ‘low-skilled’ labour that migrant workers are able to provide, including a deeper look at how these larger changes are impacting migrants at the micro level. Finally, a look at how the mobility and freedom of migrant workers is restricted under the LSS, due to a restricted status as ‘temporary migrant workers’, will highlight the ways in which vulnerability of migrant workers is maintained during their time in Canada. Here, an examination of how ‘borders’ are constructed at the national level will help to highlight the ways in which migrants lack autonomy while in Canada due to a restricted citizenship status and will draw attention to the additional and separate challenges that migrants face compared to regular citizens within the workplace.
Theoretical Framework

Migration is a collective action and process, affecting the whole society in both sending and receiving areas (Castles & Miller, 2003). In the present, most developed countries are increasingly turning to migrants termed ‘low-skilled’, from poor countries, to satisfy labour needs, resulting in most of the world’s developed countries becoming diverse, multiethnic societies. However, the theoretical base for understanding migration remains weak (Massey et al., 1999). At present, there is no single, coherent theory of migration; instead, there are a set of independent theories developed largely in isolation from one another (Massey et al., 1999).

What is missing in the literature is one cohesive theory of migration. Many migration theories are outdated with nineteenth century concepts, models, and assumptions (Castles and Miller, 2003; Castells, 1996; Castles, 2010; Ruhs and Martin, 2008; Sorenson et al., 2002; Brohning, 2009). One barrier to migration research is since migration studies is an interdisciplinary field, there is little analytical and methodological collaboration between different disciplines (Castles, 2010). Further, developing an agreed body of knowledge is difficult task due to the rapid growth of the field over the past 20-30 years (Castles, 2010:1569). Moreover, the literature on globalization, and the majority of the research on international migration in Canada, does not extensively address temporary migration (Hennebry, 2008:340). There is, however, a growing body of international research focused on globalization and migration; much of it is focused on mobility and transnationalism (Bauman 1998, Castles & Davidson 2000, Castells 1996, Cresswell 1996, Portes 2001, Sassen 1998, Satzewich & Wong eds. 2006, Stalker 2000, Urry 2003, Vertovec, 2004).
No one has yet examined the role of recruiters in facilitating and managing the migration of South East Asian temporary migrant workers within Canada, and there is no theoretical analysis in the literature which deals specifically with recruitment within migration to draw from. Given these limitations, in this thesis, a multi-theoretical approach is used to frame the discussion around international migration and the role of private sector influence, specifically recruiters within the LSS, as it operates in the province of Ontario. “Migration embraces all dimensions of social existence, and therefore demands an interdisciplinary approach“ (Castles, 2010:1569). There are several leading migration theories in the literature that provide different viewpoints of migration: political economy theory analyzes the ways in which larger macro-level changes impact the local world of migration, and also how changes within the workforce have impacted temporary migrant workers; migration systems theory provides a way to view migration as a system of actors; and, network theory provides a means to better understand the links amongst these actors within the migration industry. These three theories provide a framework for viewing migration: migration occurs within a ‘migration industry’, characterized as a system of actors made up of network links. Changes within the global economy will have an impact on the lives of migrants.

**Political Economy**

Transformations in the world of work have created positive and negative effects for working Canadian citizens. For some, transformations in the world of work have created positive effects and increasing freedoms, such as the luxury of working from home or new flexibility in working hours. For others, such as migrant workers, these changes have been more detrimental. Migrant workers have faced increased vulnerability,
longer hours, harsher working conditions, and lower pay. The impact of this restructuring in Canada has been an increase in poverty, inequality and hardship, particularly among certain minority groups (McKeen and Porter, 2003). The working life of migrant workers within Ontario’s agricultural industry is characterized by gruelling and undesirable working conditions (Basok, 2002). Migrants have been required to adapt to these circumstances and to adapt to transformations in work in ways which most Canadians have not.

**Deregulation within the Workplace and ‘Precarious Employment’**

Shalla (2006) argues that there appears to be a deepening of trends within the Canadian labor market and other high income countries towards greater deregulation that have been gathering pace since the 1990s. Despite a rigid system of rules, regulations and restrictive policies, increasing numbers of migrant workers continue to transcend borders simultaneously with forms of capital, by filling labour shortages in high-income countries (Preibisch, 2010). Employers gain great advantages, particularly its lower labour costs and increased workforce flexibility (Bacon, 2007:61). As Preibisch (2010:445) notes, “[t]he availability of this workforce, which often lacks full citizenship rights and remains socially excluded, allows agriculture to remain as an occupational niche that, despite the existence of some dynamic industries, is contingent, low-waged, and highly flexible.” This accessible, constant supply of labour enables Canadian citizens to opt out of filling some of the most undesirable positions within the agricultural industry. Global trends of deregulation reveal that workplaces in high income countries are using more flexible and efficient forms of work organisation, and restructuring work around high-performance work systems (Danford et. al., 2004; Worts et. al., 2007). Discussions in the literature
concerning de-regulation centre upon the job-specific priorities, saving time, and eliminating ‘the middle-man’. Also, the shift in power away from labour and a strengthening of capital has been accompanied by a direct attack on labour, and neol.liberalism reinforces divisions in the labour force (McKeen and Porter, 2003; Preibisch, 2011).

Vosko (2007:3) defines ‘precarious employment’ as forms of work involving limited social benefits and statutory entitlements, job insecurity and low wages. Further, this type of employment is shaped by employment status, form of employment, and dimensions of labour market insecurity as well as social context, such as industry, geography, and social location (Vosko, 2007:3). Shalla (2006:9) suggests that this term is an apt label for the state of work and labour in tumultuous times. Shalla (2007:9) goes on to argue that “the flexible deployment of labour has led to increased precariousness and deeper levels of insecurity for scores of labour force participants”. Additionally, “research frequently indicates that certain segments of the population, including women, visible minorities, immigrants, and the less skilled, have been particularly vulnerable to these trends” (Shalla, 2007:9).

The “Ideal” Flexible Worker

Shalla (2007:229) argues that there is a presence of flexibility within the workforce alongside the centrality of time in the employment relationship which has created a quest for flexibility, and this is taking shape through transformed workplaces and labour markets. Shalla goes on to suggest that enhanced flexibility has become the “mantra of corporate executives, managers, governments, and public policy-makers” and “has been promoted with fever pitch since the early 1980s as the handmaiden of profitability and
capitalist expansion” (Shalla, 2007:227). Further, these transformations within the world of work highlight a broader reordering of the structure of working time (Shalla, 2007:227).

There is an emphasis in the literature regarding changes in job-specific forms of training such as “lean retailing” strategies and “just-in-time” inventory systems, and how these are being implemented to produce quick and timely supply of goods (Cooney, 2010; Heyes, 2007; Wright and Lund, 2006; Husmo, 2005). Temporary migrants provide labour that satisfies the last minute needs of employers. For example, Preibisch (2007) highlights that as important as proper worker selection is the ability to deliver workers “just in time.” Similarly, Sharma (2006:6) argues that this migrant workforce is ‘unfree’, ensuring employers have access to “just-in-time” labour which conforms to their demands for more flexible, cheaper, and more vulnerable workers. The availability of international migrants, partly, and to a growing extent, enables high income countries to remain competitive (Preibisch, 2011). The flexibility of migrants enables them to fill the last minute needs of employers, thus making them extremely valuable and exploitable.

According to McLaughlin (2010), new policies and the ideology and practice of multi-unit competition have constructed a ‘selective’ process within contemporary global capitalism where foreign workers are idealized and categorized into ‘ideal’ workers. McLaughlin (2010:80) argues that “multiple levels of actors—employers, state bureaucrats, and migrants themselves—collude in producing the flexible, subaltern citizen, which includes constructions and relations of class, race, gender, and nationality/citizenship”. High-income countries like Canada maintain a steady demand for cheap labour from seeking out countries which have a steady supply; this supply of
workers is willing to be the “ideal” worker, since their motivation for leaving is based on a lack of economic opportunities in their home countries. Bacon (2007:61) suggests that companies depend on this river of labour-- which is not just the workers themselves--but also on the communities from which they come. Further, this has a great impact on migrant workers since “each member of this highly vulnerable foreign workforce must fiddle with their expectations and retool their desires in order to mould themselves to the structure of temporary agricultural work and rapid changes in the political economy” (Bacon, 2007:61). In an era of evolving global capital-labour relations, migrant workers are the ‘perfect workforce’ since they are commodified, flexible and exploitable (Walia, 2010).

Preibisch (2012:77) argues: “state policy has played a key role in enhancing flexibility within the labour market for farm and food industry workers by increasing the availability of migrants, by granting access to the global labour market to a wider range of agribusinesses, and by broadening the global pool of labour reserves, including from countries with high levels of economic marginalization and political unfreedoms.” Companies dependent on this labor stream have great flexibility in adjusting for the highs and lows of market demand. Guest worker and employment-based visa programs were created to accommodate the labor needs of employers (Bacon, 2007:62). As McLaughlin (2010:83) notes, “it is here that state and capitalist interests converge to influence the selection of the ideal transnational migrant worker, and the consequence of such enactments, particularly for migrants, and for societies in which they live and work, are still largely unknown”.
Migration Systems Theory

According to Castles and Miller (2003:26), migration systems theory suggests that migratory movements generally arise from the existence of prior links between sending and receiving countries based on colonization, political influence, trade, investment or cultural ties, and through this a ‘migration industry’ is formed. Here, migration is viewed as a system of actors who all intertwine to facilitate the movement of people across, and within, borders. The fundamental assumption of migration systems theory is that migration alters the social, cultural, economic, and institutional conditions at both sending and receiving ends (de Haas, 2008:21). Migration not only affects and is affected by the direct social environment of migrants, but restructures the entire societal--or “developmental”--context of the concrete spaces in which migration takes place (de Haas, 2008:21). According to de Haas (2008), migration systems theory frames an understanding of how migration evolves over time and also how migration is reciprocally linked to the process of development.

The geographer Mabogunje (1970), the founder of migration systems theory, defined a migration system as “a set of places linked by flows and counter-flows of people, goods, services, and information, which tend to facilitate further exchange, including migration, between the places” (de Haas, 2008:21). Although Mabogunje focused upon rural-urban migration within the African continent, Portes and Böröcz (1987) and Kritz et al. (1992) extended this theory to the international migration sphere, which paved the way for other authors including Fawcett (1989), Gurak and Caces (1992), and Vertovec (1989). These authors, and many others thereafter, highlighted the ways in which both national and transnational networks are closely interwoven, blurring
the distinction between internal and international migration (de Haas, 2008:21). This new theoretical perspective paved the way for a new way of thinking about migration.

A migration systems perspective yields several interesting hypotheses and propositions. First, countries do not need to be close to be linked in a migration flow. Also, migration is not a fixed structure so countries may join or drop out of a system in response to social, economic, or political change. The second assumption of this theory is that nations may belong to more than one migration system. For example, the Philippines send more skilled and low-skilled migrant workers abroad each year for various types of overseas employment in a myriad of countries than any other nation in the world (IOM: 2012). Filipinos and migrants from a variety of other countries including Thailand and Vietnam are involved in a number of temporary migration programs abroad, including Canada’s LCP, TFWP, and in some cases, public service-sector jobs in Alberta and Manitoba. Canada is home to several temporary migration programs, with the LSS being only one avenue for South East Asians and other migrants to enter.

*The ‘Migration Industry’*

Castles and Miller (2003) argue that the development of a migration industry is an inevitable aspect of the social networks and the trans-national linkages which are part of the migratory process. According to these authors, the ‘migration industry’ includes the many people who earn a livelihood by organizing migratory movements such as travel agents, labour recruiters, brokers, interpreters, and housing agents. Harris (1996) supports this, suggesting that within this ‘migration industry’ there are recruitment organizations and other intermediaries such as migration agents. To Harris, these agents are “a vast unseen international network underpinning a global labour market; a horde of
termites...boring through the national fortifications against migration, and changing whole societies” (as cited in Castles, 2005:5). These people participate in the regulation of the migration system by providing services for employers who need migrant workers. According to (Massey et al., 1993:454), “migration flows acquire a measure of stability and structure over space and time, allowing for the identification of stable international migration systems”. These systems are characterized by relatively intense exchange of goods, capital, and people between certain countries and less intense exchanges between others. This also generally includes a core receiving nation, and a set of specific sending countries linked to it by unusually large flows of immigrants (Massey et al., 1999; Flawcett, 1989; Zlotnik, 1992). The literature suggests that recruiters have become embedded within the migration industry by working alongside employers and by maintaining control over migrants (Preibisch, 2011). The ‘migration industry’ is the arena where Canadian recruiters are currently facilitating and profiting from migration. In this thesis, the involvement of recruiters within the migration industry will be at the forefront.

Migration systems theory states that whatever its initial causes, once a migration pattern gets under way, a variety of needs for special services arise. Even when governments initiate labour recruitment, they rarely provide the entire necessary infrastructure and range of services; this opens the doors for other people to profit from migrants. In time, the migration industry becomes its own motivating and self-sustaining force; the agents within this industry have an interest in the continuation of migration, and go on organizing it, though the form may change. Migratory movements, once started, become self-sustaining social processes (Castles and Miller, 2003).

*Meso-structures and Macro-structures*
The basic principle of migration systems theory is that any migratory movement can be seen as the result of interacting macro-and micro-structures. ‘Macro-structures’ refer to “the political economy of the world market, interstate relationships, and the laws, structures and practices established by the states or sending and receiving countries to control migration settlement” (i.e.: evolution of production, distribution and exchange within an increasingly integrated world economy) (Castles and Miller, 2003:14). The majority of the migration literature focuses on these larger macro-structures. Meso-structures on the other hand, are the informal social networks oftentimes developed by the migrants themselves, in order to cope with migration and settlement (i.e. informal networks such as personal relationships, family and household patterns, and community ties) (Castles and Miller, 2003:14). Informal links between migrants can provide vital resources for individuals and groups, and may be referred to as ‘social capital’ (Castles and Miller, 2003). Recruiters have placed themselves within these meso-structures by forming relationships with migrants.

Migration systems theory also highlights that the family and community are crucial in migration networks. Research on Asian migration has shown that migration decisions are usually made not by individuals but by families (Hugo, 1994 as cited in Castles and Miller, 2003:27). Family linkages often provide both the financial and cultural capital which makes migration possible. Once a movement is established, the migrants mainly follow ‘beaten paths’ (Stahl, 1993) and are helped by relatives and friends already in the area of immigration.

Macro and meso-structures are intertwined in the migratory process with no clear dividing lines between them. To this day, much more is known about the macro structure
and very little is understood about the smaller ‘meso-structures’, specifically the informal networks involving recruiters. However, ‘meso-structures’ have been attracting increasing attention from researchers in recent years (Castles and Miller, 2003; Massey et al. 1999). Additionally, very little is known about how these meso-structures operate within Ontario in regard to the recruitment of South East Asian migrant workers. Thus, my research centres upon these meso-structures, specifically in regard to the role of recruiters in linking to the larger macrostructures through their connections with agencies abroad; thus, recruiters connect the meso to the macro.

**Network Theory**

Network theory defines ‘migrant networks’ as sets of personal and interpersonal ties that connect migrants. This theory asserts that the stronger the social links that migrants form, the less risk and costs migrants face over time with migration, since their social capital increases as well (Castells, 2000). “Here, connections between these actors maintain the system through interpersonal ties which connect migrants through ties of kinship, friendship, and shared community origin” (Castells, 2000: 28). Network connections constitute a form of social capital that people can draw upon to gain access to foreign employment. Social networks formed in international migration increase the likelihood of international movement because they lower the costs and risks of movement (Massey et al., 1993). Migrants are linked to other migrants and draw from this friendship to gain access to employment and assistance at the point of destination (Massey et al., 1999). Similar to what migration systems theory suggests, Massey et al. (1999:37) argue that once the number of network connections in an origin area reaches a critical threshold, migration becomes self-perpetuating and costs are therefore reduced for a new set of
people. Furthermore, this expansion of networks through informal ties between migrants may decrease the costs and risks associated with international migration.

Castells (2000), the leading theorist of network theory, argues that there is no such thing as a ‘global labour market’. Instead, what is happening is that international migrations are on the rise, in a long-term trend that contributes to transforming the labour force; however, this trend is more complex than those presented by the notion of a global labour market. To Castells, since there is not a unified global labour market, there cannot be a global labour force. Instead, there is indeed global interdependence of the labor force characterized by the hierarchal segmentation of labour not between countries but across borders (Castells, 2000).

The above argument is in stark contrast to what the majority of migration researchers suggest; that global and capital forces actively construct, and create a demand for, a global pool of labour (Preibisch, 2006, 2011, Sharma, 2006; Castles, 2010, Sorenson et. al., 2002, IOM, 2003; Fudge and MacPhail, 2009; Hennebry, 2008). The International Labour Organization (2012) suggests that there is a severe job crisis within the ‘global economy’, pointing to a ‘global labour force’ that is weakening. Even though only a few countries are facing serious and long-term economic and fiscal challenges, the global economy has weakened rapidly as uncertainty spread beyond advanced economies (ILO, 2012:3). Furthermore, the number of workers in vulnerable employment globally in 2011 is estimated at 1.52 billion, an increase of 136 million since 2000 and of nearly 23 million since 2009 (ILO, 2012:3). Preibisch (2010:422) argues that the LSS has allowed growers to access a global labour pool which has contributed to a much more competitive agricultural labour market. With the entry of migrant workers from countries in Asia over
the past decade, the LSS reveals that migrant workers are now entering Canada’s temporary worker programs from farther away than ever before, revealing that a global force not only exists, but is expanding at a rapid rate.

Network theory claims that the costs and risks associated with migration decrease over time, as more members of the country leave for their destination. Also, after the first migrants have left, the potential costs of migration are substantially lowered for friends and relatives left behind (Massey et. al., 1999). In the past under the SAWP, bilateral agreements between countries meant the state played an active role in facilitating migration. In contrast, under the LSS, the state has taken on a minimal role in regulating and monitoring the process which means the costs and risks associated with migration have increased for migrants (Preibisch, 2011). The involvement of recruiters presents additional risks for migrants.

This thesis will introduce some of the key players in the sending societies, including recruitment agencies and banks, and will highlight how recruiters in Canada link between migrant receiving and sending societies. A look at how recruiting agencies in Asia assist migrants with beginning the process of migrating to Canada (and charge them excessive fees to do so) will provide insight into the ways that migration is functioning in the sending society. The involvement of Canadian recruiters would not be possible without the recruiting agents in Asia who collect fees and conduct paperwork for migrants before they come to Canada. Also, this thesis will show that banks play a more significant role than is understood in the literature by securing loans to migrants which facilitate links between both sending and receiving countries. Finally, a look at how recruitment agencies abroad and Canadian recruiters have formed links to connect
migrants from the macro to the meso will allow for a closer understanding of the relationship between local recruiters and international agencies. It is important to consider both the sending and receiving nations, particularly in regards to how new social networks are created in both places within the migration process.

**Summary**

The migration literature helps us to look at recruitment from several angles. First, the world of migration is being affected by changing temporary programs, technological advancements, and growing neo-liberal policies which have resulted in less government regulation, and therefore less protection for migrant workers. Less governmental involvement has meant that recruitment has become unregulated and the abuse of migrant workers has risen as a result. Second, the migration industry, consisting of meso and macro-structures, is sustained by several actors and recruiters are placed within these meso-structures. What is absent in the literature is how recruiters and banks, two main actors in the migration industry, play a key role in facilitating temporary migration, and what this means for how migrant workers experience migration. Also, social links are formed within this sector where risks and costs may decrease over time, depending on a migrant’s ability to navigate within the industry. As we will see later in the results section, this ability or inability is contingent upon a migrant’s ability to speak English, and/or form a relationship with local support workers. Social networks formed by migrants can provide comfort and safety within these larger macro-level changes.

**Literature Review**

**Historical Analysis**

*The Origin of Migration*
Historical perspectives show that migration has been a normal aspect of social life- and especially of social change- throughout history (Castles, 2010). Canada has long had policies to bring in migrant workers on a temporary basis, yet most of what we know about these guest worker programs can only be traced back to the end of the Second World War (Castles & Miller, 2003). In addition, though it is well-established that migration has deep-seated historical roots, there is still very much that we do not know about recent changes to temporary worker programs in Canada and how these changes are impacting the process of present-day migration.

After the Second World War, several European countries were seeking new forms of labour and residents. Thus, economic growth and nation building from 1945 to the early 1970s became the drivers of migration. Family reunification was also key in both waves of migration during this time. Society as a whole was seen to benefit from immediate population grown and future labour force expansion (Valiani, 2008). During this time, the chief economic strategy of large-scale capital was concentration of investment and expansion of production in the existing highly-developed countries, where large numbers of migrant workers were drawn from less-developed countries into the fast-expanding industrial areas of Western Europe, North America and Australia (Castles & Miller, 2003).

An increase in the number of migrant workers is situated in the neo-liberal turn in Canadian public policy in the late 1960s and 1970s (Sharma, 2006). During this time, nation-building was the primary motivation behind migration. In the late 1960s in Canada, a new framework for immigration policy was being adopted where the Canadian state accepted temporary migrants. Federal, provincial, and territorial governments joined
with the private sector and administered this highly managed, bilateral guest-worker program named the SAWP (Preibisch, 2011). Eligible employers would be required to prove that they made attempts, unsuccessfully, to hire Canadian workers. Furthermore, visas were issued for a maximum of eight months, with the requirement that workers leave the country when their contracts expire (Preibisch, 2011).

**The Changing Role of the State in Managing Migration Programs**

An analysis of the state is important when considering immigration policy and agricultural production in the contemporary context (Preibisch, 2011). The “Washington Consensus”, a set of popular economic policies from 1970-1990s, sought to emphasize the efficiency of private enterprise, liberalized trade, fiscal discipline, and the opening of markets. The phrase “Washington Consensus” is often used interchangeably with the phrase “neoliberal policies” and the term “globalization”. John Williamson originally coined the phrase in 1990 “to refer to the lowest common denominator in regards to policy advice being addressed by the Washington-based institutions to Latin American countries as of 1989” (Kuczynski et al., 2003:4). Towards the 1990s, these economic policies largely failed, and this generated a new line of thinking in development that the state plays a role in development and is crucial to economic growth (Onis and Senses, 2005). Later, the Post-Washington Consensus promoted a ‘new development model’, encouraging a minimal role of the state, individualism, outward-orientation, and market liberalism (Onis and Senses, 2005). There were two results from this change: First, in order for growth to occur, there must be an appropriate mix of state and market. Here, the state plays a minimal role in the market rather than vice versa. Second, in some cases,
state intervention can act in the public interest and can play an important role in the development process (Onis and Senses, 2005).

As mentioned earlier, one of the major differences between the SAWP and the LSS is the lessening role of the state in managing and facilitating temporary migration. Much like what the Post-Washington Consensus promotes, state policy continues to play a key role in controlling immigration while remaining minimal throughout the managing, monitoring, and administrative process; this permits nation-states to regulate and deny mobility rights (Stasiulis and Bakan, 2005:18). Changes within the state can be linked to neo-liberal strategies designed to keep the role of the state at a minimum with more emphasis on the market (Preibisch, 2011).

According to Preibisch (2011:77), “state policy has played a key role in enhancing flexibility within the labour market by increasing the availability of migrants, by granting access to the global labour market (including countries with high levels of economic marginalization), and by broadening the global pool of labour reserves”. Companies dependent on this labor stream have great flexibility in adjusting for the highs and lows of market demand. Guest worker and employment-based visa programs were created to accommodate the labor needs of employers (Bacon, 2007:62). “It is here that state and capitalist interests converge to influence the selection of the ideal transnational migrant worker, and the consequence of such enactments, particularly for migrants, and for societies in which they live and work, are still largely unknown” (McLaughlin (2010:83). Likewise, Sharma (2006:18) argues that the intertwining ideas of nation, race, and freedom are brought together to organize state practices which facilitate the restructuring of the labour market in Canada and global capitalist social relations and changes in
migration highlight this reality. As seen in the recent changes to Canada’s TFWP, the state used its power to enhance flexibility within the agricultural labour market by opening its doors for access to the global labour market to workers from low-income countries with high levels of economic and social marginalization.

The movement away from bilateral agreements has reduced the role and responsibility of the Canadian state in facilitating migration, and opened the doors for private recruiters, affording migrants less protection from their sending country governments than their SAWP equivalents (Hennebry and Preibisch, 2008; Preibisch, 2010). The result has been fewer protections for migrant workers. With lower levels of government scrutiny, comes less security for migrants within the LSS (Preibisch, 2010). Nackache and Kinoshita (2010:15) suggest that bilateral agreements, like those in the SAWP program, help protect temporary foreign workers against illegal recruitment fees. Preibisch (2010:48) argues that in the Canadian case, directing policy away from bilateral agreements like the SAWP towards the unilateral framework of the LSS appears to rest on limitations on government resources. Thus, what appears to be more relevant to Canada’s current policy rationale (away from the bilateral model) is not the adherence to existing global trading rules, but a commitment to a neo-liberal ideology based on strengthening competition, eroding social protections, and altering employment relationships” (Peck, Theodore, and Ward, 2005:6 as cited in Preibisch, 2010).

Moreover, as cited in Preibisch (2011:65), Pechlaner and Otero (2008) argue that state promotion of policies associated with neo-liberal globalism should be conceptualized as a form of neo-regulation rather than deregulation in order to emphasize a modified, rather than diminished, state. “Thus, while states have minimized their role in
some of the management (and costs) of migration, this should be interpreted as a form of neo-regulation of the labour market adapted to contemporary economic and political exigencies rather than a withering of the state” (Preibisch, 2011:77). McKeen and Porter (2003) argue that not only has the welfare state in Canada been restructured, it has been transformed. The authors expand that within Canada, there has involved an ideological political struggle with a reduced role of the state and encouraged free markets and global competitiveness as the only alternative possible (McKeen and Porter, 2003).

**Present Day Migration**

This *first phase* of contemporary migration to Canada ended with the ‘oil crisis’ of 1973-4, and the consequent recession creating a restructuring of the global economy including the movement of capital investment and trade in new parts of the world and changing technology (Castles & Miller, 2003). Also, public concern regarding migrants’ welfare, primarily in Europe, led to the decline of the temporary foreign worker programs (Plewa, 2007). The post-Cold War era witnessed the re-emergence of modest temporary foreign worker policies in a number of settings where governments had curtailed further guest worker recruitment circa 1973 (Castles & Miller, 2003). Since the 1970s, there has been a gradual shift from immigration for permanent settlement to a reliance on temporary workers to address labour shortages (Fudge and MacPhail, 2010). The result was a *second phase* of international migration which began in the 1970s and gained momentum in the 1980s and 1990s (Castles & Miller, 2003). This wave of migration was based on family reunification and labour force requirements, leading to increasing numbers of Asian, African and Latin American immigrants settling in Canada in the 1960s and 1970s and onwards to the 1980s (Pendakur, 2000). For example, in the U.S.,
the 1965 amendments to the U.S. Immigration and Nationality Act created incentives for worldwide immigration, and the result was a dramatic surge in migration from Asia and Latin America (Castles & Miller, 2003). These amendments were seen as part of the civil rights legislation of the period and although they were not expected or intended to lead to large-scale immigration, the result was that they did (Castles & Miller, 2003:18).

However, the US and Canada adopted policies of mass immigration after 1945, beginning with only Europeans, including the British, Germans, Italians and Dutch; after 1966, non-Europeans began entering as migrants to Canada. During this period, family entry was encouraged, and immigrants were seen as settlers and future citizens (Castles & Miller, 2003). This new phase was characterized by complex new patterns of migration.

International migration has increased sharply in recent decades. Present-day migration has thus been termed the ‘age of migration’ (Castles, 2010). Global migration flows differ from past historical periods. In particular, Preibisch (2011:63) notes that this is evident in the numbers of people working in high-income countries under temporary work visas. The number of temporary migrants entering Canada every year is steadily increasing and the demand for workers to fill low skill occupations is rising faster than that for high skill workers (Preibisch, 2010). Canadian immigration policy has shifted to preferring immigrants that it considers economically valuable for long-term nation building; providing long-term permanent residency possibilities to ‘high-skilled’ immigrants and denying this same opportunity to ‘low-skilled’ migrants. Although in the past, low-skilled migrants were seen as undesirable, current trends illustrate that temporary ‘low-skilled’ migrant workers have become the most in demand form of foreign labour. Migrants entering Canada in TFWPs lack access to citizenship, and are
viewed as sources of labour rather than potential citizens. Castles (2007) reveals that, across high income states, movements of the highly skilled are celebrated as professional mobility, while those of the lower-skilled are condemned as unwanted migration. Agricultural work is a sector with an abundant amount of ‘low-skill’ positions, and therefore its workers receive less attention and protection from the government (Preibisch, 2010). By constructing immigrants as unwanted, this maintains their economic viability to employers, which means they are best wanted as “unwanted” (Sharma, 2006:134).

It was also during this time that non-standard employment was growing, including part-time and temporary work (Economic Council of Canada). This increase in non-standard employment was accompanied by a drastic increase in the numbers of temporary migrants entering Canada each year. The increased use of temporary migrant work was due to growing employer preference for a flexible labour force, the major driver of labour market restructuring occurring in Canada from the late 1970s onward (Valiani, 2008). Furthermore, there was a shift in the source of immigration to Canada since the 1970s due to a number of factors, such as changes in Canada's immigration programs to build on social, humanitarian and economic goals, and international events affecting the movements of migrants and refugees (Statistics Canada, 2006).

What Does This Mean for Migrant Workers?

Increased Vulnerability

A central theme in the migration literature points to vulnerability as a characteristic of today’s increasingly flexible and temporary workforce (Sharma, 2006; Walia, 2010; Preibisch, 2006, 2007, 2008, 2011; Parrenas, 2010; Hennebry, 2008;
Nackache and Kinoshita, 2010; Yuval- Davis, 1997; Basok and Carasco, 2010; Basok, 2003; McLaughlin, 2010). The vulnerability and precarious status of migrant workers, notably within work, has been increased due to changes within neo-liberalism and globalization within the global political economy (Preibisch, 2010:413). Moreover, “the program’s structures and practices also deliver a workforce more willing to accept the industry’s working and living conditions and one less able to contest them” (Preibisch, 2010:413). Migrant workers are more willing than Canadian citizens to participate in arduous agricultural work abroad because their home countries lack sufficient employment opportunities and stable economic systems; this starkly contrasts to the situation facing most Canadians where jobs are available, and a strong social welfare and economic system can provide stability and security. Agricultural work in Canada also provides substantially more money for migrants; migrants can earn up to five times the average in their home countries (Reitz, 2012).

The vulnerability of migrants is maintained within Canada’s temporary migration programs by restricting their rights in several ways. First, employer-specific visas tie temporary migrant workers to one employer, making it difficult for a worker to switch jobs. This also accords the employer disproportionate power in the employment relationship, as the migrant’s right to work in Canada is dependent on his/her single, named employer. There are not always sufficient working hours being provided to migrant workers in the LSS, who end up being either out of work for periods of time or moved around to different cities and towns by recruiters (Preibisch, 2010). However, workers are not eligible to work for other employers other than the single individual or company stated on their contracts. Several authors in the literature are calling for a policy
change to the work permit which would enable migrant workers to find work at other employment sites if the need arises, so as to not be out of work and further indebted (Nackache and Kinoshita (2010); Walia, 2010; Hennebry, 2008; Rekai, 2010). This is appropriate, given that there are also indications that workers are being moved between employers by recruiters and agents when working hours are scarce. Second, within the LSS, visas are granted to single applicants with no provisions for family reunification. Finally, as mentioned earlier by Nackache and Kinoshita (2010), the temporary status accorded to migrant workers results in a fear of being deported, and many migrants will often refrain from complaining about to avoid this possibility (Preibisch, 2010).

The literature also indicates that some migrant workers live in deplorable, unsanitary, and unsafe working and living conditions and these conditions further highlight their vulnerability (Parrenas, 2001, 2008; Preibisch and Binford 2007; Preibisch, 2007, Basok and Curascao, 2010; Hennebry, 2008; Tastsoglou and Dombrowsky, 2006; Sharma, 2001, 2002, 2006; Walia, 2010, Stasiulis and Bakan, 1997, Binford, 2009). “Due to the nature of agricultural work in Canada, migrant workers in Canada often experience high rates of social isolation, living and working far away from major cities” (Preibisch, 2007:43). Within temporary migration programs, some migrants do not receive the knowledge, skills, and support required to be able to enforce their rights because of their social exclusion from local communities of citizens” (Basok, 2004:47). There can be very little divide between work and leisure, as many migrant workers reside either at the farms of their workplaces or nearby; this is a mechanism of control exercised by employers over employees. Migrant workers experience very little privacy, are forced to live on employer’s property, oftentimes in crowded
accommodations, and have no access to their families while working. Given the high turnover of domestic workers in agriculture, hiring foreign workers save employers (farmers) time and money by employing a workforce that are consistently willing to arrive and have reasons for staying that are rooted in poverty and inequality. There is a wide spectrum of denial for migrants’ rights within Ontario’s agricultural industry; migrants face significant difficulties in enforcing their rights within the LSS, and in many cases, are also living in conditions that many Canadians would consider unacceptable.

In a context of globalization, large governmental shifts towards neo-liberal policies have resulted in more suppression of the rights of migrant workers, and this is evidenced in restrictive migration policies, the maintenance of a ‘temporary workforce’, and the continual and deliberate sourcing from low-income countries. The designation of ‘temporary status’ is ascribed to migrant workers to restrict agency and limit social mobility. Preibisch (2007:443) puts forth that foreign workers cannot move out of the industry once admitted and their labour mobility and rights are restricted; this fuels the competitive advantage of the industry. Migrants do not enjoy the same social or political rights associated with citizenship as citizens (Preibisch, 2010). “Moreover, the temporary migrant worker programs available to Canadian agricultural producers have undergone changes that allow employers to exert significantly greater control over the social composition of their workforce in ways that they perceive as beneficial to production” (Preibisch, 2010:406). Even national border controls and international cooperation on migration management have become highly restrictive. Most people have neither the economic resources nor the political rights needed for free movement (Castles, 2010). Agricultural work has become the place where migrant workers are able to work long
hours and send home remittances, but continues to be a restriction in the gateway to permanent residency.

**Migrants Face Difficulty Enforcing Their Rights**

The literature brings to light that there is a concern for the rights of migrants within the international migration sphere (Ruhs, 2008; Bohning, 2009; Preibisch, 2006, 2007, 2011; Fudge and MacPhail, 2010; Hennebry, 2008; McLaughlin, 2010; Walia, 2010; Nackache and Kinoshita, 2010). Foreign labour is one of the planks of the global competitiveness of Canadian horticulture and the industry’s comparative advantage rests, in part, on limiting the rights of foreign workers who cannot move out of the sector (Preibisch, 2007:419). On paper, migrant workers appear to share similar ‘rights’ to those of citizens, but in reality, these ‘rights’ are very different. For example, in Canada’s SAWP program, workers may share the same employment rights as domestic farm workers in principal; they cannot enforce them in the same way in practice (Verma, 2007). A recent report by the Metcalf Foundation (2012) notes: “the exploitation is not isolated and anecdotal. It is endemic. It is systematic”. Persaud (2003) argues that international migration is built upon historically embedded practices of labour exploitation characterized by the racialization of migrants themselves. Similarly, Bacon (2007:59) argues that the economic rights of migrants in the United States and other wealthy countries are not considered human rights, and this must be changed. Due to the precariousness of their status, temporary migrants, who are also often visible minorities, are even more likely than resident immigrants to experience various forms of exclusion and abuse (Sharma, 2006). Unless migrants themselves or their advocates explicitly claim
these rights, the rights are likely to be ignored by policy makers and employers (Basok and Curascao, 2010).

For migrants, enforcing one’s rights, or complaining about maltreatment, may be inaccessible within the duration of their short working contracts in Canada. Although protection exists for workers, long wait times and difficult government administrative practices and legalities when accessing one’s rights within the LSS, make this unapproachable. For example, although both levels of government offer protections to temporary foreign workers, each is limited in its ability to enforce these rights (Nackache and Kinosita, 2010). Preibisch (2010:416) notes “in addition, widening employer ability to choose the nationality of their workers further entrenches divisive employment strategies”. It is not uncommon for one farm to have workers from several different countries, and this can create a competitive working environment for migrants; each group of migrants trying to ‘prove their worth’ in order to receive as many working hours as possible while in the LSS.

**Heightened Corruption within Recruitment**

Cairns et al. (2010) argue that little is known about the employment trajectories of foreign-born farmworkers in the United States. Within the U.S., recruiters offer to arrange visas to come to the U.S. as a guest worker, and for their services, they charge thousands of dollars. Bacon (2007) suggests that in the United States recruiters promise jobs paying more in an hour than a small farmer in a poor country can make in a day. Structural factors in low-income countries, such as a lack of employment opportunities can hinder a migrant’s ability to earn a sufficient and steady income and therefore, many migrants are forced to leave in order to support their families. Furthermore, The North
American Congress on Latin America (NACLA) states that most American businesses that employ guest-workers rely on recruiters in foreign countries who often charge potential workers exorbitant fees to obtain work in the United States. Little is known about the deeper forms of corruption that exist within Canada’s TFWPs. In Canada, media attention and research continues to cast a light on the dark shadow of how little is known about the safety and well-being of international migrant workers in Canada.

Several authors in the literature indicate that illegal recruitment practices are a serious issue and worthy of consideration (Preibisch, 2010; Hennebry, 2008; Nackache and Kinoshita, 2010; Rekai, 2010). Preibisch (2011) argues that numerous media reports have linked third party recruiters to corruption, exploitation, and fraud, including charging exorbitant placement fees to migrants.

That said, regulating this private industry can be difficult. Brokers have methods of circumventing provincial legislation, at times making it impossible for government officials to prosecute them because of a lack of jurisdiction (Nackache and Kinoshita, 2010). Further, too often brokers are difficult to track down and clear evidence of illegal activities - in the form of paperwork, for example - is impossible to gather (Nackache and Kinoshita, 2010). Several authors in the literature suggest that the federal government should make better use of existing legal provisions directed against illegal recruitment practices and should be more involved in the regulation of the immigration consultant industry. Later, my data will indicate that banks in South East Asia are also playing a role in corruption by providing the money for migrants.

**Gendered Segmentation within the Migration Industry**
Today female migration is continuing to grow in significance throughout the world (Kofman, 2011: 646). Trends indicate that the number of women in temporary migrant worker programs is on the rise, and gendered and racialized ideologies are prominent. Women are increasingly migrating independently and entering not only in highly feminized labour markets, but also some masculinized (and racialized) ones (Tastsoglou and Dobrowolsky, 2006). The literature also indicates that in spite of certain achievements in the feminist movement, the gender gap and the segregated labour market have largely remained (Yuval-Davis, 1997). Though women account for a mere three percent of all migrant workers employed in agricultural work in Ontario under the SAWP, the majority of migrants I interviewed in the LSS were women. Since the literature indicates that gender inequalities work to disadvantage women in the workplace, women were an appropriate group for workers for me to interview. My interviews highlight that some migrant women are under pressure to perform as mothers and breadwinners.

Under the LSS, employers are able to specify the sex and nationality of their employees, a practice in conflict with human rights legislation at the provincial and federal levels (Preibisch, 2010:416). According to Preibisch (2010:417), some employers are choosing migrant workers according to their own preferences for nationality and sex of their workforce, and the result is heightened competition and segmentation amongst workers. Some employers formally to choose their staff on the basis of sex and nationality and this bargaining power has resulted in various forms of racialized and gendered segmentation that have been used to foster divisions among workers. Further, Preibisch (2010:417) notes that “often within the agri-food industry, migrant women are
viewed as “problematic”, and much of this term has to do with attributes that are assumed to be exclusive to women.”

Interestingly, even with the added social barriers placed upon migrant women to be breadwinners and mothers from a distance, there appears to be evidence of self-empowerment among some women. Migrant women find ways to assert their agency in multiple ways in order to contest their terms of employment and social location within Canadian society (Preibisch, 2010:310). Further, Preibisch and Encalada (2010:416) note, “despite efforts to divide them, women demonstrate remarkable solidarity with one another, such as negotiating citizenship, speaking to researchers and activists, and actively contesting efforts to dehumanize them. Thus, migrant women continue to challenge and contest the barriers which surround them in their daily lives”. My research supports this, highlighting the perspectives of two migrant women who speak out about their experiences with abuse and recruitment in the LSS, with the hopes of creating change for all temporary migrant workers in Canada. More research is needed that explores the other ways women are displaying unity and breaking down barriers despite a restricted citizenship status; specifically, the ways in which migrant women continue to negotiate as a group and individually within the limitations of the working contract.

**Borders and Citizenship: A Nation of ‘Insiders’ and ‘Outsiders’**

Public policy and media reports continue to centre upon the ways that Canada constructs and deconstructs citizenship within its borders. Bacon (2007:64) argues that “the age-old question confronting the labour movement in industrial countries is inclusion or exclusion”. Inequalities in wealth between the North and South are likely to impel increasing numbers of people to move in search of better living standards; political,
ecological and demographic pressures may force many people to seek refuge outside their own countries (Castles and Miller, 2003). In the present, temporary migration comes with its own set of restrictive citizenship policies and racialized ideologies which serve to reinforce the boundaries between citizens and migrant workers. Furthermore, these programmes ensure a pool of highly exploitable labour and collective social discipline, excluded from the protections of the welfare state, by arbitrating who legitimately constitutes the nation (Walia, 2010). Control is exercised through the temporary visa which ties workers to one employer for the duration of the working contract. These policies, designed to maintain a temporary workforce, constantly remind migrant workers that Canada is a place for work, but will never be ‘home’. Stasiulis and Bakan (2005:2) suggest: “citizenship exists on a spectrum, involving a pool of rights that are variously offered, denied, or challenged, as well as a set of obligations that are unequally demanded.” Sharma (2006:6) suggests migrant workers are easily understood as foreign labour within a ‘foreign labour market’ instead of being an integral component of Canadian society.

Borders have taken on a strong symbolism within international migration, yet are also very real. Sharma (2006:6) argues that borders affect everyone differently, and “make many people homeless in the very places where their lives are lived”. Further, “nationalist ideologies construct ‘homelands’ that essentially leave the vast majority of the world’s migrant peoples homeless” (Sharma, 2006:4). There is a materiality to the ‘differences’ between ‘citizens’, ‘immigrants’ (i.e. permanent residents), and migrant workers; these ‘differences’ are based in the relationship between ideas of nation and those of race, gender, and class (Sharma, 2006). Moreover, while national borders are being constantly criss-crossed by processes of communication and exchange, the actual bodily movement of
most people remains restricted (Sorenson et al, 2002; Walia, 2010; Basok and Curasco, 2010). Border controls can enable national states to reorganize their nationalized labour markets to include a group of migrant workers who are made vulnerable to employers’ demands through their lack of status (Sharma, 2006). “The essence of state sovereignty is a country’s right to determine who enters its borders, and under what conditions” (Haus, 2001:4).

The categorization of the majority of migrants admitted to Canada as temporary migrant workers has meant that they encounter a differential regulation of their labour power and a differentiated position and status once within Canada. For Canadians it is easier to impose on those non-citizens who are also seen as racialized and/or cultural outsiders (Sharma, 2006). These patterns are direct descendants of various forms of racialized labour regimes, colonial practices, and practices of sovereignty (Persaud, 2003). This raises concerns surrounding the issue of citizenship and belonging in Canada; specifically with who is allowed to consider Canada ‘home’. Migrant workers are particularly vulnerable in comparison to citizens, since the designation of a ‘temporary’ status means they are not able to enjoy the privileges that are associated citizenship. “With an emphasis on satisfying long-term state-building goals, most of the ‘high-skilled’ are welcomed to stay permanently, but the ‘low-skilled’ are expected to leave when their work permits expire” (Nackache and Kinoshita, 2010:6). Furthermore, the use of borders and laws surrounding citizenship illustrate that there are clear cut rules that temporary migrants face while living in Canada. What we don’t know is how migrants experience a temporary status, what they were told coming to Canada, and how they experience temporary migration while in Canada. The rise of the nation-state, and along with it nationalism and
citizenship creates insiders and outsiders, and sets up differences between people (Tastsoglou and Dobrowolsky, 2006).

This chapter has presented a review of the literature with a focus on how changes within Canada’s LSS have created a space for recruiters to become embedded in the recruitment process, specifically with migrant workers from South East Asia. Further, changes within the larger global political economy and within the Canadian workforce have created a growing employer demand for migrant labour and this has created a need for migrants to become increasingly flexible. Since protections are not in place for migrants involved in agriculture, the result has been heightened vulnerability and exploitation by recruiters. The next chapter will address the use of qualitative research, its implications, and will close with a discussion regarding the various methods used in this research and an explanation of how my participants were recruited.
Chapter 3: Methodology

This research took place between May and July, 2011 in a small town in Ontario with a large number of greenhouses. Despite its modest population, the region houses North America’s largest number of greenhouses, and thus, Canada’s largest number of transnational migrant farm workers. Since Ontario houses 66% of Canada’s temporary foreign workers and employs the largest number of transnational migrant farm workers (Preibisch, 2012:69), this setting was appropriate.

The questions I used in my interviews are derived from the literature and are structured in a way that seeks to understand some of the social links (or networks) that are formed within the ‘migration industry’. My available evidence indicates corruption is occurring in the LSS. However, since I was unable to interview the recruiter who is working with the migrants in my study, my research is limited in its inability to highlight his perspective and round out my analysis. Also, since my fieldwork was based on a short period of time, and in one specific setting and place, my results should not be generalized. Instead, the conclusions generated from my data should be used as a guide and starting point for future research. This section starts by listing my interview participants, followed with an explanation of how I identified, categorized and accessed the different stakeholders in this research whom I categorize (with pseudonyms for all). Next, I explain the critical approach that guided the design of the methodology and informed the ethics. Finally, I make clear how I built trust with the migrant workers, and then describe how interviews were conducted. The ethical guidelines for this research project were approved by the Research Ethics Boards at Wilfrid Laurier University and the University of Guelph.
The main actors in this research were named as follows. Recruiter Paul is the pseudonym for the recruiter who has a relationship with all of the migrant workers in my study. According to my data, several years ago, a different team of recruiters were mainly responsible for working with Asian migrants coming into the LSS; however, according to migrants, they left for Quebec, and this is when Recruiter Paul took over. Lena the Liaison is a Canadian citizen who has stepped in to alleviate the need for migrants to use a third party recruiter. I consider her as a liaison because she is volunteering her time and performing the functions of a recruiter without charge. Marianne is a support worker who works in a non-profit migrant support centre as an employee and a volunteer. With Marianne, migrants from any country are able to ask questions about the LSS and discuss their concerns. Marianne and her colleagues are extremely knowledgeable about Canada’s immigration system and with issues facing migrant workers within the LSS. Finally, Christine is a legal aid worker who volunteers her time to help migrants with legal issues and paperwork. Since migrants face difficulty in accessing protection and learning about way the LSS operates, Christine is able to assist workers in need. Both women are very similar: they are support workers who help migrants with their concerns and with filling out paperwork, and both work alongside several activist organizations to inform the public about migrant issues.

**Interview Participants**

I conducted 16 qualitative, in-depth interviews: six face-to-face interviews with migrants from one South East Asian country (five women, one man); one focus group with seven migrants from another country in South East Asia (six women, one man); and three telephone interviews with local migrant support workers (one volunteer liaison, one volunteer local support worker, and one legal assistant who are all female). All interviews
with migrants were conducted in the same town in Ontario. Participants ranged in age from their mid-20s to their late 40s. All participants I interviewed were previously employed as small farmers in their home countries prior to coming to Canada. Pseudonyms were used to protect the privacy of all of my research participants (including support workers), migrants’ home countries, and also the town where I conducted this research. Migrants occupy a precarious status while in Canada, yet those who participated in this study still chose to share extremely personal stories with me, which are rich in detail about their lives and their families back home and their experiences under the LSS. Even though I was an outsider, migrants and support workers trusted me, and I feel that it is important to use pseudonyms to protect their privacy, and the privacy of their families back home. These individuals conduct their daily lives in this town and my intention is not to jeopardize their safety or protection.

**Methodology**

Critical theory/emancipatory research provide the overarching methodology for this research. Emancipatory research is inclusive of a variety of research methodologies including critical research/theory and feminism, both which share an emancipatory objective (Kovach, 2005). As Kovach (2005) notes, “the epistemological assumptions of these varied methodologies contend that those who live their lives in marginal places of society experience silencing and injustice” (p.3). Temporary migrant workers occupy a precarious social position and legal status in Canada, living their lives on the margins of society, and lack access to protection and even citizenship. The methods employed in this research will serve as a medium by which the voices of the migrant workers will be heard, as my research privileges the victims’ voices over the dominant (recruiters and employers). That said, it is
important for future research to investigate the other side- the voices of the powerful in order to gain a more comprehensive understanding of the big picture. Since recruiters are a relatively new addition to the migration industry in Ontario, it becomes relevant to understand how recruiters affect the experiences for migrant workers. Thus, my research aims to develop a rich description of the experiences of migrant workers with recruitment and to understand the meanings behind these experiences with a critical/emancipatory approach.

**Reflexivity**

It is challenging for social scientists to find a balance between creating research projects that investigate marginalized outlooks while working from a position of privilege. Even critical research, which aims to convey the experiences of the oppressed, can fail to capture the essence of the views, truths, and knowledge of the subjects of study. It is also possible for a researcher to maintain an uneven power dynamic between themselves and their subjects, which only serves to reinforce the status quo rather than empowering the marginalized. In her book about Indigenous research and methodologies entitled *Emerging from the Margins: Indigenous Methodologies*, Margaret Kovach sums up the central concern of this research project when she says, “For those who are non-Indigenous, the questions perhaps are more challenging: Am I creating space or taking space? (Kovach, 2005:3). She extends her methodologies to include non-Indigenous people, and says to “start where you are--it’ll take you to where you need to go” (Kovach, 2005:3).

As researcher, I tried to remain constantly mindful of how my ethnicity (Caucasian), gender (female), class (student), occupation (researcher), citizenship status (Canadian citizen), education (post-graduate student), determined both how I was perceived by the
research subjects and how I perceived my research subjects. Also, my perceived status as an academic could serve to intimidate these workers rather than encourage communication. As the researcher, I engaged in a continual process of reflexivity, constantly aware of how my unique positionality could affect and bias the research process. With that said, the central goal of this research is, through engaging in a process of reflexivity, to allow the voices of these migrant workers to guide the research, with as little as possible bias or influence from the researcher over how the research is presented. The researcher is not an individual scholar, but is a material body through who a narrative structure unfolds (Bott, 2010). Being reflexive means acknowledging you are part of the social context you seek to explore, that you cannot be on the sidelines. Objectivity is never entirely possible because of the researcher’s own conceptions of the phenomenon (Smith and Osborn, 2003). This research intends to create space for migrant workers to describe their experiences. Researcher subjectivity inevitably impacts upon how research unfolds and is interpreted (Bott, 2010). Hence as the researcher, I tried to constantly remember my positionality as researcher within the work and remain in dialogue with the research practice. I realize there are limitations to being an outsider and a researcher, as my presence fundamentally alters the way that the data will flow and might cause these workers to think more heavily about how and perhaps what they will say. I made a concerted effort to remain non-invasive and undemanding. Thus, participant observation involving strong rapport building was first necessary for workers to feel comfortable sharing their life stories with me.

**Gaining Access to Sample Population**

Prior to conducting my research, not only had I never been to the town where the migrant workers in my study live and work, I also knew very little about the community
itself and had never met a migrant worker from Ontario. Although I considered myself fairly versed in the migrant literature from my education, I was not familiar with the issues facing migrants. Further, being acquainted academically with the literature does not mean I would be able to relate to migrants. Up until I conducted my research, my experience with migration was as follows: I had travelled and lived in ten countries in Asia over the course of two years; had completed more than one year of extensive reading and studying about migration in my Master’s program while working alongside my co-advisor (an expert in migration studies); attended two conferences about migration in the local Toronto area; and regularly stayed informed about migrant issues in the news. Despite my international and academic experience, I was a novice conducting this research. I was also aware of a number of activist organizations in the area who were immersed in local migrant communities and were therefore much more informed and active than I was. I was aware of the movement for unionization among temporary migrant workers in Ontario and within the past year had met several activists in the area who dedicated much of their own time to raising awareness about this issue. I was not involved in migrant organizations; rather, I was academically inclined to try to make change with my writing. Finally, I was an outsider approaching a community engaged in resistance, and I had no idea if I was going to be accepted. Needless to say, at first, trying to make my way into this community was intimidating.

On my first trip to the town where I conducted my fieldwork, I signed into the hotel, dropped off my belongings, grabbed my notebook and tape recorder and began walking around. I saw Mexican migrant workers everywhere; riding bicycles, restaurants, parks, and benches on the street. Since it was a weekend, I saw several groups of
migrants enjoying their leisure time. After eight hours of walking around, eating lunch at a popular restaurant for migrant workers from Mexico, and visiting local stores, pubs, and parks, I had not seen one migrant worker from Asia. I was in a small farming town with by a strict cultural divide between the conservative Caucasian population and the migrant workers. Growing up in a multicultural family and town close to Toronto, I was not used to such a polarized population. That evening, I went to several bars, and befriended several Mexican migrants who told me that migrant workers from South East Asia usually frequent that bar, but not until later in the evening. Several hours later, the bar was empty, and I was unsuccessful. I went back to my hotel legitimately concerned that I would not be able to conduct this research.

The next morning, while walking around, I spotted a small house with a few migrant workers out front. I walked in, and immediately noticed about 20 Mexican migrants in the front room. I felt like an outsider who knew very little about the town or the community. I walked over to the kitchen, and introduced myself to the woman sitting at a table. Her name was Marianne, and she ended up becoming the main informant at the beginning of my study. I was shaking from nerves and was quite uncomfortable, as none of this felt natural to me. I began thinking about my travels: how I had always spent at least one month in each country I visited, so I was able to take my time learning about each community without rushing, before befriending locals. However, this time, I was a researcher, with a budget and a time constraint, and I was hoping to gather data. After explaining to Marianne my position and intent, she began to warm up to me. She wanted to make sure that my intentions were not to exploit migrant workers and she wanted to ensure that I understood that they deserve privacy and respect. I asked her to tell me
about her work. I learned that she volunteers her time to listen to migrant workers’ stories of abuse and injustice, and works with activist organizations in and around town to help with migrant issues. After about 20 minutes of chatting, Marianne told me that she believed I had good intentions with my research. She pointed to two South East Asian migrant women who were sitting in the front lobby of the house, and with a smile, said to me, “Go. There they are. Good luck.” It was Marianne who made possible my initial contact with the first two migrant women I met.

My previous experience of living in Asia from 2007-2009, was extremely helpful, and quite possibly the catalyst for my confidence going into this research. However, breaking through to these women was very difficult at first. I was nervous approaching the women as I awkwardly sat in the only empty chair in front of them. After introducing myself, I thought about my time in their country in 2009, and how friendly and inviting the local people were to me. I empathized with these women quickly, drawing from my limited time in their home country, talking about their customs, culture, and food. Talking about food is very natural to me and since I know that sharing food is customary in many Asian cultures I had visited, I began nervously talking about the local cuisine I enjoyed off of street vendors in 2008. We began bonding. I spoke about several families I met who had graciously invited me into their homes and cooked delicious food for me. I let them know that many of these families had one member who was, at that time, working abroad as a migrant worker. I mentioned the numerous conversations I had with locals about international migration and what migration means to them and to their country. I immediately expressed a deep and sincere love for the people I had met there. Also, I mentioned that my uncle has been married to a woman from their country since I was
very young, so I grew up learning about this culture. I described the ease I had felt travelling in this part of Asia since most locals spoke English fluently and shared warm and inviting smiles everywhere I went.

After about 20 minutes, the migrant women began questioning me about why I wanted to conduct this research. They asked me if I would promise to get it published so the government could read the evidence, I said yes, since this was always my intention. Still, I could tell that they still were not sure they could trust me. I felt discouraged because I wanted to hear their stories and try to help through my writing. Of course the benefit of my research serves me: I will obtain an MA at the end of all of this and they will remain in a marginalized position as migrant workers within the country I have grown up in and love so dearly. I was visibly overcome with emotion and couldn’t help but tear up; these women have been through so much, so why would they open up to a stranger? Also, while travelling, I had been told firsthand from numerous people from their country how difficult life is for families who are missing one or several members due to migration; several families had expressed to me various ways they are being negatively impacted by migration. I was also aware that there is a lack of employment opportunities and financial support from their country’s government. I felt uncomfortable. I wanted so genuinely to get to know these women. I said, “I’m sorry. I know this is a lot to take on, and you have no reason to trust me other than my word. You just met me. But I can promise you that I will be here every single weekend until I listen to everyone who wants to talk, and when this is all over, I will work tirelessly to write a thesis that I will try to get published so the government will read it.” Finally, both women smiled, and said, “Okay, we’ll talk to you. And we have a lot of friends who will too. Do
you have the time?” I was relieved. I smiled, stopped crying, shook their hands, and gave them my cell number. They told me to speak to Marianne about some troubles at work, and for me to call them during the week, and they would set up a group interview at their home for the following weekend. I was elated. I conducted the focus group one week later in their home (as they had requested). After the interview, we ate delicious food they had so kindly prepared for my visit, and we spent the next few hours chatting. They told me about their families and children back home who they missed dearly, and how difficult it was to be mothers who “never see their children”. Remarkably, with all of their unimaginable heartbreak, they were consistently smiling in between their tears, just like I remembered from my time in their country. I didn’t want to leave. These were inspirational people.

When it came to meeting migrant workers from other South East Asian countries, Lena the Liaison helped me throughout my research by introducing me to other migrants after only one meeting with her. I met Lena through my co-advisor who provided her contact information. We met at the local Tim Horton’s coffee shop and I told Lena that I was having difficulty meeting migrants from South East Asia. She explained that some nationalities of migrants have preferred to remain out of the spotlight in every sense because that they are extremely private people who have been through hardship. Again, drawing from my travel experiences, I told her that I understood that modesty and privacy was ingrained in some South East Asian these cultures and that I would be sure to respect this privacy if I were to eventually meet them. I conducted my interview with Lena back at her hotel where it was much quieter. After spending several hours together, Lena said to me, “I will introduce you to two groups of migrants. When can you come
back?” I couldn’t believe it! I returned the following weekend and decided not to conduct any interviews that weekend. I wanted to spend time with the migrants and establish trust. Between Saturday and Sunday, I spent about 16 hours in their home, eating their food, watching videos about their home countries, and enjoying their company. The following weekend I returned to conduct my first interviews, and I understood from the close bond I had formed with one of the male workers that I had made the mistake of showing up at their house with a full stomach; from now on, before every interview there would be food, so I should always come hungry. The generosity and hospitality from these people absolutely took my breath away, and I enjoyed some of the best food I’ve ever eaten.

**Methods**

I used a method of triangulation which consisted of a number of data gathering techniques including: one focus group, seven face-to-face interviews (with an interpreter), and three telephone interviews with a select group of key informants made up of one liaison, one support worker, and one legal aid in the area. During the in-depth semi-structured interviews and the focus group, I recorded data with an audio recorder and written notes after consent was received. I used purposive sampling to allow for “information rich,” useful manifestations of the migration situation in the community (Patton, 2002). Here, then, sampling was aimed at insight about the phenomenon. I managed and analyzed all the data by hand, coding the themes that emerged from qualitative sources. All personal information regarding the identities of the participants was kept confidential, with names disguised by pseudonyms. Since it was summer, most of the migrants I had met were working up to six days each week, often more than 50 hours. Their free time was valuable, and it was therefore appropriate to offer
compensation for their valuable time that they were so kindly offering me. I offered each participant one $40 calling card to show my appreciation for their participation.

**Qualitative Research**

Patton (2002:2) notes, “qualitative data are observations that yield detailed, thick description; inquiry in depth; interviews that capture direct quotations about people’s personal perspectives and experiences; case studies; careful document review”. Qualitative studies are appropriate for the in-depth exploration, and for making detailed assessments about the role of actors within systems and institutions (Hennebry and Preibisch, 2008). Also, qualitative interviews are particularly apropos for data collection among migrants who may not be comfortable responding to written English, or may be reluctant to engage in survey-based methods (Hennebry and Preibisch, 2008). The research questions derived from the literature are structured in a way that seeks to understand how, through the use of qualitative interviews, migrant workers describe their experiences working in Canada’s agricultural industry and also how relationships with recruiters are constructed and/or maintained while in Canada.

**Participant Observation**

When I began my research in May, 2011, I spent several weekends using participant observation to become familiar with my surroundings. This initially took place during off-work hours when migrant workers spent their leisure time such as downtown at restaurants, nearby parks, and late at night in bars and nightclubs. Once I made contacts, participant observation eventually progressed into the homes of migrants. Interviewing migrants in their homes provided a comfortable opportunity for me as researcher and the migrants as research participants to establish trust and talk in a
relaxing environment. I did not try to access the greenhouses employing migrants since I wanted to talk to migrants when they were able to relax outside of work. Also, given my research questions about recruiters, there was no need to go to the workplaces of the migrants. Being able to spend time with migrants in their homes also allowed me to form a natural friendship which undoubtedly helped migrants to feel comfortable opening up to me in our interviews; without this, answers would likely have been much more limited. This experience also gave me a better understanding of the cramped living conditions that migrants endure. The focus group took place in the living room at one of their homes. Again, with both groups, enjoying home-cooked food prior to the interview was important to the people I interviewed. Thus, most of the participant observation took place during off-work hours in the homes of migrant workers and semi-structured interviews took place in their homes, usually in the kitchen or the quietest spot of the home such as one of the bedrooms.

Throughout the research, I relied on snowball and purposive sampling to meet future participants. Also, since some of the migrants do not speak English, most of my time with these individuals (outside of interviews) involved using broken English or silently enjoying each other’s company. Migrants were also able to learn about me personally from our time together, in between interviews. I must say, even though I could not converse with all of the migrants due to a language barrier, I felt a deep bond between myself and these individuals which paralleled my connection with migrants who could speak English. I wrote notes about my personal feelings, experiences, and observations immediately after my time with migrants. According to Bogdan and Taylor (1975:5), participation involves an “intense social interaction between the researcher and subjects”. 
This level of comfort that was developed between me and the migrants may have also been a limitation in conducting participant observation. Since all of the migrants I interviewed knew that I had befriended several members in nearby communities including several support workers, a liaison, and a legal aid, they often assumed that I was more informed than I was. I reminded them that I was there to hear their perspectives firsthand. Since I was one of the first student researchers to interview South East Asian migrants, I was starting to become well-known as ‘the researcher who was working with the migrants from Asia’. This created a couple of difficulties for me and the migrants themselves. First, one group of migrants always prompted me to cover my face when entering their homes since they did not want the recruiter or his “rats” (they used this term to refer to his spies in the area) to see my face; they wanted to ensure my safety and protect my privacy. One of these migrants told me that Recruiter Paul has people who watch their homes to ensure they are not speaking to the media or other outsiders. I realized that I was putting myself and migrants in danger every time I entered their home. This speaks not only to their hospitality for letting me into their homes, but also to their marginalization and oppression, since they chose to put their safety at risk for the sake of having their voices heard. In order to keep them and myself as safe as possible, I always covered my face when exiting my car and entering their homes, and I entered through the back door of their apartment.

Something interesting occurred during my research. One of the migrants I interviewed informed me that a documentary film crew had entered the home of some of the workers the previous Sunday (a few hours after I had left) and had mentioned my name to gain access. As a result of their relationship with me, the migrants decided to
share their stories with the crew. I was shocked and confused. After making a few phone calls, I had learned that one particular activist in the community whom I had met very briefly at a migrant support centre had shared my name with a friend of his who had wanted to speak to the migrants from Asia. That friend informed a documentary film crew from out of town used my name, and when this crew showed up at their front door of their home, they were under the impression that it was okay to mention my name. The result was that workers had exposed their privacy to someone who they did not know and shared their most personal stories. To deal with this matter, over the phone, I tracked down all parties involved including the filmmaker and the activist from the support centre. Apologies were issued to me personally from all parties and I was also ensured by a local volunteer support worker that this film crew was reputable and doing very important work. I realized that everything that had occurred was innocent and with the very best of intentions of trying to hear the perspectives of migrants.

**In-Depth Interviews and Focus Group**

I conducted the in-depth interviews and the focus group in migrants’ homes at times that I confirmed in the weeks prior to interviews. During semi-structured interviews and the focus group, I recorded data with an audio recorder and written notes after consent was received. Lena the Liaison worked as a translator to one group of migrants (those who do not speak English) and assisted me with these interviews. I conducted interviews with workers from the other group of migrants in English (without a translator), and I created pre-arranged questions based on my research questions. I did my best to act as a moderator, effectively listening and guiding the discussion and making every effort to facilitate rather than lead. The interview is a partnership on a
conversational journey that involves listening as an unobtrusive outsider (Hesse-Biber and Leavy, 2004). Similarly, Miller and Crabtree (2004) describe the interview as a research-gathering approach that seeks to create a listening space where meaning is constructed through an interrex-change/co-creation of verbal viewpoints. I asked participants if it would be okay to use audio recording device, with an explanation that the recording will not be duplicated or shared in any way, and would allow me to avoid taking notes. All participants chose to allow the audio device, although I gave the option that if this was not suitable for them, it would not be used, and I would use written notes to record data. Since I was in the homes of migrants, I felt instantly comfortable, and I could tell they did as well. From my experience in Asia, I knew that it was customary to invite guests into the home and converse over dinner.

**Translation: Possible Methodological Issues with Using Translators**

The literature suggests that using translators in qualitative research raises linguistic, cultural, and methodological issues, including the ambiguous, unstable and context-dependent character of language (Xian, 2008; Tyyska and Berman, 2011; Temple, 2002; Camfield, 2009; Tyyska, 2011). Similarly, based on experiences from a qualitative research project on immigrant women's English language acquisition, Tyyska (2011) identifies a number of issues related to the engagement of translators/interpreters such as: questions about ambiguities and ownership of translated language content, assumptions about community familiarity between researchers, translators, and participants, and negotiation of power and authority in the research process, and finally, the risks faced by translators (Tyyska, 2011:13). According to Tyyska, there is an ambiguity of language with a limited capacity to convey knowledge of a purely empirical
reality. Likewise, drawing on personal experiences of translating Chinese women's narratives into English, Xian (2008:4) suggests that although a translator is an integral part of the knowledge producing system, researchers and translators should recognize the linguistic and cultural differences while preserving and highlighting cultural differences. The roles of the translator both an inter-cultural communicator and a data interpreter must be acknowledged in the research process.

The major consensus in the literature for using translators in qualitative research suggests that in order for the translator not to influence the translated data too heavily, he or she must be reflexive; this means that the translator must constantly assess our own assumptions, interpretations and interactions with data. Using his own translating experience, he argues that qualitative translation is not value-free, in that like any cultural practice, it entails the creative reproduction of values. To Xian, when it comes to data translation, one of the main focuses should be placed on socio-cultural while not forgetting the silences (Xian, 2008:19). Cross-cultural academic research should produce greater understanding and tolerance between cultures and diversity rather than erasing differences (Xian, 2008).

Methodologically, the question of whether translated data could actually produce a response in a reader in the targeted culture that is essentially like the response of a reader in the original culture is raised. The translator plays an active role in constructing social and cultural meanings in international or cross-cultural research (Xian, 2008; Temple, 2002). Furthermore, the translator does not simply just "translate"; he or she must understand and make sense of the material he or she is translating. Translators and researchers should not be deterred by the cultural differences or the difficulties of
translating them. Rather, cultural differences should be preserved and highlighted, because they are the very things which make a piece of cross-cultural so research fascinating.

Several authors also highlight the benefits to using translators. Temple (2002) notes that although there are many guides on how to use an interpreter, little has been written about the implications of introducing them into the communication process during research. Lessons from translation studies have been overlooked and issues of representation always arise when choosing interpreters/translators and raises methodological issues around the meanings of concepts and how to convey difference (Temple, 2002). Further, Temple (2002) suggests that we can learn from research only with people who differ from ourselves. However, the importance of specifying the role of translators and workers who are seen as cultural experts is key, as is ensuring that mechanisms are set up to consult as widely as possible (Temple, 2002). Similarly, Hirschkorn (2008) argues that the research translation role is one that seems to have the potential to offer significant benefits; however, questions remain about how such translators would be recruited and supported. Temple (2002) supports this suggesting there is a need for some debate with translators in research and, by extension, workers employed to investigate the views of communities that do not use English as their first language. Further, Temple (2002) argues that it is not possible for one person to represent whole communities, so researchers must recognize that translators have perspectives of their own.

Lena as Liaison and Translator
In my research, Lena (the liaison) worked as the translator for all of my interviews with the six migrants who do not speak English. Having worked directly with these and other groups of migrants for the past several years, Lena has developed a very strong rapport with some migrants in the community. Many of the migrants felt comfortable expressing emotion such as crying during our interviews and it was clear to me that they trusted her. Oftentimes, I noticed that during our interviews, they drew strength from this relationship with Lena by reaching over and grabbing her arm or hand and once she smiled, they would carry on. Having Lena as the translator for some of the interviews allowed for some of the difficult conversational topics that arose in our interviews (including talking about family back home or their motivations for coming to Canada) to become easier.

As mentioned earlier, it was Lena who introduced me some of the migrant workers. After my first meeting with her, she had informed me that migrants in the community are private individuals who do not share their stories easily. In my opinion, having Lena present in all of the interviews enabled migrants to share some of their most personal feelings and stories that most likely would have otherwise been kept silent. However, Lena as translator can also be viewed as a limitation in my research. Her positionality with regard to the workers might have affected the ways questions were answered. For example, since these migrants cherished their relationships with Lena, they may not have wanted to provide information that may jeopardize their chances of harming this relationship. Migrants need Lena and are therefore concerned with how they are being represented to me and to Lena.
Chapter 4: Results

This chapter outlines the results of my research which was aimed at understanding the experiences of temporary migrants with recruitment, beginning with a brief description of interview participants and then outlining the main themes generated from raw data based on my three main research questions. The themes are: (1) experiences in the LSS and with recruitment, (2) relationships with recruiters, and (3) financial costs of recruitment. Later, in the discussion chapter, I will address the implications for migration to Canada and to high-income countries in general. At times, for the purpose of organization, some migrants will be referred to as ‘English-speaking South East Asian migrants’ and others as ‘Non-English-speaking South East Asian migrants’.

Experiences in the LSS and with Recruitment

The Seven Major Players in the LSS

My data reveals that there are seven main actors involved in the recruitment process in the LSS: 1) Recruitment agencies in home countries; 2) Banks in home countries; 3) Canadian recruiters; 4) Volunteer Canadian local non-profit liaisons; 5) Local for-profit recruiters; 6) Employers; and 7) Migrants. The two actors I look at in this thesis are Canadian recruiters, migrants, and banks.

1. Recruitment Agencies in Home Countries

Agencies in the home countries solicit migrant workers through ads in newspapers that read, ‘Farm Work Canada’ and include only the contact information for the agency in capital cities with no job description; this means that most often migrants (who live in rural areas) travel long distances, with little knowledge about migrating to Canada in order to begin the process. These agencies have relations with Recruiter Paul in Canada.
Migrants are told by these agencies that the cost to work in Canada is $10,000 and paperwork only begins once the first instalment of $5,000 is handed over. The second instalment is paid by the migrant once their Canadian visa has been approved by Citizenship and Immigration Canada; then they receive their airplane ticket. Workers usually leave their home countries within one week of receiving their Canadian visa, which can take up to several months to process. Migrants told me that the agency and the Canadian recruiter abroad are splitting the money collected from them. In order to acquire the money to pay the agency, migrants use their land to secure loans with local banks. $10,000 is lent to the worker with an interest rate of up to 10% (per annum), payable over two years. I did not speak to members from these agencies, so I only know about them as recipients of massive interest.

Many migrants told me that they were not given any information by recruitment agencies about job details in Canada or how to prepare in advance. Rhoda explained:

When I got my visa, I didn’t get an orientation about the job. I heard there’s an agent but I didn’t know what this was. All I know is I’m coming under the LSS and a part of this is paying a certain amount. We were not told that employers are supposed to pay everything for us.

Several workers also told me that the lack of information made their transitions to Canada more difficult. Lordit commented: “It was like a second world.” Likewise, Jody told me that she was not aware farming in Canada would be indoors:

We didn’t know what our work would be here. When we come, we looked at the land and it was very flat. I was thinking we will work outside, because the ad back home said ‘Farm Worker’, and in [South East Asian Country X], a farm worker like me works outside, under the sun. But here, we are working inside a big building so a farm worker here works inside and we didn’t know this before we came here.
All of the migrants told me that agencies failed to give them information regarding their upcoming jobs in Canada, even when they requested it. Rhoda explained: “We asked but the agency said nothing. We got no job description, no training, and no contact information for access to help. We assumed the government in Canada would reach out to help, but that is not the case.” Recruitment agencies are failing to provide migrants with information about their upcoming employment under Canada’s LSS, which highlights their vulnerability and marginalization before leaving their home countries.

2. Banks in Home Countries

Most of what is known in the literature about the role that banks play in international migration is how banks provide special transfer facilities for migrants to send home remittances (Castles and Miller, 2003; Ruhs and Martin, 2008; Sorenson et. al., 2002; Bohning, 2009, Migration Policy Institute, 2003; IOM, 2010; Fudge and MacPhail, 2009). Moreover, this literature concerns the SAWP and LCP, with little documented about the role of banks in the LSS.

Although I am not aware of any research on the role of banks within the LSS, my interviews indicate that banks play a crucial role in the migration system by issuing massive loans to migrants. Without these loans, migrants would not be able to pay the illegal agency fees for work in Canada, in part to the financial benefit of Canada-based recruiters. Since I did not interview members from these banks, I do not know whether or not banks are aware that these loans are being used to pay recruiters; this is a sound launching point for future research. The migration industry is complex and thorny, and must be viewed as a system that involves many players, including agencies (in home countries), banks, recruiters, liaisons, and migrants themselves.
Interest payments to banks are a major point of stress for workers I interviewed. Sienna made clear to me: “I borrowed the money from the bank at 7% interest (per year). My first year of work, I paid back the interest to bank and sent little money home.”

Similarly, Jody, expressed her stress about this interest on her loan:

I borrowed with 7% interest. High interest. It’s not easy to look for three or four days to find the big money, so we go to the bank, and then they go and have to take like 7% of our money for interest. And then to find out (after I left home), that I didn’t have to pay anything in the LSS, wow, what’s this?

Having to pay interest on top of a massive loan is a major hindrance and an additional source of stress for workers. In addition, for migrants who are also mothers, this debt to banks is another pressure in addition to mothering from abroad. Gigi told me about her feelings about being a mother in the LSS:

[At home] every bank does that, even private financial institutions; they require collateral, so it’s either your house or it’s your land. It’s good for them (points to two men of the same nationality in the room). They paid back their banks within six to seven months because they don’t have children. For me, I did not pay yet. I am still paying my amount. I have too many children in school, so I take longer than them (points to the same workers).

Similarly, Linda replied:

It is hard not seeing my children. But I do this all for them. I left home and they were little and now I see them on the computer sometimes and they don’t recognize me. They are closer to my sisters who are raising them. I must earn money to pay back banks and send them to school. This is hard.

For workers who are not mothers, including men and women, the pressure is still stressful; there is a different pressure of not disappointing their families that is constantly looming. Nancy, a migrant with no children, talked about this familial pressure:

I borrowed the land title from my mother. That’s what I used to get the loan; because I borrowed much money in there and then I gave the bank my land title since they wanted to use it for coming here. So I did work for almost nothing in Canada- it took me one year to pay it back. I didn’t spend much, or whatever,
because I am thinking of my land title, or our land title, so it’s really a sacrifice. My mother was very nervous because it’s a joint land with our relatives.

These banks loan money at interest rates that would be illegal in Canada, a situation that creates considerable stress for the migrants who finance their migration through these institutions.

3. Canadian Recruiters

Migrants under the LSS are granted work permits that are valid only with their named employer. Migrants can change employers once in Canada, but they must apply to do so, a process of which few migrants are aware, that requires some paperwork, and for which approval can take weeks or months. Working for another employer has even resulted in some migrants losing their legal authorization to work in Canada. Workers call Recruiter Paul when the farmer for whom they work lacks sufficient hours, since they are under pressure to make regular payments to banks back home. Paul will then pick up the worker and drop them off at new farms. (It is important to note that these are not legal transfers; migrants risk their employment authorization by working for someone other than their named employer). Recruiter Paul is not charging migrants for finding work on new farms. However, as mentioned earlier, according to the migrant workers Recruiter Paul earns on average $5,000 from each migrant worker (half of the $10,000 fee paid to agencies) when they arrive in Canada. He is very effective at sourcing and delivering workers on time for employers, since recruiters are also the point of contact for migrants who are not getting enough hours on their farms. Christine, the legal aid, describes the recruiter conundrum:

The problem with recruiters is they work. I often talk to recruiters and they’re making tons of money so they have very big egos. They’re not usually afraid and
they know that we can’t do anything. They just keep doing what they’re doing. They don’t care.

Migrants have very little job security in the LSS and their dependency on recruiters for finding them regular work highlights that there is a major problem with the LSS; that employers are under-employing migrants.

4. Volunteer Canadian Local Non-Profit Liaisons

Lena is a volunteer helping some migrants who have been victims of human trafficking and/or abused by their recruiters or employers, or both, through her work in job-matching migrants to employers. Lena charges no fee for her services that she runs with a colleague. Originally volunteering her English translation skills at a local church, she quickly realized that many migrants were being moved around often by recruiters and charged extortionate fees to come to Canada. She also discovered that recruiters were moving migrants from job to job, a practice that most likely violates their work permit. Lena soon became aware of how this situation has generated distress and added fear of recruiters amongst the migrants she met. Eventually, demand grew and she realized there was a more pressing need from migrants who needed help with renewing their contracts and also in escaping abusive relations with their recruiters. Working alongside the owners of several farms, Lena helps migrants who wish to renew their work permits or bring over a family member through the LSS with paperwork in order to avoid using a recruiter. This process also allows the friends and families workers to avoid using recruiters, therefore decreasing their risk over time. As a volunteer, she works in the spare hours of her day to help migrants who have learned of her services: “When they come to our program, they don’t pay anything, only the fee for the visa.” She describes her purpose being “to stop human trafficking and stop the involvement of third party recruiters”. 
Oftentimes employers will contact Lena to help their workers when they learn of abuse from recruiters against their workers. Lena explains to me how this works:

If the grower asks us, we’re not calling around to ask them, oh, do you need the worker or not, because that is not my job. But if the grower says do you have names or something like that, then we send the name. This is how it works.

In this way, Lena’s volunteer activities obviate the need for a recruiter by matching an employer with a migrant worker in Asia, often a relative or friend of a migrant already in Canada. Speaking English and the language of the workers she helps, she has also been able to help workers to improve their English so that they can confront their recruiters.

When I asked her why there was such a demand from some workers but not others, she told me only some migrants need her assistance because they do not speak English:

“Some migrants have the language barrier so they’re scared to go (leave their employer).”

When I asked her to estimate approximately how many workers she has helped since 2006 (changes in the LSS began), she replied: “Maybe 300 each year.” Also, one of Lena’s chief frustrations with the LSS is that despite requirements for employers to pay for their workers flights, most of the migrants she has met throughout the years have all paid for their own. She tells me: “The employer has to pay; that’s part of the contract.”

One thing Lena wanted to make clear to me was her unwillingness to get involved with the law, specifically with trying to help workers who overstayed their visas and have left Canada with hopes of returning to Canada for work. Christine explains this situation in detail:

Some [nationality] migrants made refugee claims under the influence of recruiters and/or lawyers, who were trying to earn a profit. These migrants left the country when asked and were not able to return. This is because when one makes a refugee claim, they are issued a conditional removal order, which becomes an enforceable removal order 30 days after the refugee claim is denied. The person is deemed to be under a deportation order, and cannot return without an
authorization to return, granted with the Minister’s consent. The cost is $400, but one is only asked to apply for this after their visa to enter Canada is accepted. So, all of the [nationality] who left Canada in good faith (after realizing they had been duped), were and will not be permitted to return.

These migrants are no longer eligible for employment authorization in Canada, and therefore, Lena can do very little to help: “We cannot help some of the [migrants of nationality Y]. They keep calling me from [South East Asian country Y], wanting to come back, but we tell them that we cannot help.” She continues: “The ones who ran to [South East Asian country Y] and wanted to come back, we could not help them at that stage. There are a lot of people in this position.”

Every migrant I interviewed that was working with Lena expressed a deep gratitude for her assistance, and they showed this by hugging Lena and occasionally touching her arm during the interviews. Suni, a male migrant told me that Lena directly contacted his former employer to inform him that Recruiter Paul was abusing his workers mentally and financially; something she tries not to do often. Lena volunteered her services to the employer by teaching him how to fill out paperwork for the LSS. Suni, with a smile on his face, expressed his deepest gratitude about Lena to me: “She told my employer that Paul was charging his worker so my boss would not allow him to contact his workers anymore. Now no one contacts Paul.”

Similarly, workers who had received help from Christine (the legal aid volunteer) became highly emotional and also expressed deep gratitude for the assistance she has provided them. I asked several workers to tell explain the importance of Christine to their lives. Alanna, had a difficult time containing her emotion in our interview, often resulting in tears between sentences: “Christine is trying to get me permanent residency. She is very important to me.” Sienna, could not even talk about her gratitude to Christine
because it became too emotional for her: “Right now I have good feelings because Christine came to help me. She is my one hope.” Clearly, certain volunteers such as Lena, and in some cases Christine, have become crucial to alleviating some of the stress that is placed upon migrants in the LSS.

5. Local For-Profit Recruiters

I was told by migrants that Canadian agents of the same ethnicity as the migrants are also involved in recruitment within the LSS. Realizing that large numbers of South East Asians are being ripped off and mistreated by certain Canadian recruiters, these individuals assist migrant workers for a lower (but still sizeable) fee. These recruiters keep to themselves within their ethnic community and remain relatively unknown outside of it. I was unable to interview any of these individuals, and therefore am unaware of how much they charge for their services. Like Lena, they are able to communicate without a language barrier. Christine explained the role of these individuals: “I have contact with one agent who is currently recruiting people from [South East Asian country] and she is charging less than the others but she’s still charging money.” Christine explained to me how it is equally difficult to obtain information about these agents since migrants are not likely to talk about their relationships with them to people outside of their ethnic community. Christine expressed her frustration with this cultural barrier, speaking about a specific recruiter in the area:

She’s part of the ethnic community, so it’s really, really hard for me to break in and figure out the mechanisms of this work of hers. Workers who went with Canadian recruiters told me everything, whereas workers who go with agents of their ethnicity are more hesitant to talk for fear of backlash within their community.
Many migrants have chosen to switch to agents of their own ethnicity in order to avoid future abuse with Recruiter Paul. Though these recruiters are still charging a fee (at a fraction of the cost of Recruiter Paul), these recruiters know the culture of the migrants and share the language, and this relieves stress some of the stress for migrants with the language barrier. It is likely that these workers who are working with these recruiters are not aware of Lena.

6. Employers

Employers are one of the actors in the migration industry because they create the job opportunity for migrants in the first place. Preibisch (2007:41) argues that Canadian growers recognize the importance of the SAWP to the horticultural industry:

In a number of venues, including industry reports and interviews with the press, Canadian growers employing SAWP workers attribute the continued operation of their enterprises, and in some cases, their booming success, to the availability of foreign workers.

Preibisch (2010:422) expands:

Undoubtedly, TMWPs, as they operate in agriculture, grant Canadian employers considerable capacity to determine the social composition of their workforce beyond what is possible with a domestic labor force. Further, the LSPP takes this a step further by opening up a global labor pool.

My data indicates that while migrants are in Canada, there is very little communication between migrants and employers, especially with migrants who cannot speak English. Instead, all migrants told me that their relationships with Recruiter Paul are prominent during their time in the LSS. According to my data, recruiters have ties with recruitment agencies in Asia and earn money from migrants who pay fees to these agencies. Since I did not interview any employers, I was unable to learn how common or uncommon it is for employers and recruiters to have relationships. Some migrants told me their employer
speaks to Recruiter Paul, while others told me they did not believe their employers knew about him. Thus, future research should explore whether employers are hiring recruiters, or if recruiters operate on a freelance basis, or both.

7. Migrants

The literature indicates that temporary migrant workers occupy a precarious social and legal status as agricultural workers in the LSS, and lack access to accessing rights and protection. Further, the designation as ‘low-skilled’ brings about the argument as to whether this term is merited. Preibisch (2007:440) argues:

The notion of foreign workers as an unskilled source of labor requires interrogation. Foreign workers bring a range of skills to their workplaces and develop others through experience on Canadian farms. While many foreign workers may be engaged in so-called ‘general labor’ on Canadian farms, a number of them are highly skilled and experienced.

My data indicate that unregulated recruitment coupled with a lack of national cohesion and weaknesses in administration (in managing and facilitating migration into the LSS) may be serving to further the vulnerability of migrants from South East Asia. There are massive problems associated with unregulated recruitment, and migrants are the ones who suffer. My data reveal that migrants are willing to speak out about their distress within the LSS, including their lack of rights and access to protection, in hopes of eliminating recruiters and improving the overall quality of life for all temporary workers in Canada.

The Process of Coming to Canada

In Home Countries

According to my data, some migrants are being manipulated before they leave their home countries. Every migrant I interviewed was coerced by recruitment agencies in
their home countries into signing a logbook under the heading, “I did not pay money to go to Canada.” Once migrants pay the final instalment of $5,000 (to acquire their Canadian visa and plane ticket), they are told that signing the logbook under this statement is the only way to receive the plane ticket to Canada. Thus, they leave their home country with absolutely no proof that they paid recruiter fees. Jody told me what the process was like for her:

I paid without an official receipt. We didn’t receive a receipt. The agency made us sign a logbook stating that we paid nothing to go to Canada. The agency told us that if we don’t sign it, then nothing; we don’t go. You have no choice because you already gave them the money and all you already have your visa and all you are waiting for is your work and the timing is running out because you have to get to the airport. This happens three days before we fly out. So we must sign to get our ticket. They even advised us not to tell anyone here in Canada that we paid that amount because we would be sent back home if we did.

This logbook serves to protect the agencies while making migrants vulnerable prior to leaving their home countries. Reed tells me: “You need to sign first before you get your papers and your ticket.” Not only do agencies in Asia require migrants to lie about not paying money, but in order to ensure that there is no paper trail, workers are not given a receipt proving that any money was paid to go to Canada. Rina told me: “We paid without an official receipt and then we signed a logbook saying we did not pay money to go to Canada.” Reed concurred:

I think we are feeling lost at that time because we are just waiting on our passport and we are ready to leave and they make you sign the book. We have no choice. Time is running and we have to run to the airport three hours later to leave, and we need our passport.

In his interview, Reed explains feeling very stressed at the time of the logbook signing. He makes clear that he was not aware that this signature would be a part of the process, and felt he would have lost the money he had already borrowed from the bank had he not
Every migrant worker I interviewed stated that he or she was forced to sign the same logbook, just hours before leaving for Canada.

**At the Toronto Airport**

Several workers told me that when they arrived at the Toronto airport, they were asked by Canadian immigration authorities, “Did you pay money to come to Canada?” for which they responded, “No.” Jody explained: “When we arrived at the airport, there is an interview with immigration, right? And they ask us if we paid anything in [migrants’ country of origin] to come here, and you just have to say no, or else we think they will be sending you back home.” Reed follows: “We didn’t have a choice at that time.” I asked migrants why they said no even though they had paid, and all migrants said it was because agencies in their home countries told them to do so. Also, there was a fear of being deported if they told the truth. Migrants were aware that recruiters are not allowed to profit from recruitment, and agencies back home instruct them to lie. Also, since there was no proof of payment, they would not be able to defend themselves. I went on to ask migrants if they were told (in their home countries) what to say at the Canadian airport. All of the migrants told me they were prepared by the agencies in their home countries to answer this question with a “No”, for if they did not do so, they would be sent home immediately. Reed echoes this: “Otherwise they will be sending you back home, because that is dangerous you see, but then we know it is not safe but then we don’t have a choice.” Migrants are forced into lying by agencies back home to Canadian authorities when they first arrive in Canada.

According to migrants, Canadian authorities are aware that there is a problem, but lack the proof. One volunteer worker told me:
The Canadian embassy is not issuing visas to workers who use a third party. There is a record of companies who use recruiters, so they just block that company for up to two years. The workers tell and talk around and sometimes when the police catch them, they will tell their story and from then on, immigration stores that in their records.

Similarly, Gigi describes:

We have told the authorities many times. They don’t care. We tell them about all of our struggles and they do nothing. Nobody is listening. The same recruiter has been put in jail several times, but he just posts bail and is out the next day doing the same thing over again.

Christine, the legal aid, echoes this, speaking about Recruiter Paul: “Oh yeah, he’s been caught. But they can’t keep him in jail. He has good lawyers and he’s rich and there are no laws stopping him from doing what he’s doing.” The process of migration for South East Asian migrant workers is a stressful one from the very minute they decide to come to Canada. Marianne, a local support worker illustrates this situation to me:

The Asian workers are all coming in a different program and they go through a recruiter. In order to come here, they have to pay. Some of these poor people sell their farmland and do whatever they have to, to come up with the money in order to come here and work. As soon as they come here, they are not told what they are going to be doing or where they are going. Their first couple of paychecks go to pay for their flight here and to their recruiters.

Clearly, the process is extremely complex for workers before they even leave their home countries.

First Point of Contact: Canadian Recruiter

The process for South East Asian migrants in coming to Canada is very similar, except for the ways in which Canadian recruiters receive their portion of the $10,000 that was paid to Asian agencies. Migrants from one country in South East Asia brought $5,000 on the airplane wrapped in newspaper and gave this to Recruiter Paul (who picked
them up at the airport). On the other hand, migrants from the other country did not bring over any money.

Filipino migrants were told by the agencies in their home countries not to open the newspaper package during the flight. Gina explains: “When we arrived at Toronto airport, the recruiter was there to pick us up. But as soon as we arrived, we gave him cash wrapped in newspaper.” Despite having not opened the package, Rina describes that she and her friends on the plane were aware of its contents and of the risk involved:

It must be cash. His part. His money that we have paid the agency in [South East Asian country X]. His share. But no time to count, because we are scared that if we open it, he will become mad, or something like that.

Likewise, Jody commented: “It’s wrapped in newspaper because they know it’s dangerous to transport that much money to pay recruiters. But we already risked our land, our properties.” Gigi agrees:

It was scary though for us when we first came here because we were thinking of the money that we spent in [South East Asian country X] before coming here and if we open this newspaper, we will be sent home, like what they told us before they came, and then it will be a waste of money.

Reed echoed:

It’s like this. We were all scared. It is money. That must be his money, that we have paid our agency; his share. It’s wrapped in newspaper because they don’t want the authorities knowing it is for recruiters. We had no time to count because we were scared to open it because maybe if we open and close it, and then he will know we opened it, and everyone was scared to do those things because he will become mad.

Every migrant worker I interviewed who carried this package of newspaper told me that this action created a deep fear during their 18 hour flight to Canada. Despite knowing of the inherent risk involved, migrants are manipulated from the very of the migration process.
None of the migrants from the other country whom I interviewed brought over packages of money wrapped in newspaper. However, the process in coming to Canada was the same: both groups shared the same recruiter, both paid $10,000 to agencies back home, and both signed a logbook stating no money was paid to come to Canada. When I asked about the newspaper, Suni told me: “We arrived at the airport and Paul picks us up and takes us to a location to sleep. We didn’t give him newspaper like the other group of workers did.” Reed follows: “We brought nothing. Just came to Canada.” Thais are not bringing over cash in envelopes. I am uncertain of how Recruiter Paul is getting his share from these migrants, but my guess is he is receiving it somehow. Since I did not interview Recruiter Paul, I am not sure how much money he is receiving from them, and how he receives his share. Migrants were also not able to answer this in our interviews. I suspected that he has caught on to the risk involved with migrants bringing cash over the border and was possibly receiving his portion in a different way; however, this is speculation. These workers did tell me that they are convinced that he is receiving a portion of money from agencies in Asia, because like the other group of migrants, he maintains a stronghold during their time in Canada by picking them up at the airport, calling regularly to check in, visiting their workplaces, and requesting money around contract renewal time.

**Leaving the Airport**

All of the migrants I interviewed described to me that Recruiter Paul took them directly from the airport and dropped off in a small house on their first night in Canada that was different than what they were expecting. It was here that they were forced to stay, in some cases for up to two weeks, until he picked them up and took them to either
the farm on their contract, or a random farm that was in need of workers. Workers told me that sometimes the waiting period would last up to two weeks and that the living conditions of these temporary locations were appalling. Gigi explained:

He brought us here to the house. He arranged the housing to have three people in here, but when we arrived there were six of us and no beds. It was dirty. After an eighteen hour flight, we had to sleep on the floor.

Reed agreed: “We had no running water and it was cold outside. We were freezing.”

Similarly, Jody described this experience:

It was dilapidated. The ceilings were crushed and there were roaches and we had to clean it ourselves before we slept. And one bathroom. It was not what we were expecting. It’s like Canada, well it should be clean and all this stuff, but that was not the case.

New migrants in the program lack the power to exercise their rights and are left with no choice but to accept their temporary living conditions. Wendy told me: “Back home, we had to sign contract for the farm in [town in Ontario]. And then, we came here and Paul took us from the airport to [city in Ontario], but we don’t have jobs.” When workers felt frustrated and complained to Recruiter Paul, they were patronized. Nani reveals her recruiter’s reaction: “When we complained to him, he started comparing to our lives back in [South East Asian country X], saying that what we have here is better than at home, but this is not true. He said you will make more money than in your country. He told us that if we complain, he will send us home.”

Regardless of where workers are taken, all migrants I interviewed spent their first night, and in some cases, their first few weeks, in appalling conditions. Reed told me:

He gave us a bag of canned salmon to eat with and some paper plates. When we opened the cans, there were maggots in them. We couldn’t eat and we had no money to buy food. We also did not know where to go to get food and had no car. It was cold and we didn’t sleep well.
Similarly, Jody described the situation to me:

It was so shocking to be taken to this house right away. We had been flying for almost one day and we were excited to come to Canada, and we were not expecting this. He just left and we had no way of contacting him.

All of the migrant workers I interviewed are being introduced to Canada in a shocking way by recruiters. From the very beginning of the migration process, South East Asian migrants are coerced into a web of lies and manipulation by recruitment agencies in their home countries and then introduced into a new system of lies by one recruiter in Canada. Before they even leave Asia, they are being lied to. The entire process of moving to Canada is full of corruption and deceit; having to place their land against a loan from the bank, to signing a logbook that says they did not pay money, to being forced to lie to airport authorities in Canada, to sleeping on a cold floor on their first night, migrants are placed in a demoralizing position from the very beginning of the migration process.

**Abuse within the LSS: Mental and Financial**

**Mental Abuse**

*Harassment from the Recruiter*

Like the migrants who don’t speak English, English-speaking migrants expressed fear of Recruiter Paul, though for different reasons and to a lesser degree. That said, they admitted to him holding a degree of control over them. Many indicated that it was their English skills which afforded them the ability to learn about how the LSS works, and this was therefore intimidating for Recruiter Paul. According to these migrants, the abuse they received stemmed from their ability to become empowered in the LSS. Migrants expressed that he was trying to control them from a distance, and it was normal to receive harassment in the form of threatening phone calls at least once each week. Yet, they did
not seem to be very bothered by this harassment. Gigi described: “He keeps bothering us. But we don’t care. He is trying to control everybody.” Jody laughs, agreeing: “Sometimes he will come to visit any time of the day.” Likewise, Lordit, with a smile, described her frustration:

> Sometimes he calls. I remember there was one time we went to Toronto for a [nationality] community Christmas party and we met with this [South East Asian country X] ambassador and other officials, the [South East Asian country X] consulate office, and after a few days he was trying to bug me. He was calling any time of the night and I refused to answer his calls, and he tried to contact the people in our apartment before, just to talk to me.

Similarly, Jody replied:

> He asked us what the meeting was about and that if we mentioned anything about the money being paid in [South East Asian country X], saying his company won’t like it, they won’t renew us, and they will send us home.

When it came to talking about abuse from their recruiter, the English-speaking migrants from South East Asia had a lot to say, but expressed their concerns lightly. At first, I could not pinpoint why this was the case; eventually I made the link about English proficiency and level of abuse from Recruiter Paul. Gigi told me: “In [migrant’s country of origin], we were told by the agency not to tell anyone about the money paid to come here. Then we come here and it’s the same thing.” Although Gigi is frustrated and angry, she is surprisingly light hearted:

> It’s terrible here. I was expecting a different time in Canada. I thought the immigration laws would help us, that we the workers would be supported by the government, or protected, but it’s very different. We feel we are abused mentally, yeah it’s not physical abuse, but we are mentally abused by those agents. We are also financially abused because of the payments we made before we came here and even if we are hearing that the agent is trying to collect money, we are scared.
Kian, a non-English speaking migrant worker, described how as soon as he and a group of his friends told the recruiter that they did not want to be moved around, Recruiter Paul became angry with them:

I was threatened by our recruiter. He said that if something happened and there is a problem, he will not take responsibility. He said that if they need him in the future, he will not help them and they will have to call the Thai embassy on their own. I notice he still calls the workers who did go through him, but does not answer my phone calls when I have a question.

Fear is the most common theme throughout my interviews with workers. Every migrant worker I interviewed expressed some degree of fear towards the recruiter and fear about his debt to banks back home. As mentioned earlier, the amount of fear and control felt by migrants present themselves differently for migrants within the program, and much of this can be attributed to English proficiency. The ability for migrants to become informed and educated about their rights within the program seems to decrease their level of fear of the recruiter. Without the ability to speak English and self-educate, non-English speaking migrants are left with no choice but to live in a deep fear of their recruiter on a daily basis and feel helpless. The result is less resistance, and a stronger likelihood of enduring various forms of abuse. To all migrants, it was Recruiter Paul who could visit their place of employment or their homes in person and use threats such as (according to migrants): “If you tell anyone how much money you paid to come to Canada, you will be deported,” or, “Do what is required of you at the farm, or there will be no work for you.” More about how English is a tool for self-empowerment within the LSS will be discussed later.
Migrants Cannot Enforce Their Rights

Canada possesses a strong international reputation as a worldwide leader in immigration and humanitarian principles regarding the way it treats those who enter its borders. However, within the LSS, migrants are treated as second-class citizens. Several workers expressed to me that they expect more protection from the government. Kian told me: “I never expected this stress. Paying the recruiter, we did not sign up for that. Sometimes we can’t sleep.” Several migrant workers told me that they constantly feel stressed and unprotected in the LSS. Marianne, the volunteer worker, constantly referred to the LSS as the “recruiter program.” She argues: “The LSS opens doors for recruiters but the SAWP didn’t.” Similarly, Christine, the legal aid, suggested: “A lot of workers in the LSS are being abused just like in the SAWP, but instead, with no protection.” Migrants feel unprotected under the LSS.

Some workers are acutely aware of their rights within the program, but are unable to enforce these rights. Gigi explained her frustration: “Where is the government here in Canada? Where is the protection they should give to migrant workers?” Similarly, Jody sadly revealed: “We are treated like disposables; they can get rid of us anytime they want.” Likewise, support worker Marianne told me: “They come here and do the job that no other Canadian will do and they get treated like garbage.” She goes on to reveal what she feels is needed within the LSS:

I just wish there was more legislation in the rights of migrant workers in the LSS. Both programs need a little more changing to make things even a lot better than the way they are. They have improved some but not enough.

Marianne has seen a plethora of cases where migrants feel mistreated within the LSS. She expressed her frustration:
Some of the workers say to me, “My boss’s dog gets treated better than me and it’s a dog. You know, the dog sleeps inside on his nice little cozy, warm, lamb down pillow and I sleep in a bunkhouse with twenty other people. The dog eats out of a dish made of gold and I eat off plates made of foam.”

Christine explained how more regulation and monitoring would create happier workers and a more smoothly running program:

Volunteer workers tell me that continuous work for migrants would mean less stress both for employers and for workers. Happier workers will equate to better quality work and therefore more money for farmers in keeping satisfied workers.

The LSS could be improved by adopting an approach similar to the SAWP, where the federal government plays a more active role in regulating and managing the recruitment of migrant workers.

*Underground Prostitution*

There are indications in my data that some migrant workers in the LSS may be turning to prostitution for income. Recruiters are aware of the (underground prostitution ring) in the area and are informing migrant women of employment opportunities and then placing them accordingly. According to my data, a few factors are causing some migrant women to seek out prostitution including: a lack of hours at their place of employment, being moved around in search of work, financial indebtedness to their recruiter, and an inability to become educated about the rules of the LSS, often due to an inability to speak English. It is more likely for English-speaking migrants to refuse prostitution, and volunteer workers I interviewed guess that this is due to their ability to speak English and become educated about their rights, which to some degree enables them to say no without fear of repercussion. One support worker in the area who has met many women involved in this prostitution ring states:
With the Asian women it’s worse, because recruiters are saying okay you’re a pretty young woman, you’ve got a beautiful body, why don’t you come on the side with me and I’ll get you more money and buy you pretty things. You’ll live in a better house. So they go and see what it’s all about and then they do, they find out they’re prostitutes. Some of the girls try to get out of it but can’t because when their reputation is known for prostituting. With the Filipino women, they stepped aside and said no, that is not the kind of work I came here to do, and I don’t care if I’m making more money, that is not the job description that we were given.

Christine explained that it is quite common for some migrants to “go underground” (i.e. work for someone other than their specified employer, and in some cases turn to prostitution) once they are out of work:

Attempting to find these workers new employers is very, very difficult. And it takes a lot of time to access help and in the meantime there are immediate needs and if I can’t satisfy their immediate needs, they are going to be out of status. So, then they become a part of the underground or they go home which is very, very rare. They’re afraid of being labelled a ‘troublemaker’.

Marianne explained that this has been occurring for years, stemming back to the involvement of Mexican women in the SAWP program:

We had some Mexican women in the SAWP that had been asked to do the same thing (by their employer) but said no. What happened was they got sent home. The word spread that they were prostitutes in Canada and they got branded in their home countries as being hookers and it really hurt them. I don’t want to say much more about this topic.

In some migrant communities, underground prostitution rings are emerging which enables some migrant women to make much more than they would on the farm, but also presents new and highly dangerous possibilities for exploitation.

*Isolation and Loneliness*

According to migrants, the nature of work is isolating and lonely. Daily tasks include: picking, pruning, and packing and this becomes very monotonous for workers. The robot-like nature of the work, with very little variation in the routine of each day, leads to boredom. Peter described this loneliness at work: “At work there is no talking.
The owner doesn’t talk to us unless there is a problem at work. We get no attention from all the departments.” Similarly, Gigi explained: “All we do is pick and prune your tomatoes and cucumbers. Same thing, every day. Over and over, same thing. We don’t talk to each other. We just do the work.” In contrast, Kian, who works for a small farm rather than a large corporate farm like his friends, described having a positive relationship with his employer and with his work in general. During his first year in Canada, Kian worked for a large farm where he felt mistreated and ended up running away to another town to work at a restaurant. At his new job he is grateful for not having to deal with problems like before. Despite the monotonous nature of his work, which leaves little room for creativity and freedom, he tells about his enjoyment for the simplistic nature of the job:

My employers are pretty down to earth. They just tell you what to do, and then they’re gone. And then they just say, okay, this is your responsibility. Do a good job and that’s it. They will never complain about your work.

Kian is one of two migrants who expressed having positive relationships with employers. Workers are not able to come home to their families each evening (as many Canadians are); feelings of boredom at work, combined with the loneliness at home, create additional emptiness for workers. Cultural differences between Asia and Canada serve to reinforce these feelings of isolation for migrants. Although not the case for all, many Canadians, after a long day of work tend to retreat home for privacy and quiet. Meals, although often shared with family, are personal in nature; each person gets her own plate of food with her own set of utensils. After dinner, it is normal to spend the evening with one’s family or friends, or alone, either indoors or near the home. In contrast, based on my observations from living for two years in Asia, life tends to be
more communal. Sharing food during meals is commonplace. Rather than eating with plates and utensils, it is common to eat with hands and share a few main dishes. Meals tend to be ‘family style’ in nature. Further, sitting with ones neighbours in the street at night while sharing stories is customary; almost expected, after a long day of work. In Canada, migrants are not able to sit outside with their neighbours like they would at home; cultural differences and cold weather for half the year makes this difficult. Many South East Asian cultures tend to be collective in living, and Canadian culture can feel very isolating to migrant workers.

Wendy describes why she preferred working as a migrant in Taiwan compared to Canada. Cultural differences and the nature of the job seemed to stand out as the main reasons for her feelings of isolation:

Taiwan looked like [Wendy’s country of origin Y]. Here is not good. Some people here are not good. Everybody stays indoors. Everybody is alone, they don’t worry about other people. Here, they stay alone in their family house. In Taiwan, I can come to this house and have something to eat and bring them some food. I think Asia is better than Canada. People are friendly. Everybody talks to each other. That’s why I like it in Taiwan.

When I asked her if it was the Taiwanese culture or the work that she preferred, she replied that it was both. “In Taiwan, the job is better too. Easy job and not too hard. More freedom. But the money is not as good as Canada. That is why I chose Canada.”

Interestingly, Wendy was the only migrant in my study who did not work with other migrants. Though many would expect her isolation to be two-fold given her circumstances of cultural isolation, she appeared to be the most content of all migrants I interviewed. Her farm was also very small. Moreover, Wendy’s English was also the strongest. She expressed gratitude for being able to practice English with Canadian workers while on the job, describing her work environment as “very social”. Wendy told
me: “My English is good because I practice at work. I am the only migrant woman [from Country Y] in my company. It is good. I have many friends at work.”

Other migrants who do not speak English felt much different than Wendy. In a heartbreaking interview, Peter described (in between tears) his extensive 10 year history of working overseas as a migrant worker. Telling me about his past, he indicated that he preferred work as a migrant in Taiwan to Canada. Having previously worked in a factory in Taipei for six years, Peter revealed:

I worked in Israel for nine years. In Israel there is more freedom. No competition. All the meals, groceries, the owners support. Good support. They pay everything. Here, in Canada, employer says no talking, I feel racism a bit. Maybe because I’m a lower skilled person, right?

Sadly, Peter has experienced various forms of isolation and exploitation within his work both in Canada and elsewhere overseas and continued throughout our interview to justify this as something he deserves, or expects, due to his status as a “poor migrant worker.”

**Some Farmers May Be Victims**

According to the legal aid and other support workers in my research, some farmers in the LSS become victims to the recruiters they hire. In the LSS, employers are required to complete all paperwork when applying for a foreign worker and to pay for the cost of the return flight; however, some employers are turning to recruiters to take over these responsibilities. Recruiters are filling out paperwork for contract renewals and migrants are paying for their own flights to come to Canada.

According to Human Resources and Skills Development Canada (HRSDC), the first step for hiring a foreign worker under the LSS is to fill out a Labour Market Opinion (LMO) which highlights that the employer will “undertake recruitment efforts to recruit Canadian or permanent residents” (HRSDC website). This form proves that efforts were
made, and were unsuccessful, in attempting to find a Canadian citizen for the position.

Filling out the LMO requires time and proof of effort and many employers appear to be opting out of the administrative process. Recruiters are attractive to employers because they will do the work. However, using a recruiter does not always lead to a guarantee that an employer will get their workers; some recruiters cheat employers as well. Christine told me about two situations where farmers became victims:

A woman called me because her elderly mother ran the farm and she paid all of the fees, and then when she looked at the work permits, she realized that everyone who came in had already paid, and that none of the names matched. So what happened was other migrants were brought in from other farms. She was now harbouring an illegal workforce and she didn’t how to get them to where they were supposed to be. She didn’t want to let them go, because they would be jobless, but if she was caught, she would be in violation. So I looked up the work permits and all of these individuals were in fact on the wrong farms, and also had overstayed their visas.

This case highlights how some employers can be uninformed when it comes to the status of the employment authorizations of migrants who are working on their farm, which highlights inconsistencies within the operation of the LSS.

Some recruiters also charge fees to both employers and to migrants, in what is referred to as ‘double-billing’. Christine, the legal aid told me of a story from a small farmer she worked closely with:

I have some employers who are victims in this whole thing. One small farmer, not a large corporate farmer, had brought people in as temporary foreign workers and he paid the recruiter up front for the airfare of the workers and a recruiter fee. Later, he learned that all of his workers had paid the agencies back home for their own flights (and the Canadian recruiter had gotten a share from each of those workers). He was so upset because when he confronted his recruiter, yet there was nothing he could do because the recruiter had a lawyer working with him and threatened legal fees (which the employer couldn’t afford). At the end of the year, the farmer wanted his workers to stay with him for the next year, but the recruiter took all of his workers and placed them elsewhere. So he lost his whole workforce. He didn’t report this to authorities because he knew he shouldn’t have
paid a recruiter and therefore felt liable. This same farmer goes on to say, “We paid good money for these people.”

In some cases, recruiters exercise more autonomy than employers in constructing the workforce of temporary migrants in the LSS, revealing that a weakly regulated industry has given way to private interests, which does not necessarily serve to benefit migrants.

Some employers who learn that their recruiter is mistreating their employees end up terminating their business relationship with that recruiter. Other employers never find out. Volunteer workers in the area will sometimes call farmers and inform them of abuse, but it is up to the farmer to either maintain or sever his/her relationship with the recruiter.

Lena told me:

We contacted the grower to tell him your worker called us and said that they have to pay Paul. We said, if you can stop Paul, we will teach you how to do the paperwork and some employers will say yes. We then work alongside the grower to get all the paperwork processed through Citizenship and Immigration Canada.

In this case, Lena taught the employer how to complete the paperwork required in the LSS and this employer took over further responsibilities. In the event where an employer does not wish to be taught how to complete paperwork, Lena will continue to work alongside the farmer for no fee. Christine has witnessed several farmers admit to feeling helpless because they chose to use a recruiter to find their workers. She told me: “These were very genuine people who cared and were left with an illegal workforce because of recruiters. Not all employers are abusive, and many are victims under the same system, and they become victims because recruiters know a lot more about the program and how to exploit it than employers do.” Weakened government regulation and monitoring within the LSS has created gaps, leading to corruption in the managing and facilitation of migrant workers, and in some cases, farmers may end up becoming victims.
Canadian Volunteers Stepping in to Help Migrants

According to my data, other Canadian volunteers are serving as volunteers to support migrant workers in areas of paperwork, English translation, communication with employers, health matters, and documenting cases of abuse. Some volunteers begin as English translators or teachers and quickly begin filling out paperwork and helping out with cases of abuse after realizing the urgency and large demand from migrants. Several migrants I interviewed also told me about a group of volunteers in the area from another South East Asian country who come to the rescue when migrants are in extremely abusive situations and will help to relocate migrants to new farms. Rhoda explained: “We have no one, so we call the people from [Country Y] and they picked us up and took us to Quebec.” This likely violates the terms of their work permits and it was unclear whether these migrants or the Quebecois employer paid for this service. Christine also told me about a small group of health professionals including doctors and nurses in Ontario, who are volunteering their time to help migrants with health matters: “We have a network of doctors and public health nurses who are willing to see migrants for a very low fee or no fee. We are a sort of community that is developing and we will also help non-status people.” After conducting my interviews, I am certain that volunteers in the migrant community (including the support workers in my study) are helping to maintain the positive emotional and mental health of migrant workers. Several migrants told me they had, at least one time, been helped by volunteers from the surrounding community when it came to health or personal matters. These volunteers appear to alleviate some of the responsibilities for other support workers in the area, and thus play a major role in assisting migrants in the LSS.
Financial Abuse

*Piece Rate Work and Competition*

Some migrants are getting paid per unit, also known as ‘piece rate work’. Piece rate work is legal in Ontario as long as it is over and above minimum wage. Many workers getting paid this way expressed anxiety about their working conditions. Peter described his frustration with this type of work environment:

They use computers, right, to control all the worker’s work all the time, everything. But I have no understanding of how many hours because when I start work, the machine, I just press the button and then the computer says I’ve started work. When I am done, I just press the button again. At the end of the week the boss calculates from that, but it doesn’t show the details to the workers so I wonder what is going on, right? On the paycheck we are paid per unit of work, not in hours.

Getting paid in piece rate work was a common trend in many of my interviews. Seven of the thirteen migrants whom I interviewed were getting paid this way. Kian explained how this form of payment leaves many migrants unaware when it comes to knowing how much money they are making at any given time:

They calculate a certain amount of money per plant, and then how many plants are in the lot, and then you do your section. But they are not counting by hour…we work eight hours per day. Piece work is good if you know the price of the piece, but our farm doesn’t tell the worker how much each piece is work so we don’t know how much we are supposed to get paid.

Similarly, Wendy told me: “At first, I think it’s good, maybe work fast and I can get more money. But there are also too many people, so they don’t have enough jobs right, so that is a problem. I don’t get enough hours.” None of the migrants I interviewed expressed positive feelings about piece work.

All of the migrants who are being paid with this method also expressed feelings of heavy competition within their work environment. Some workers mentioned that this
competition arises because the employer prefers the fastest workers. Peter described his frustration:

We work in groups and that is the way they evaluate the work of each worker so they can compare; compare who is slow, who is fast, why you are slow, why you are fast. Let’s say there are ten people…they calculate who picked the most and they use the fastest one.

Similar to Peter, Suni described: “Sometimes when you get into an accident or injury at work, the employer doesn’t allow us to stop. Instead, they find another job that is suitable for the injured people to do.” Likewise, Kiat, an older man, reported a competitive environment in his workplace for a different reason: he described staying in his job out of fear that younger workers will be preferred if he were to leave. He told me: “I’m 44 years old but I told my employer that I’m only 40 because when you get your new ID card, you have 20 year olds.” The need to work relentlessly and compete within one’s working environment showed itself in various ways in my interviews. Tragically, one woman named Sienna told me that while picking worms on a bait farm (that used the piece rate work style) she felt a constant desire to keep working. As a result, she hid her pregnancy from her employer and her recruiter out of fear that she would be deported if either had found out. Sadly, at nine months pregnant, she gave birth to a stillborn child in the middle of the fields.

This need to compete with one’s fellow workers is a form of stress for workers in the LSS, stemming from a desperate need to make money in order to pay back banks at home, or out of a fear of being deported. The disparity involved in ‘piece rate work’ contributes to maintaining the vulnerability and suffering of migrant workers. Furthermore, piece rate work is an unreliable form of payment for migrants, and the up and down nature of this kind of work creates stress and anxiety over not being able to
predict how much one will make at the end of each month. Migrants expressed unhappiness with the inconsistency; the method is not the problem, rather it is the unreliability which goes along with it that is a concern. Migrants expressed to me that this is another example of how they are manipulated within the LSS; how their experiences are very different from what the contract stipulates, and from what the general public understands about the lives of migrant workers.

**Underemployment**

According to migrants, working hours are not consistent and fluctuate regularly. The numbers of hours of work that migrants receive depends on the time of year and the season. In general, according to my interviews, work varies between 30-50 hours in any given week depending on what the employer has available at the time. However, in some cases, migrants must endure several consecutive weeks with no work. Sienna explained how this left her feeling stressed and vulnerable:

For two months, I worked at one farm which was different from the one on my contract. Then, the work was gone. They had no work for half month. The recruiter took me to a fish plant for half month. Then, I was moved to another farm out of town for another two months. It was always changing.

Similarly, Lordit explained: “During the warm seasons, we work sometimes 14 hours each day. That’s when we’re busy though. In the winter time we only work about four to five hours a day.” The amount of working hours for each migrant varied, however, all migrants I interviewed expressed frustration with the lack of consistency and predictability in their working weeks.

The number of hours available for workers also depends on how many workers are currently employed at each farm. Most workers I interviewed told me that they
receive approximately 8-10 hours each day of work, but this is not guaranteed and is always changing. Peter described the division of hours on the farm:

He (employer) sometimes has a lot of work for him and it’s good, but right now they have so many workers at the farm so he has to divide the work fairly, so instead of 50 hours it is 40….because he has to divide.

Wendy agreed:

Sometimes in the greenhouses, they don’t have any hours or any tomatoes for packing. Sometimes I have to ask about this because it happens for one week or two weeks straight. I mean, maybe the other greenhouse they don’t have tomatoes for me to pack but I have too many days off and it’s not good for me. It’s bad for me. I just don’t like that.

Wendy continued to express her disappointment with the lack of hours at work: “Before we came here they told us about jobs, we will work in greenhouse. I already know that but I want to come here. I like the job, but they don’t have jobs for all of us.” The amount of working hours a migrant worker receives is dependent upon the amount of employees at their place of employment; this volatility in their daily working lives causes added stress for workers who require steady hours to support their families back home.

Migrants within the LSS must find ways to adjust to the unpredictability of their working hours. Several migrants told me that it is normal to receive a last minute, early morning phone call, or a last minute request at the end of the shift from the employer to work overtime. Rhoda told me: “Sometimes they ask us to stay until 7:30 in the evening even though we start at 6:30 in the morning. I will get a phone call at five in the morning and it is the farmer asking us to come in early.” Similarly, Peter responded: “Oh yeah, he calls us all the time very early in the morning to come in and work last minute, and we always take it because we need the money. What can we do?” Also, Lordit told me: “Sometimes when I am finish work, my employer will ask me to stay two or three more
hours. I am tired but I take it because I need the work.” Captivatively, my data also revealed that some migrants may be cleaning their employer’s houses for money. Wendy described that she was not receiving adequate hours and was offered by her employer to become his housecleaner once a week to make up for lost hours:

Sometimes I have to go to clean my owner’s farmhouse too, sometimes they call me to go clean house. Before it was sometimes but now they call me every week. I am happy when I get jobs instead of sitting here.

Wendy explained that she was grateful for this opportunity to clean her employer’s house, but that she did not enjoy doing the work. Marianne has spoken to several migrant workers who clean employers’ homes regularly. She described this as: “One aspect of the LSS” and relates back to the SAWP to highlight differences between the two programs. She explained:

At least with the SAWP program workers were pretty much free to do what they want to after work. But with the new program, it’s stricter. You have to abide by what the employer says and wants. If he wants you to go into his house and clean the toilets, that’s what you have to do. You can’t say, no, that’s not in my job description. I can’t do that.

A lack of adequate and consistent hours at work is a major source of stress for migrants who become underemployed (move to other farms) and in some cases, receive no work at all for long periods of time. This unpredictability within the workplace results in heightened competition, heightens feelings of insecurity, and further entrenches the vulnerability of migrants within the LSS.

**Moved Around by Recruiters**

Every migrant worker I interviewed has been moved around by the same recruiter at some point during their time in the LSS. As mentioned earlier, the moving around begins early: it is very common for workers to get picked up at the airport by Recruiter
Paul and forced to stay at a house with other workers until he moves them to a farm. Not only are workers being moved around prior to beginning their work contracts, but they are also moved around during it. It is common with these workers to switch jobs since the number of hours per week available to them fluctuates. Migrants find this highly stressful. Rhoda told me: “We thought we were working on a mushroom farm, and when we came here it’s a vegetable farm with cucumbers, peppers and tomatoes.” Likewise, Reed explained: “What happens with me, the agent brings me different work. He brings me to a mushroom farm in [Ontario town], saying it’s not permanent, but my work permit is for a farm in [Ontario city].” In some extreme instances, workers are moved more than others. Peter described being moved three times in one month: “First I was brought to [Ontario city] for two weeks, then to [Ontario town] for one week, and then to [another Ontario town] for the farm on my contract.” All migrants I interviewed have been moved by this recruiter at least once in the LSS. Since workers are assigned a single, named employer on their work permits, clearly these practices violate their employment authorization and put them at risk of losing their right to work legally in Canada, if not deportation.

With the non-English speaking migrants, it is common for Recruiter Paul to only contact them when he is ready to move them around contract renewal time. In the case of the English-speaking migrants, Paul periodically checks in on them via telephone. This highlights several ways that this recruiter exercises control over his workers. Alanna revealed: “I get nothing from my recruiter. He never shows up. Nothing. Except when he wants to move me.” Alanna does not see Recruiter Paul:

I have been undocumented since February 2007 because I’ve been out of work. My recruiter has not contacted me to help me with proper documentation and
never shows up when I need him or when I have questions. He only contacts me when he wants to move me.

Kian reports seeing this recruiter more often, highlighting that this co-dependency between himself and his recruiter is based on financial control:

My relationship with my recruiter is based on money. When I tell him I have money, he shows up. But if I don’t have money, he doesn’t. He is very mean to me. But without him, I cannot imagine.

Kian makes it clear that though Recruiter Paul does not charge migrants when moving them to new farms, during contract renewal time, he will not help migrants if they cannot pay the fee of $1,500. Krit tells a similar story:

My contract said the name of one specific farm. Recruiter Paul placed me at another farm. I told him I didn’t like it there and I wanted the farm on my contract. But after work, he found me and said I need to stay there. He lied to me. I told him that I didn’t want to stay. I didn’t want to go back because he told me I will move to a good farm. So I quit. I stayed home for about two or three days and he told me the next day that I need to go back to the one I didn’t like. He lied to me.

According to migrants, when they first arrive in Canada, Recruiter Paul creates an idealistic picture by telling them that he is always there for them; they quickly realize this isn’t the case. Although he helps migrants by moving them from farm to farm when there are a lack of available hours at work, (and they are grateful for this), he is still in control.

Overall, it appears that Recruiter Paul is doing a lot of work (i.e. paperwork, picking up migrants, and transporting them to new farms). However, when it comes to providing any other type of support for which he does not earn money, he is lacking. Several migrants expressed to me that Recruiter Paul is driven only by money, viewing them as financial objects. Suni ran away to the local liaison to avoid paying renewal fees to this recruiter. Being moved around means that workers are no longer working for the
farm listed on their contract, and this can lead to long periods of time of unemployment.

The lack of work migrants experience in the interim between jobs creates fear (that they will not be able to keep up with regular payments to banks back home), and this fear causes some to run away and leave town. Suni told me his story:

After two months, my employer said there was no more work for me. It was gone. I called my recruiter and he took me to a fish plant for a half month. At the fish plant, I got sick. My employer told me if I wasn’t better within one week, I would go back to [country of origin], but I was very sick. So I ran away. I was scared I wouldn’t be able to pay the recruiter the renewal fee. So I went with another third party and got work at another farm for two weeks. This third party was a [country of origin] friend working in the area, and I paid much less money than when I first came to Canada. My new farm learned that I’d run away from my old farm and they called the immigration officer. So I ran away again to [Ontario town] and had no work for two months so I am now undocumented. I applied for refugee status.

According to migrants, the issue appears not to be the moving around; rather, it is the extreme distances that they are moved which causes anxiety and distress while in the LSS. Some migrants I interviewed were being moved to towns that were hours away from where they initially began. Migrants expressed a strong work ethic and deep desire to work as and earn as much as possible while in Canada, and quite often they told me that their sole purpose and “duty” to their families is to work and make money. Though their contracts indicate only one employer, it is commonplace for migrants to be moved to other towns and cities by their recruiter. Not having a home creates angst for migrants who are expected to be earning a consistent income in order to repay banks back home. The fact that migrants are being moved around frequently points to their extreme vulnerability within the program; they have no choice but to accept this reality in order to make money to pay back their debts to banks and send home remittances to families.
Undocumented Workers

Employers are able to hire temporary foreign workers for a maximum of 24 months through the LSS when there is a demonstrable shortage of Canadian citizens and permanent residents (HRSDC). In addition, employers are required to sign an employment contract outlining wages, duties, and conditions related to the transportation, accommodation, and health and occupational safety of the foreign worker (HRSDC). Though the working contract is assigned to one employer, migrants are not always receiving adequate hours of work on the farm as stated on their contracts. My data indicates that migrants are moving to other farms in search of work (with help from recruiters). Seasonal fluctuations in agriculture give rise to periods of unemployment. Agriculture in Canada involves a fluctuating demand for labour, and periods of unemployment for migrants in this sector are chronic (Faraday, 2012). Migrants I interviewed depend on a reliable income; without sufficient hours, migrants can become eager for any work their recruiters can find since not having work means no money for debt repayment or families. A lack of steady hours makes it difficult for migrants who depend on reliable hours to send home money to families and make regular payments to banks.

Under the LSS, migrants are not allowed to switch employers independently. The result is that some migrants end up working outside their employment authorization and, at times, beyond their visa (length). This means that migrants often end up working on various farms, often as a result of under-employment. Once Recruiter Paul relocates migrants to a new farm, they are now no longer adhering to their employment authorization. When it is time to return home, their original employer is no longer their
current employer, thus is not required to pay for their flight back home. A migrant worker becomes undocumented when s/he is in violation of his/her employment authorization when s/he works for someone other than her designated employer and in violation of his/her authorization to remain in Canada, when s/he remains in the country beyond her visa.

Also, migrants who stay in Canada for longer than their contracts stipulate are no longer eligible to work in the LSS. Canadian law stipulates that within the LSS program, migrants are only eligible for re-entry if they have not exceeded the duration of their contract. Citizenship and Immigration Canada (CIC) states: “If temporary resident status has expired, a migrant should not apply for an extension as he/she is not eligible.” Once a worker has worked for an employer other than what is stated on their employment authorization, or overstayed their visa, it is very difficult to return to Canada in the future. Even if a migrant worker can find another employer who is willing to go through the hiring process, it takes many months for the employer to apply for and receive a Labour Market Opinion (LMO) and for the worker to then apply for and receive an amended work permit. During these months of being without employment authorization, migrant workers are prohibited from working. If they do, they have violated the terms of their work permit.

Christine told me of about group of migrants who all became “undocumented” (losing their employment authorization and/or overstaying their visa). Their attempt at acquiring refugee status was unsuccessful:

There was a group of migrants that entered Canada between 2006-2008 who were out of status [lost employment authorization]. Many of these workers were placed by the same Canadian recruiter in your study on a farm which may or may not have been the place that was indicated on their contract. These workers did one of
two things: they went underground or they asked for a refugee claim. They received help from local volunteers to communicate with the Canadian embassy in [migrants’ country of origin] to be allowed back in to Canada, since they had problems with their recruiters. But that entire group was denied. As soon as word spread that those workers were denied, then other workers decided not to go home, and followed their lead because they knew they would never be allowed back to Canada.

Lena expressed her guilt and frustration with this issue: “Once they have overstayed their contracts and have become undocumented, we cannot help. They keep calling from [South East Asian country Y] home but we say that we cannot. You cannot escape the law. They call me every night but we just cannot help.” Christine described this more in detail:

The open work permit is good because it can save some workers from abusive situations, but if you have it, you are not allowed back into Canada if you leave. So they’re out of status because they did not have access to information in order to maintain status or because Canada has told them that and running was the easiest thing they could do. The program is highly exploitative and is structured in order to take advantage of the worker.

Migrants are not informed about the rules of the LSS and often leave the country assuming they will be allowed re-entry; this is not always the case.

According to the Windsor Star (2011) and the CBC (2012), in 2011, a group of undocumented migrants in the LSS, alongside a local legal aid actively rallied the government for refugee status as a result of becoming undocumented victims of human trafficking. This group had been moved around so many times during their contracts, that by the end of their stay, they had no choice but to remain in Canada and seek asylum, since they could not afford the flight home on their own and they technically no longer had an employer to help. These migrants were granted two year open work permits on humanitarian grounds as 'former' victims or witnesses of human trafficking. According to Christine, other South East Asian workers did make refugee claims (under the influence
of agents, recruiters, and bad lawyers) and left the country when asked were not able to return. This is because when one makes a refugee claim, they are issued a conditional removal order. That conditional removal order becomes enforceable removal order thirty days after the refugee claim is denied. The person is then deemed to be under a deportation order, and cannot return without an authorization to return, granted with the consent of the Minister of Immigration and Citizenship. The cost is $400, but one is only asked to apply for this when/if/after their visa to enter Canada is accepted. Since these migrants had stayed in Canada for longer than their contracts stipulated, they were no longer eligible to work in the LSS.

Many migrants are unaware of their rights within the LSS and there is no system in place where they can access information easily. All of the migrant workers I interviewed were not aware that being moved around during their contracts could result in an undocumented status, yet it is safe to assume that despite this risk, migrants would move farms and take whatever work they can get to avoid defaulting on payments to banks. Migrants are dependent upon recruiters to find them work on new farms (when there are insufficient hours on the farm stated on their contract) and this points to their extreme vulnerability while in the LSS. Also, a lack of information about their rights increases their risk of exploitation and makes it difficult for migrants to escape their relationships with recruiters. Migrants are unable to exercise options because they are not aware of their rights. The result of being moved around is that many migrants who become undocumented (i.e. lose authorization to work legally in Canada) likely would not qualify for a visa to return to Canada in the future. Those who are aware that re-entry
is not a possibility thus stay in the country longer than allowed for fear of not being able to return.

**Relationships with Recruiters**

When asked to describe their relationships with Recruiter Paul, answers between migrants differed significantly. My data reveal that much of these differences are based on English proficiency, often based on migrants’ nationality. There is a direct link between a migrant’s ability to speak English and their ability to become educated and empowered within the LSS (and therefore less dependent on recruiters). This will also be discussed later as a coping mechanism for migrants.

**Non-English Speaking Migrants from Country Y**

A number of migrants from one South East Asian country expressed to me that a major source of their stress stemmed from their inability to learn English in order to educate themselves about their rights and the operation of the LSS. A lack of access to English services furthered their frustration. These migrants also remained more tightly bound to their recruiter and expressed a deeper fear about this relationship than did the English-speaking migrants from another South East Asian country. Alanna explained:

> At the present time if there were more organizations come to help migrant workers [from country Y] speak English, it would be better because right now it’s a big problem for them.

When I asked Alanna if she was given the option, what she would change about the LSS, she replied: “To get rid of the third party recruiter and to learn English.” I asked her why she would make these changes: “Because the recruiter took us to work in Canada and then they let us go. They don’t look after; they just let us go. Bye bye, that’s it”.

Similarly, Peter expressed his angst over not being able to do anything about
maltreatment from Recruiter Paul due to his lack of English skills: “The first year, he took good care, but then he left us alone. In the second year, I wanted help, but I had to beg him to help me, and that’s when he asked for more money. I gave up. My English is not good, so I cannot do anything”. I asked him about his inability affected his work performance. Peter replied:

Most of the workers try to talk to the manager or the owner, but it is difficult because we don’t speak English and they don’t speak our language. The owner doesn’t come down to talk to us unless there is a problem. So when there is a problem, I speak to the supervisor, but here I feel a bit of racism, because I am a worker [from Country Y]. Sometimes I have questions, but I don’t know what happens because they don’t answer me.

Sienna mentions her desire to learn English while in Canada:

I need help from the Canadian government. I want to learn English and try to get permanent residency. I do not want to go back to [Country Y]. My education is important to me. If I cannot stay, I will start a small business in [Country Y]. That is fine. But I need to speak English.

Although a fear of Recruiter Paul was a common theme in interviews, the way that migrants from different countries each group expressed fear towards the recruiter in my study differed drastically, and can be attributed to English proficiency. The inability of some migrants to speak English was illustrated in the way they answered the questions; these migrants spoke softly, quietly, and with trepidation. Their answers were also shorter and they tended to look at the floor or to Lena for assurance. Further, none of these migrants demonstrated activism in their answers; instead, they were more concerned about not getting caught speaking out against the LSS and were expressed being very intimidated by their relationships with their recruiter. In contrast, English-speaking migrants spoke confidently, were active within their communities about migrant
issues, and were not as outwardly afraid of the recruiter. Suwit described her relationship with her recruiter as one which she is strongly intimated by:

He is okay. He mostly stays away but sometimes shows up at my work. He doesn’t talk to me. He is a very big man. He doesn’t ask me how I am doing, just want money. I stay away from him because I have no more money to give him.

Although both groups expressed hardship, migrants from each group tended to become emotional when answering different kinds of questions. Non-English speaking migrants from Country Y seemed much more distraught when speaking about their daily experiences in the LSS, specifically with the nature of the work and with their recruiter. They also seemed to express unhappiness about their daily working lives than did the other group. Several some of these migrants told me repeatedly to make sure I use pseudonyms after our interviews whereas with the other group, this did not happen once; it appeared they were more when speaking about their experiences. For example, Sienna, who had recently applied for refugee status described her desperation to stay in Canada, despite abuse from her recruiter: “I want to get permanent residency” and then broke into tears for about 30 seconds before continuing on: “I don’t have a home in [home country] anymore. I lost it because I gave everything to bank to pay the recruiter.” Sadly, she cried out: “I need help from the Canadian government and from you. I don’t care how hard the work is that I have to do. I’ll do anything.” Stories from these migrants about their relationships with recruiters were characterized by desperation, punctuated with tears, and often revolved around a theme of vulnerability rather than empowerment. All of these migrants expressed a strong desire to learn English, noting that they felt it would help them to become better workers and improve their chances of leaving their relationships with their recruiter.
Many non-English speaking migrants from Country Y I interviewed have since “gone underground” due to mistreatment from recruiters and an employer; that is, lost their authorization to work in Canada yet are working regardless, and according to my data, may be involved in prostitution rings. Others have applied for refugee status, including filing applications to be considered victims of human trafficking. Several media articles have highlighted this reality. One article states: “Once in Canada the agents change the terms of the migrants’ work visas, thereby rendering them illegal, and the workers are then exploited, forced to work long hours in poor conditions, live in substandard housing and moved repeatedly from low-paying job to low-paying job to repay their debts,” (The Windsor Star, May, 2011).

Despite differing levels of fear between groups of workers from different countries, fear of the recruiter in my study albeit to differing degrees, was a common theme in my interviews. According to English-speaking migrants, Recruiter Paul switched to working predominately with non-English speaking migrants from Country Y after realizing that this more recent group of workers had limited English skills and were therefore unable to learn about the LSS as easily as they could. Their inability to speak English meant they were more vulnerable, since they would not be able to educate themselves about their rights within the LSS. Recruiter Paul was thus presented with an opportunity to benefit by embedding himself as the main recruiter of this group of migrants. As migrants became more educated about the LSS and their rights while in Canada, they began to steer away from the recruiter, realizing they really did not need him anymore.

**English-Speaking Migrants from Country X**
Migrants who speak English from Country X showed evidence of more empowerment within the LSS and also demonstrated a lower amount of fear of Recruiter Paul than the migrants from Country Y. During our interviews, non-English speaking migrants from Country Y became emotional when speaking about their relationships with Recruiter Paul, their debt to banks, and their overall helplessness in the LSS due to a lack of English skills. In contrast, English-speaking migrants from Country X became emotional only when they spoke about missing their families back home. Lena told me: “[Migrants from Country X] can generally help themselves find answers and avoid recruiters the second time around because they speak English.” Every one of the migrant workers from this country whom I interviewed told me they had become informed about the way the LSS works by reading online and talking to members in their communities. The number of English-speaking migrants who are from Country Y outweighs the other group, so these migrants also have better access to other workers from their country, and therefore more ability to access information about the LSS.

English-speaking migrants from Country Y were involved as migrant rights activists within their community, while non-English speaking migrants were not. The inability to speak English restricts workers from becoming educated and empowered enough about their rights within the LSS to speak out. English-speaking migrants from Country X also demonstrated confidence in their answers, unlike the migrants from Country Y. English-speaking Gigi uses her outspoken nature and self-learned knowledge about the LSS to demonstrate activism in the community; this has enabled her to become someone that other migrants turn to for comfort and also someone who presents risk to Recruiter Paul. She described how she feels about her recruiter: “He’s afraid of us. But
this is private property. He doesn’t own this. We pay our own rent.” Rian echoed this: “He’s trying to hide from us. He’s avoiding us.” Several of these migrants told me that Recruiter Paul was more afraid of them than they were of him. Despite receiving harassment from recruiter Paul over the phone, overall, workers laughed it off.

Several of these workers told me that a few weeks into being in Canada, they conveyed their knowledge about the LSS to Recruiter Paul, and after this he began to step away from maintaining a relationship with them in person. This has led to new forms of abuse from Paul, including harassing phone calls and unexpected home visits. Also, the nature of his phone calls to this group of workers changed; he began using threats, warning workers not to speak to the media. These migrants expressed to me several times that they did not take these threats seriously; they described to me not feeling scared, since they knew he had little power over them. However, though his control over them had taken on a new form, control was still there. Jody described a typical conversation with Recruiter Paul:

We were always questioning him because we’ve been reading and doing some research on the Temporary Foreign Worker Program here in Canada. We asked him and we questioned him and he was mad at us and asked us if we were meeting people in cities to talk about this. He asked us if we were forming a union. He said we are poisoning the others’ minds.

Despite the confidence I was hearing, several migrants expressed that they understood that the dynamic of the relationship between themselves and their recruiter was based on power. Reed, a non-English speaking worker from Country Y, told me: “We have no choice. For the first time here, everything is scary. We listen to him.” Similarly, Rhoda, an English-speaking migrant from Country X, expressed her disappointment with her experience with recruitment and in the LSS:
I didn’t expect this situation I am into with my recruiter. My recruiter controls my experience. I see it in the news back home that this is happening in other countries, like in maybe the Middle East or Dubai, but never in Canada. It’s practically the same. They can get rid of us anytime they want. We pay taxes, they collect. And we pay CPP but we are not entitled to it.

Although English-speaking migrants from Country X recognized that Recruiter Paul exercised control over them, they were not constantly living in fear.

Interestingly, the migrants who spoke English best were also those being most threatened regularly over the phone by Recruiter Paul. Yet, these were also the two people in the group who were the least afraid of him. One of them told me: “He has rats here. Spies. He knows who enters your house, who is your visitor. Maybe later he will know that you came here. But I don’t care. He’s more afraid of us.” Another agreed, laughing: “He accused us of forming a union, saying we are the leaders. He accused us of poisoning the others minds. But we are always questioning him because we are always reading.” I went on to ask the following question: “How do you feel about having people in your home, such as me right now?” A migrant replied: “It is fine. He’s trying to hide from us. He’s avoiding us. Some people still believe him when he says things but we have connections. Don’t worry.” I was slightly worried, not only for my safety, but for the well-being of the workers.

Several of these migrants even went so far as to express good qualities about their recruiter. Rhoda remarked: “He is actually very nice in person. Really nice.” Similarly, Rian concurred: “He lives elsewhere but his income is here.” I couldn’t believe the sincerity I was witnessing from these sweet people; that after all they had been through; they were still pointing out the positives in their experiences. Rhoda said to me: “He’s an angel, but he’s also a devil. It’s like that.” Gina repeated: “Yeah, the angel with devil in
him”. Everyone chuckled. I attributed some of this ability to speak of the positives of their recruiter to the fact that they were less afraid. The non-English speaking migrants from Country Y did not express the good qualities in Recruiter Paul; most of their answers reflected their high levels of fear that characterized their relationship with him.

One similarity between migrants from both countries was the way they expressed migrant work as “a duty”, which involved persevering through the trials and tribulations while working abroad. According to migrants, this lifestyle is a part of their culture and enduring hardship overseas was one aspect of the experience. Jody explained:

Because of the economic status of our country, I think we have no choice but to pay the money to the agency and find work because we need to feed our family, we need to support our family, we need to send our kids to school, so we had no choice.

Rina echoed this, breaking into tears: “Our families are being sacrificed. But we must come here to work, to send home money for our families.” In all my interviews, migrant work was a “way of life” for migrants.

**What Are the Costs to Migrants and how are they Financed?**

In order to acquire funds to pay agencies abroad migrants are borrowing $10,000 from the bank (against their land). On top of each loan is interest, and the amount of interest a migrant depends on what each bank charges. According to Lena, the minimum interest rate is 7%, with no maximum rate, and both commercial and government banks are involved in issuing bank loans to migrants. My interviews reveal that some migrants are paying 7% (per year) in interest to banks while others are paying up to 10%. Therefore, the amount of interest varied amongst my informants.

Only one migrant was able to avoid borrowing from the bank by turning to relatives for the loan. In another case, one migrant sold his car in order to earn spending
money for Canada. In all cases, migrants paid agencies $10,000 to come to Canada. The major costs to migrants are: fees to agencies in their home countries (which will be referred to as ‘recruiter fees’), the cost of flight to (and in some cases from) Canada, rent, transportation to farm, and contract renewal fees. Migrants told me that unanticipated expenses such as these create additional stress during their time in the LSS.

*Pressure to Send Home Money to Families and Banks*

It can take workers up to five years to reimburse banks in their home countries, since there is constant pressure to send home as much money as possible every month to families. Therefore, during the first year in Canada, migrants send home less money to families (than they would if they did not have this looming debt), and this creates additional stress for workers during their time in the LSS. Wendy was considered an anomaly by her peers for having paid back her bank back home in two years. She told me: “In two years, I paid back everything.” When I asked other workers if they could relate, they reported that Wendy was able to do so because she did not have children; this points to the additional pressure placed on women in the LSS who are mothers and must also perform as breadwinners. For workers with children, this would be an impossible feat since most of them were paying fees to send their children to school back home.

Rather than borrowing from a bank, Sienna borrowed money from her niece, and expressed stress over this debt to her family member: “Everything I have earned in Canada has been to pay back my niece. Everything is to the debt. One part is to my niece and the other is for my children’s school.”

Similarly, Nani can relate since the land she used as collateral was her mother’s. She shared her story:
It’s not my money. I borrowed the land title from my mother and that’s what I used to get the loan from the bank. It took me more than one year, sending every penny home, to pay that back, so I did my work here in Canada for one year for sent home nothing. I didn’t spend much money during that year because I was thinking of my land title, or our land title, so it’s really a sacrifice. My mother was very nervous before because it’s joint, it’s a family owned land.

Jody described her bank loan as requiring major sacrifices:

It’s a big sacrifice because we will not send much to our family because we have to pay back the bank, because if we will not, they have the contract that if they do not pay back that money within a certain period of time, they will keep our land. So in that time, six to seven months, our families are being sacrificed.

Migrants are incurring several additional and unnecessary costs that are not stipulated in their contracts. The constant pressure of sending money home to both families and banks adds to their stress while working in Canada, and also places stress on their families back home. Some of these extra costs include: rent, transportation, and contract renewal fees, which results in less money for families.

**Cost of Flight to (and in some cases from) Canada**

Under the LSS, employers must always arrange and pay for the round-trip transportation of the temporary foreign worker (TFW) to the location of work in Canada, and back to the TFW's country of residence (HRSDC, 2008). Despite these strict guidelines within the LSS, every migrant I interviewed was incurring these costs without receiving reimbursement from their employer. Since migrants are coming to Canada through a recruiter, the airfare is included in the fee of $10,000 paid to agencies in their home countries. Thus, all of the migrants I interviewed paid for their flight to Canada (through fees to agencies), and are expecting to incur the cost of the flight home since they are no longer working for the employer (as stated on their employment authorization); this is a result of being moved around throughout their time in the LSS.
This is a massive burden and major source of stress for migrants, since the cost of the flight home can be as much as one month’s salary.

**Rent**

Once in Canada, some migrants are paying rent to their employers, and some are not. Also, the amount paid each month in rent to employers varied amongst migrants. Alanna told me: “Me and 15 others are paying $200 per month in rent. The money is taken off of our pay checks each month.” Similarly, Reed described his discomfort with his living situation and with having to pay rent:

> We are living like seven guys in these two rooms, only two rooms, seven guys. One kitchen, one bathroom. You will come and see right away four beds in one room and four beds in another room. No space. We complained too, but he said we should compare to how we lived in [migrant’s country of origin X]. We pay $50 each week from our paychecks for rent.

Some workers are also aware that they may even be overpaying with rent. Rian told me that he and his co-workers are all aware that there are inconsistencies between how much is being paid and how much the house actually costs in rent (they only recently learned the true price of rent from another migrant at their farm):

> We are really upset when we know the price of the room is only $500 bucks each month, but we are paying like $350 a week total (all of us combined), so $1400 each month, but the room is only $500 plus hydro so the boss is making money.

Gigi described:

> It’s automatically deducted from our pay checks. Before we come here, we were told free lodging. But we have no choice, for the first time in Canada, everything is scary. When we complained to our recruiter, he always says “how did you live back home?”….always comparing the life in Canada to home, saying here you have a nicer house, much better.

Interestingly, not all migrants I interviewed are paying rent. Peter explained the divide within his workplace:
I paid $300 month in rent in cash to the head of our house who is a worker [from Peter’s country of origin]. Our employer makes sure he is collecting the same amount every month for him. Also, some migrants at our work pay rent and some don’t….There are two groups of migrants at the farm: workers who come here through a relative or friend (employer does the paperwork in this case), have a house or accommodation for them. But other migrants come here with Recruiter Paul and they pay rent to our employer. So sometimes, half of the workers in one house are paying rent and others are not.

It remains unclear as to why some migrants are paying rent to their employers while others are not.

**Transportation to Work**

Several workers I interviewed are required (by their employers) to pay transportation costs for travel to and from work. These costs total about $60 each month and are taken off of their contracts every month by their employers. Often, a van will pick up workers and take them to their place of employment. Sienna told me: “Expenses are high here because I have to pay rent, transportation and also food. I also pay 7% interest to bank at home. Here for transportation, I pay $60 each month to my employer.

Likewise, Lordit described: “I cannot afford an extra $60 each month for transportation, but I have no choice because I must get to work.” This is another example of how some migrants are stripped of their ability to save money while under the LSS.

**Contract Renewal Fees to Recruiter**

It is common for workers to turn to their recruiter during contract renewal time. According to migrants, Recruiter Paul regularly tells them that he is their only option for renewing their contracts (even though this is not required in the LSS), and charges $1,500 per migrant worker. When I asked migrants why they did not approach their employers around contract renewal time, answers ranged from: employers were unwilling to help, were unable to communicate with them, or advised them to turn to their recruiter. Also,
Recruiter Paul is telling workers that he is their only option for the renewal of their contracts. Suni turned to his recruiter at contract renewal time. He described feeling lost and desperate at this point. “My relationship with Paul is good because he got me a new work permit in the name of the farm and he charged me $1,500.” When asked if he was issued a receipt, this worker stated: “No.” Further, when asked if this recruiter has been in touch with him since, he responded: “No.” Workers explained to me that it is typical for their recruiter to not be seen unless around the time of contract renewal. At one farm, 18 workers went through Paul because they felt they had no choice. Further, after the recruiter collected the fees from all workers, he got them their renewals and disappeared.

Suni ran away from his named employer and employer-provided accommodation because he did not have enough money to pay the renewal fee to Recruiter Paul in his second year. He describes what this was like for him:

I have to pay the banks and I have to pay the recruiter here to find me a new job and I’m scared, so I ran away to [Ontario city] and worked in a restaurant for four months as a dishwasher. I worked from 9am until midnight at the restaurant. After four months, there was no more work for me at restaurant, so I called my recruiter and he wanted to charge me $1500 for a new work permit on a new farm. I said I didn’t have the money and then he disappeared and I haven’t seen him since. Now I renew my work permit through my employer at my farm. My employer learned about my recruiter and what he has been doing to us and now my employer told the recruiter not to come back again.

Unlike with the English-speaking workers from Country X, where control is maintained through the use of threats and harassing phone calls, with the non-English speaking migrants from Country Y, Recruiter Paul often maintains control with unexpected visits at the workplace, especially around contract renewal time. Kina described this to me:

He doesn’t call. He just goes to visit us in the greenhouse. He comes and says that if anybody wants an extension, they will have to pay him $1500. We all pay
because we don’t know. Eventually, the manager of the plant found out and told us not to do it again, so we stopped. Paul came back again and we told him to go talk to the owner and he never came back again.

On the contrary, migrants from Country X are aware that under the LSS they are not required to pay a fee to recruiters for the renewal of their contracts, and therefore Recruiter Paul has stopped harassing them.

Wendy, a non-English speaking migrant from Country Y told me how she decided to show Recruiter Paul a receipt from her bank at home proving she paid money to come to Canada. Paul ended up tearing up the receipt in front of her. She explained: “He destroyed everything. That was all I had.” At this farm, 14 workers paid a renewal fee of $1500 to their recruiter before the manager of the plant learned what their recruiter was doing; the employer eventually stopped Recruiter Paul by telling the workers that if Paul were to come back, he must come and see the owner. This same volunteer goes on to say: “This farm knows Paul charges his workers $1500 to renew their contracts, and when the farmer heard that, he became upset, and now we do the renewals for farmers.” When asked why workers are not turning to their employers during contract renewal time, most migrants expressed that they felt they were always left with no option but to turn to their recruiter. Migrants are paying excessive fees to renew their contracts in the LSS even though this is not a requirement.

Chapter Five was dedicated to presenting my findings and analysis; specifically by addressing my research questions. A discussion about the relationships between migrants and one particular recruiter revealed that migrants are experiencing mental and financial stress and, in addition to paying recruitment fees, are also incurring additional fees within the LSS such as rent, transportation, and contract renewal fees. In addition,
my results show that the process of exploitation for the migrants in my research begins in South East Asia at recruitment agencies. Further, underemployment is a massive problem in the LSS revealing weaknesses in its operation and making migrants more vulnerable to exploitation and stress. Finally, English is a tool for empowerment for English-speaking migrants within the LSS. In the next chapter, I will present a discussion of the findings, and will highlight what this means for temporary migration to Canada, for the future of Canadian policy, and for migration to high-income countries more broadly. Finally, this thesis will conclude with ideas for the future of migration and for future research, and with the limitations of the research.
Chapter 5: Discussion and Conclusion

In this chapter, I will relate the themes I have found within my analysis of recruitment to my theoretical framework and integrate the themes together to discuss the overall impact of recruitment on South East Asian migrant workers within the LSS. The discussion will be broken into three sections. The first section addresses the two main sources of stress (as shown in my data) for migrant workers: 1) relationships with recruiters; and 2) loans to banks. Here, I argue that recruiters might actually hold more power over maintaining the vulnerability of migrant workers within the migration industry than is addressed in the literature. Also, I discuss the significance of bank loans to migrant workers and how this debt to banks is a hidden, but chief source of stress that not only reduces the amount of money migrants are able to send to families, but also places an added burden on migrants to earn steady and reliable income while in Canada. Further, if this ability to earn consistent income is taken from them (as it often is due to a lack of hours at their place of employment), migrants feel additional stress since this means they may not be able to make regular payments to banks in their home countries. Finally, I briefly discuss some of the positive functions that recruiters perform for migrants in the LSS.

The second section discusses the relationships between migrant workers and their recruiter, and what the outcome are for migrants. Here I will examine how these relationships have caused migrants to cope in one of two ways: 1) by using English as a tool for education and self-empowerment, or 2) by forming social links within the migration industry, such as with Lena. English-speaking migrants from Country X are more able to cope and navigate within the LSS through self-education about the LSS,
whereas non-English speaking migrants from Country Y are not, and therefore team up with a local liaison in order to escape their relationships with Recruiter Paul.

The third section will analyze what all of this means for temporary migration to Canada and to high-income countries more broadly. Here I will look at how migrants provide a form of cheap and flexible within the global political economy. I will work towards summarizing my discussion by highlighting how one recruiter in Canada’s LSS is bridging the meso to the macro by working directly with recruitment agencies abroad; thus, this recruiter provides the link to the larger global world of migration. To conclude, I make suggestions for the future of migration, present ideas for future research, and discuss the limitations of this research.

**Section 1: Two Sources of Stress for Workers: Recruiters and (Debt to) Banks**

According to my data, there are two principal points of stress for all of the migrant workers I interviewed: relationships with Recruiter Paul and debts to banks back home. Although the degree of fear varied amongst workers, every migrant expressed fear towards their recruiter and also about their loans to banks back home. The two major fears are directly linked: Paul is a source of worry to all of the migrants because how he behaves determines whether or not they can pay back the banks. Also, since banks require regular payments on the loans, there is an added pressure on migrants to earn a steady income, and this is not always happening in the LSS. However, the degree of fear towards Recruiter Paul depended on the migrant worker’s ability to achieve a degree of self-empowerment within the LSS. First, I will discuss how recruiters are playing a much more detailed and significant role within the LSS than is noted in the literature by facilitating and managing migration, which maintains the suffering of migrant workers.
Recruiters

Recruiters are currently facilitating and maintaining the influx of temporary migrant workers within Ontario’s agricultural industry. Migration systems theory views migration as a system of actors. The literature indicates that recruiters are one of these actors regulating the migration system by providing services for employers who need migrant workers. My research supports this by highlighting that at least one main recruiter is organizing recruitment and actively exercising control over all of the migrant workers in my study. What is more, the role of this recruiter is much more significant than was expected before conducting this research and this presents the possibility that other recruiters might be more significant as well. Recruiter Paul is maintaining oppressive relationships with some migrant workers who, when seeking information or guidance within the LSS, turn to him for help; this dependency that is created, in turn, leads to further oppression for migrants.

According to my data, Recruiter Paul is exercising power over and maintaining control of workers through the use of verbal abuse, harassment (telephone and in person), threats, and lies. Other actors, such as recruitment agencies abroad, are also noteworthy role in facilitating the movement of these migrant workers; however, this relationship ends once the migrant is in Canada. It is in the airport, when the recruiter picks up the migrants, that he begins to exercise control and this relationship is maintained until the end of the migrants’ stay in the LSS. Every migrant I interviewed was tied to this man. Migrant workers are forced to adapt to a new social environment when they are in Canada and this involves turning to this recruiter for help. Recruiter Paul uses his own citizenship, privilege, and English language skills to instil fear into migrants from the
moment they arrive in Canada. His experience as a recruiter, and Canadian citizen, enables him to maintain control over migrants by knowing the ins and outs of the migration industry in Ontario. In many ways, he is helping migrants, since he moves them to farms that provide sufficient hours. He knows migrants need him and he has capitalized on this.

**Recruiters Also Have Positive Functions**

Recruiter Paul performs several positive functions that migrants and employers need. As Christine (legal aid) noted: “The problem with recruiters is they work.” Recruiters find employment for migrant workers. It is often Recruiter Paul who moves workers when their employer has run out of hours for them on the farm. And he delivers. Several workers expressed that Paul saved them by moving them to another farm where they were immediately granted work. Workers expressed to me that communicating with employers was either impossible (if they do not speak English), or not possible (employers were not responsive). It appears, from my data, that if it were not for Paul, migrants would be stranded for weeks, possibly even months, on end without work. This would increase their stress level and make it exceedingly difficult to pay back banks at home.

Another positive function that Recruiter Paul performs is being a point of contact when the worker is in trouble. Workers are free to contact him when they need to. This relationship, however, was based on an uneven power dynamic (workers called when out of work or in distress), and Paul is not always available or willing to help migrants. When I asked, not one migrant worker expressed to me that Paul provided any emotional support or comfort while in the program. The relationship is financially based; he has
already taken money from them, or expects to during contract renewal time. Recruiter Paul does not require money from workers for moving them from farm to farm (except for during contract renewal time). Even though employers are required within the LSS to complete all paperwork required for contract renewals of their employees, oftentimes it is Recruiter Paul who performs this function. Thus, he alleviates the workload for employers as well. Several migrants told me that they knew the recruiter would be there for them, but only when he needs money. Jody told me: “We are money for him. He knows this. He only sees money in his eyes. He is a nice man, but we know what his intentions are.” Administrative support for workers is lacking within the LSS, and recruiters are now performing two vital contributions to the LSS program: they find migrants work during non-peak times and at contract renewal times they perform paperwork for employers who are not willing or able to.

My research indicates that recruiters are providing a much more significant role than is understood within this migration industry; recruiters should not be viewed simply as one of many actors, but instead as facilitators, organizers, and managers of migration. As seen in this research, one recruiter is exercising mental and financial control over migrants while in Canada. The result is that recruiters maintain the vulnerability of migrant workers while in the LSS. My research highlights that recruiters are also performing positive functions, yet this relationship is one-sided, and is based on control.

**Banks (Debt)**

My research adds a unique contribution to the literature by exposing that banks have now become significant actors within the LSS and thus, the larger migration industry, by providing functions other than transferring remittances. Thus, banks should
be looked at alongside recruiters as one of the key actors in the migration industry. I argue that banks have become central to the migration process and cannot be excluded from further research involving temporary migration programs to high-income countries.

   Banks in home countries are now recognizing temporary migration as a stable, well accepted income for migrants, since they are issuing massive loans to migrants as collateral against their land. International migration is an institution that banks can rely on for income. Banks make it possible for migrants to pay fees to the agencies in their home countries, and therefore, fund Canadian recruiters. Every migrant worker in my interviews expressed to me that it is this debt to banks which adds a significant degree of stress while in the LSS. Workers are already poor in their home countries, and working in Canada provides a means to send home remittances; instead, up to 50 percent of monthly earnings are being sent to banks. When they arrive here, they are indebted to banks back home, and are tied to recruiters. Thus banks do not only transfer remittances, but also facilitate the migration process in other ways.

Underemployment of Migrants

   My data indicate that a real problem in the LSS is that employers are under-employing migrants; this descends into irregular practices by creating a need for recruiters to move migrants to new farms. The outcome of this under-employment is that migrants become increasingly dependent upon their recruiter and are therefore more vulnerable to exploitation. Political Economy theory highlights how changes within the world of work, such as deregulation and greater efficiency within the workplace, and also larger changes within the global political economy, have created a demand from employers for increasingly flexible forms of labour. Temporary migrant workers are
fulfilling the needs of employers by becoming highly flexible and adaptable. As reflected in this research, some migrants are travelling as far away as Asia for work within Canada’s agricultural industry. However, despite increasing numbers of migrants within Canada’s LSS, federal measures have not been enacted which protect migrant workers within agriculture against exploitative recruiters.

Open-work visas would be a reasonable solution to the underemployment problem in the LSS; by opening up the visa, migrants would be free to switch employers during times of unemployment, without turning to a recruiter for assistance. My data reveals that some migrant workers are not receiving sufficient hours at their place of employment and this results in more stress for migrants who turn to recruiters during times of unemployment. Opening the work visa for migrants in the LSS would result in more empowerment for migrants who are facing exceptionally high degrees of stress due to a lack of regular hours at their places of employment. My data indicate that the underemployment of migrant workers is a problem within the LSS and more attention must be paid at the federal level as to how this serves to restrict the rights of migrants and maintain their vulnerability.

Section 2: What Does This Mean for Migrant Workers in Canada?

Migrants are finding ways of coping with stress in one of two ways: using English to become educated and empowered, or working with Lena.

Two Methods of Coping within the LSS: Speaking English or Working with Lena

Speaking English: A Tool for Self-Empowerment

As mentioned in detail earlier, there is a divide between migrants in the LSS based on English proficiency. A migrant worker’s ability to speak English is the most
valuable tool for self-empowerment within the LSS. All of the migrants who do not speak English have thus teamed up with Lena in hopes of becoming educated about the rules of the LSS in hopes of escaping the relationship with Recruiter Paul. In contrast, the other migrants who were all fluent in English do not have to work with Lena because they are able to educate and empower themselves through reading about the LSS and their rights. According to my data, teaming up with Lena or speaking English are the two options for migrants who wish to exercise agency within the LSS.

Through their efforts for self-empowerment, English-speaking migrants from Country X are slowly pulling away from their ties with their recruiter, viewing him less as a necessity and more of a hindrance. However, a degree of fear towards him remains. English enabled migrants to converse freely with me and these migrants were more comfortable expressing their disappointment with their experiences in the LSS in our interviews than the others. These individuals also spoke with gusto. In interviews, answers were spoken loudly, and with self-assurance. All workers were eager to talk as much as possible to me and to share as much information as possible. These migrants also expressed to me that their goal in speaking to me is to ensure that thesis reaches the government and eliminates the involvement of recruiters in the LSS. These workers told me that they would not speak out unless they expected change from my work. In contrast, the other group expressed that they were sharing their views with me in hopes of improving the overall working conditions for migrants, including eliminating third party agents in the LSS, and accessing services for learning English. My data reveals that English can be a tool for self-empowerment within the LSS; those who do not speak
English must seek out a relationship with Lena in order to improve their experiences in the program.

**Working with Lena**

As mentioned earlier, some migrants I interviewed are forming strong social links with Lena who charges no fees for her services. Lena helps migrants to decrease their risks and costs over time because they are able to escape the abusive relationship with Recruiter Paul. Further, some of these migrants are putting their own family in touch with her so that they are able to avoid the abusive recruiter when coming to Canada under the LSS. In my interviews, migrants who were able to connect with Lena expressed joy and relief for no longer having to pay recruiter fees and for being able to escape the abusive relationship; most migrants were extremely grateful for their relationship with Lena. In taking over the roles and responsibilities of Recruiter Paul, Lena has undoubtedly been responsible for providing some migrants with the ability to escape the relationship with their recruiter.

Lena has alleviated the dependency between migrants and recruiters; this suggests that there might be other volunteer liaisons in the area that perform similar functions for migrants. By relieving the emotional and financial burden placed on migrants in the program, Lena recognizes that although recruitment is certainly a part of the migration process in the LSS, it does not have to involve exploitation. I urge the Canadian government to pay attention to the time and energy being invested by local volunteers since these individuals are responsible for helping numbers of migrants to stay legally in Canada. These volunteers should not be required to function as recruiters in the area, since social services and tools should be in place for migrants to access when they need
them. Better access to social services, such as English lessons or training, and access to information about rights within the program could serve to alleviate the need for volunteers to step in.

Section 3: What Does This Mean for Temporary Migration to Canada and the Future of Canadian Immigration Policy?

Canadian immigration policy has become increasingly market-driven, designed to bring in temporary migrants to fulfill short-term labour shortages to satisfy economic goals. These migrants lack the ability to assimilate and become a part of Canada’s future. Temporary foreign workers are viewed as a necessary and vital resource to Canada’s economy, yet lack access to protection when it comes to exercising their rights and protection. Migration policies and priorities have begun to reflect the uncertainty and competitiveness of the global capitalist market, and have neglected to enforce the rights of migrants. Appropriately, Sharma (2006) reveals that immigration policy has played a critical role in satisfying employers’ demand and maintaining the Canadian economy as globally competitive. Changes within Canada’s TFWPs have created numerous challenges for migrant workers, including difficulties in accessing rights and protection from the Federal government.

The participation of Recruiter Paul within the meso-structure in Ontario has arisen out of an already established global macro-structure; this meso-structure is maintained by this recruiter through his relationships with agencies in South East Asia. These relationships between migrants and recruiters serve to reinforce the precarious and vulnerable position of migrant workers both within Canada and within the global migration system. “It is imperative that research understands the impacts of these
emerging migration models on the rights of migrants and their political economic position in the global economy” (Hennebry and Preibisch, 2008:7).

**Migrant Workers Face Difficulty Accessing Protection**

Migrant workers face logistical problems in seeking to enforce their rights and accessing protection, especially in regards to housing, health and safety, and are extremely vulnerable when it comes to termination (Faraday, 2012:89). The ability to claim rights denied to some groups of people depends on their knowledge of the legal framework, communications skills, and support from others (Basok, 2004: 47). Further, some groups of migrants are deprived of the knowledge, skills, and support required negotiating their rights effectively because of their social exclusion from local communities of citizens (Basok, 2004:47).

Research suggests that an increase in private interests in recruitment is partnered with less regulation and also less protection for workers. The new mechanisms by which low-skilled migrants are coming to Canada have been detrimental, and in some cases, have intensified the abuses they encounter (Preibisch, 2011; Hennebry, 2008; Nackache and Kinoshita, 2010; Tilson, 2009; McLaughlin and Hennebry, 2007; Castles, 2010; Fudge and MacPhail, 2010; Basok and Carasco, 2010). “Migrant workers are ‘non-citizens’ and continue to experience less freedom and different rights than do citizens; employers are able to exert pressure on the workers and deny them their rights” (Basok and Curascao, 2010:14).

Stories in the media concerning the abuse of migrant workers in Ontario’s agricultural industry are rampant. Recently, there have been numerous reports in the media indicating various forms of abuse of migrant workers within Ontario, including the
deaths of some migrants (CBC News, 2011; The Windsor Star, 2011; Huffington Post, 2012; The Globe and Mail, 2012; The Star, 2012). In 2007, a report in The Economist recounted the plight of eleven Filipino migrant workers who were lured to Canada with the promise of high paying jobs only to be kept in an isolated rural house and forced to do menial jobs while earning a fraction of what they were promised (as cited in Fudge and MacPhail, 2010:52). In 2010, two Jamaican migrant workers were killed at a farm near Ayton, Ontario and as a result, four people were charged under the Occupational Health and Safety Act. Under an agreement with the Ministry of Labour, three of the accused had their charges dropped, and a fourth was fined $22,500 after a guilty plea (Keung, 2011). Also, on February 6, in a collision between a van and a truck on a rural road near Stratford, Ontario, 11 people died, 10 of them temporary agricultural workers, most were from Peru (Reitz, 2012). In the past ten years, there have been eight traffic accidents involving migrant workers across Canada, five in Ontario alone, resulting in the deaths of eighteen migrant workers (Toronto Workers’ Action Centre, 2012).

A report by The Metcalf Foundation (2012:15) notes: “The depths of the violations are degrading. There is a deepening concern that Canada’s temporary labour migration programs are entrenching and normalizing a low-wage, low-rights ‘guest’ workforce.” Though the LSS is regulated and monitored, the system is complaint-driven and workers are unlikely to speak out for fear of losing their jobs or even worse, deportation. Nackache and Kinoshita (2010:15) argue that that although regulation of recruitment agencies is a provincial matter, “the Federal government could do more to protect temporary foreign workers against unscrupulous labour brokers.” Faraday (2012:28) highlights the ways in which the law encourages certain relationships but also
constructs the vulnerability of others. She mentions that the Supreme Court of Canada recently recognized that laws can also serve to dis-empower segments of society in a way that “substantially orchestrates, encourages and sustains” a violation of human rights and in a way that “is creating conditions which substantially interfere” with a group’s rights and its capacity to participate in society” (Faraday, 2012:13). Further, current governmental laws and policies must be scrutinized for the ways in which they serve to further this precariousness and vulnerability of workers (Faraday, 2012:13).

Migrants are protected under the Human Rights Code, the Occupational Health and Safety Act, the Pay Equity Act and the Workplace Safety and Insurance Act, which means on paper, migrant workers are entitled to the same employment rights as other workers in the province (Faraday, 2012:378). Yet, what is interesting is how migrants experience a noteworthy gap between their rights on paper and their reality. For example, in a 2011 survey of 520 low-wage workers in Toronto, the GTA, and Windsor, 22% of migrant workers were being paid less than minimum wage, 33% were owed wages by their employer, and 36% were laid off or terminated without termination pay or notice (Faraday, 2012:88). In addition, there are also reports of migrant workers facing patterns of discrimination on the job such as being paid less than Canadian workers doing the same work and employers assigning migrant workers to do the most dangerous jobs (Faraday, 2012:88).

Though Ontario lacks legislation when it comes to agricultural migrant workers, some federal law provisions already exist under which illegal recruiters can be prosecuted. For example, in September 2008, two labour brokers in Ontario were found guilty of human smuggling under section 117 of the IRPA, sentenced to three month’s
house arrest, and fined $65,000 (Nackache and Kinoshita, 2010:16). The federal government asserted that, “there must be zero tolerance for exploitation, mistreatment, or wrongdoing by unscrupulous employers or recruiters” (HRSDC, 2008). Until recently, human trafficking has not been a common topic in media coverage. As mentioned earlier, in 2011, for the first time in Canadian history, several Thai migrant workers in the LSS in the Leamington area were granted refugee status and media coverage was extensive. Because of “debt bondage”, 19 migrant workers were in a state of undocumented status, and the federal government was paying attention. That said, The Windsor Star (2011) reported that, “very little legislation or policy has been implemented in Ontario that ensures the long-term protection of those who have been victimized in our country” (Shelley Gilbert, The Windsor Star, May 2011). In addition, most attention directed at human trafficking so far has tended to focus mainly on trafficking for the purpose of prostitution (Fudge and MacPhail, 2009:23).

A lack of evidence may be one of the main reasons for this withholding of legislative change in Ontario. For example, in Alberta, (a province which prohibits the charging of fees by recruiters), it appears that a clear evidence of activities- in the form of paperwork- is difficult to gather and as a result, a majority of activities result in no formal action or are abandoned due to “lack of evidence” or inability to pursue the broker (Nackache and Kinoshita, 2010:14). According to migrants, government authorities at the Toronto airport are aware that migrants are paying excessive fees to come to Canada, but lack proof that this is happening. Gigi told me: “Our Canadian ambassador is trying. He said he is trying to help us. If we can come up with lots of people who can say that we paid this to the agency to come here, they can help us to recover our money, but we do
not think they can do that.” Reed echoed this: “We must have receipt. We told them that we do not have receipt and they said they cannot do anything unless we come up with a lot of people saying that we paid this money.” But herein lies another problem; not all workers will talk for fear of deportation. Sienna explained: “Yeah not everybody wants to talk because they are afraid…because they are afraid.” Another worker replied: “They are scared of being sent home. Everybody used the same two agencies in [migrant’s country of origin X] but we all have the same recruiter.” It appears that evidence, in the form of paperwork, is required to improve the conditions for migrants in the LSS.

Migrants repeatedly expressed to me that the Canadian government is absent from their experiences in Canada, leaving them feeling neglected, unprotected, and facing difficulty in learning about their rights and accessing help when needed. The experiences of migrant workers in Canada are embedded in an intricate web of simultaneously oppressive and supportive structures. Several international and national players are intertwined in this web which ultimately functions to create a cheap and vulnerable workforce and constrains workers’ physical, economic and personal mobility. The voices of migrants must be heard in order to initiate change and create legislation at the Federal level which protects all migrant workers in Canada. Migrants deserve and require proof that they are paying to come to Canada.

What Does This Mean for Temporary Migration to High-Income Countries More Broadly?

Migrant Workers as Commodities

The failure of policy-makers and analysts to see international migration as a dynamic social process is at the root of many political and social problems (Castles and Miller, 2003:31). Migration management has turned into a business, underscoring the
intentions and priorities of receiving nations. Shalla (2007:229) observes that “key on the agenda of nations, transnational corporations, and small and medium enterprise has been a concerted push to intensify the profit imperative. Further, strategies to achieve this goal have focused on increasing productivity, efficiency, and competitiveness both nationally and internationally” (Shalla, 2007:229). Furthermore, Persaud (2003:380) suggests, “the attributes of this movement of workers, which includes immigrants from Third World countries, is very much the opposite of the protected core sector, characterized by low wages, considerable insecurity, poor or even dangerous working conditions, few or no benefits, and virtually no representation” (Persaud, 2003:380). To Persaud, “disposability itself is thus part of the commodity” (Persaud, 2003:380).

Migrant workers have become a commodity, lacking a secure citizenship status, they must perform the “dirty work” that most citizens choose not to. “Their malleability is, in fact, part of their attraction” (Persaud, 2003:380). To view labour as a commodity exposes the complexities of globalization and transnational political responses to globalized social inequalities (Gardiner-Barber, 2004:214). There are in fact, principles, norms and expectations governing their recruitment, compensation, and conditions of work (Persaud, 2003:380). Migrant workers are vulnerable and susceptible to various forms of abuse; given this, it is crucial that governments in receiving countries take a leading role in informing migrants about their rights and provide better access to social services (such as English classes) and legal protection. People are not a commodity and migrants are human beings who deserve to be treated with respect and dignity.
A Growing Dependency on Foreign Labour

It is suggested in the literature that in today’s world, the imperial countries are less and less dependent on the Third World countries they trade with and that the process of internationalization of capital is thus based on exploiting new frontiers and locating sites for high profits—not on developing and deepening the forces of production (Petras and Veltmeyer, 2001). I argue that the LSS highlights that there are actually two opposing trends occurring: imperial countries are actually more and more dependent on Third World countries and on exploiting new frontiers. It is understood that temporary migration programs encourage imperial countries to deepen the forces of production through an increase in the amount of temporary workers allowed into Canada each year (IOM website, Fudge and MacPhail, 2009). What we are seeing is a steady stream of temporary labour from the same countries and a growing dependency on foreign labour from new countries. This expansion of sending countries highlights that imperial countries are becoming increasingly dependent on foreign labour.

Migrant workers have become a vital aspect of the Canadian workforce. As Preibisch (2007) notes, “foreign workers are increasingly becoming integral to the enterprises that employ them” (p.439). A plethora of new sending nations have entered the global labour pool and the local migration industry in Ontario, with some migrants entering the Canadian workforce from as far away as South East Asia. Industry reports argue that, without foreign workers, most seasonal, labor intensive crops would cease to exist and over half of the Canadian horticulture market would be lost to imports (see for example, FARMS 2003). Although present-day migration is still very much characterized by maintaining and deepening existing relations, the LSS highlights how Canada opening
its borders to a variety of new countries shows that there is a more pressing demand for temporary foreign workers.

What is described as globalization is thus essentially a perpetuation of the past based on a deepening and extension of exploitative class relations into areas previously outside of capitalist production (Petras and Veltmeyer, 2001). Largely, capitalism drives migration, and immigration controls by the state have granted agricultural employers access to not only a cheapened labor force, but one that has been weakened (Preibisch, 2010; Preibisch and Binford, 2007; Sharma, 2006; Basok and Carasco, 2010; Shalla, 2006; Parrenas, 2010; Fudge and MacPhail, 2009; Ruhs and Martin, 2008; Persaud, 2001, 2003; McLaughlin, 2010; Nackache and Kinoshita, 2010; Walia, 2010). Global capitalism and nation states maintain a world system based on inequalities (such as uneven global wage rates), creating a larger structural linkage between sending and receiving nations in migration. The same capitalist economic processes that create migrants in peripheral regions simultaneously attract them to developed countries (Massey et al., 1998). Because of this steady supply of cheap migrant labour, employers and the Federal government are not forced to seek out alternative ways to draw in employees from within Canada as much as they would need to if there wasn’t access to an international pool of migrant labour.

A Need for Carefully Managed Migration

A recent IOM report (2010) suggests that more effective systems will be required to match supply and demand in the labour market, and that carefully managed migration can be a powerful force for economic growth and innovation in destination countries. Likewise, Martin (2006) suggests that managed guest worker programs can contribute to
economic growth and development in sending and receiving countries. Further, carefully managed migration can assist in poverty reduction and development in poorer origin countries, as well as provide important human freedom and human development outcomes for migrants and their families (IOM, 2010). To address labour shortages within the global economy, Canada needs better immigration policy (ILO, 2012:5).

Martin (2006) suggests that successful 21st Century guest worker programs are likely to be associated with economic mechanisms that align migrant and employer incentives with program rules, and a path to legal status for migrants who have developed roots. Furthermore, the growing calls, especially on the part of states of the North, for security and a law and order agenda have resulted in the securitization of migration. Rekai (2002) puts forth that rather than reduce the inflow of temporary workers, more consideration and research is needed by the Canadian government coupled with greater costs and responsibility assumed by private and academic sectors that benefit directly from their presence.

**Policy Recommendations**

Based on the literature and my research, I put forth several recommendations to improve the lives of temporary migrants and the future of migration.

1. **National Standards**

Canada needs to develop national standards and policies to protect migrant workers. Canada’s current legislation varies between provinces, which means that there are no uniform set of rules for managing migration. Currently, the entry of migrants to Canada is governed by the federal government while their employment and social rights are governed primarily by provincial laws and policy (Nackache and Kinoshita, 2010).
Additionally, each of Canada’s temporary migration programs has its own separate legal and policy regime that structures the experience for migrant workers in Canada (Faraday, 2012). Since the regulation of recruitment agencies is a provincial matter, meaning there is no consistent set of rules across Canada, only certain provinces are regulating recruiters (Nackache and Kinoshita, 2010:14). This also allows for varying rules and regulations for the management of migrant workers between provinces and means that each of these players is somewhat restricted in its ability to resolve challenges within the program.

Moreover, although some protection exists, it may be inaccessible; both levels of government offer protections to temporary foreign workers, but each is limited in its ability to enforce these rights (Nackache and Kinoshita, 2010:24). The literature suggests that the lack of an overall mechanism to oversee the TFWP is problematic. According to Albiom and Cohl (2012:62) there are several major problems at the national level when it comes to managing migration, which include: a lack of policy coherence, evidence, consistency, and predictability. Also, “this trend is in stark contrast leading to the enactment of the Immigration and Refugee Protection Act in 2002 which involved comprehensive consultation, discussion, and parliamentary debate” (Albiom and Cohl, 2012:67). According to these authors, this lack of cohesion stems from a weakening of the democratic process and limited public consultation.

This directly ties into the weaknesses within the administration of Canada’s TFWPs. The literature suggests that one significant problem with the administration of the TFWPs are the overlapping policies that are involved. Despite migrants’ greater vulnerability, the federal government has failed to put in place adequate safeguards to monitor employers of migrant workers and sanction those who exploit them; at the
provincial level, only Manitoba has passed legislation to this effect (Taylor, 2008 as cited in Preibisch, 2010:416). Nackache and Kinoshita (2010:12) suggest that the program’s administration is split among three key federal players, which creates opportunities for miscommunication and confusion. According to Citizenship and Immigration Canada (CIC), in the spring of 2008 there was a backlog of 925,000 applications for permanent residency waiting to be addressed, 585,000 of which were potential immigrants in the skilled workers category (Standing Committee, 2009: 4). These waiting times are not compatible with the fast-paced business environment, so employers are turning to the temporary foreign worker program to bring workers to Canada faster (Standing Committee, 2009:4).

Differences in the time of processing paperwork for applying for a temporary foreign worker differ between the provinces, which further highlights administrative inconsistencies. Moreover, these wait times could be a factor for whether an employer chooses a recruiter or not. Unlike Alberta and British Columbia, Ontario’s LSS does not provide a means to make the paperwork process easier for employers. For example, in 2007, changes to the LSS in these provinces introduced the Expedited Labour Market Opinion (e-LMO) to accelerate the application process in 12 “occupations under pressure” in Alberta and British Columbia, whereby complete applications from employers who qualify to participate are processed within five days of Service Canada’s receiving them (Nackache and Kinoshita, 2010:5). Lena told me: “Some growers will find out about the recruiter and tell the workers that he/she will attend to the paperwork/visa but oftentimes he doesn’t know how to do the paperwork. So they keep it until it’s too late and then when it’s too late, the worker has to go back home but he
doesn’t want to.” It appears that employers may be turning to recruiters since completing paperwork can be complicated and time consuming.

The Government of Canada must initiate dialogue and facilitate cooperation with the provinces and territories (Standing Committee, 2009: 11). Likewise, Albiom and Cohl (2012:63) support this, suggesting “Canada needs a strong national program that allows for regional responsiveness and variations or strong regional programs that adhere to a set of common national standards.” Criticisms have long-been made that temporary foreign worker programs are not serving Canada in the long-run, and are increasingly employer-driven; this points to the short-term focus of current Canadian legislation where certain groups of migrant workers lack protection while the rights of employers are favoured.

2. Bill 210 Extended to protect all Migrant Workers

In 2009, Ontario passed the “Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others)”, commonly referred to as Bill 210. This law provides live-in caregivers with protections against massive fees and deceitful recruiters, thus prohibiting recruiters from charging any fees. Individuals who violate Bill 210 can be liable upon conviction of fees up to $50,000 or one year imprisonment (Faraday, 2012). However, Bill 210 does not protect all migrant workers; temporary migrants who are working in agriculture, such as Canada’s LSS, are neglected. Tens of thousands of other temporary foreign workers and permanent residents also need protection from recruitment and other fees charged to workers for employment in Ontario (published on Rabble.ca). Workers who are being brought to Ontario under the temporary foreign worker program to work in agriculture, restaurants, hospitality and other sectors face huge fees to get jobs that often pay below minimum standards (Rabble.ca). Faraday
(2012) argues: “Ontario’s failure to extend this protection perpetuates the insecurity and feeds the myth that these recruitment abuses are isolated rather than systemic.” Though it is not clear as to how effective this bill has been for migrants, it can be viewed as a deterrent to recruiters.

According to Albiom and Cohl (2012:64), a lack of evidence-based policy decisions reveals that many changes made are based on anecdote and ideologies. Further, enforcement has been a major policy inconsistency by remaining uneven and lacking a target (Albiom and Cohl, 2012:65). There are areas desperate for enforcement action to protect vulnerable workers such as low-skilled temporary foreign workers. Albiom and Cohl (2012:66) argue “the public wants to know that the government is in control of immigration to Canada, that legislation is being followed, that people are not abusing the system, and that the system is fair”. One solution would be for the Government of Canada to create a temporary foreign worker advisory board comprised of various stakeholders to provide it with periodic feedback and recommendations. The advisory board should be given a broad mandate, including on-going monitoring, oversight, and review of the temporary foreign worker programs (Standing Committee, 2009:7).

It appears that recruiters have become central to the migration process in Canada. Thus, Canada has a duty as a humanitarian nation to extend Bill 210 to include all migrants, including those in the LSS, in order to protect the rights of migrants. Migrants should not be forced to seek out methods of coping such as teaming up with a liaison or recruiter or desperately trying to learn English. Legislation must be extended to guarantee that all migrant workers have effective protection against the charging of recruitment fees. This needs to involve employers whereby Ontario would adopt a system of
employer registration, recruiter licensing, and government inspection and investigation much like that of Manitoba’s Worker Recruitment and Protection Act Regulations. Bill 210’s protection must be extended to all migrant workers, regardless of the sector in which they work or the program under which they entered Canada.

**Alberta and Manitoba: Pioneers in Legislation**

Several provinces have introduced legislation to prohibit fees for all temporary foreign workers (Rabble.ca). In Alberta, employment agencies (includes recruiters) must be licensed and are prohibited from charging fees to foreign workers for finding employment. Manitoba’s Worker Recruitment and Protection Act (WRAPA) prohibits recruiters from charging fees to migrant workers. In April 2009, the Manitoba government implemented legislation that strictly prohibits charging fees to workers as part of the recruitment process (The Worker Recruitment and Protection Act, S.M. 2008). This act aims to protect migrants in two ways. First, it requires recruiters to hold a licence, stating: “no person shall engage in foreign worker recruitment unless the person is an individual who holds a licence under this Act that authorizes him or her to do so.” Second, it prohibits the use of fees with recruitment, stating: “an individual who is engaged in foreign worker recruitment must not directly or indirectly charge or collect a fee from a foreign worker for finding or attempting to find employment for him or her” (The Worker and Protection Act, S.M. 2008). In this province, third parties must provide an irrevocable letter of credit in the amount of $10,000 before they can receive a license, the money being used to return the illegal fees to the foreign worker should it be found that the worker was charged by a licensee (Nackache and Kinoshita, 2010:14). It must be noted that because legislation to protect workers against abusive recruiters exists, doesn’t
mean that abuse is not existing. There have been various media reports in these provinces which highlight exploitative working conditions and mistreatment of migrant workers by recruiters (Canadian Council for Refugees; Barnetson and Foster, 2012; UFCW).

Moreover, there are indications that some migrant workers in these provinces are still paying recruiters anywhere between $2,000-$8,000, with some approaching $20,000 (Nackache and Kinoshita, 2010:13). Though the legislation being used in Alberta and Manitoba is not perfect, there is an underlying deterrent to future recruiters that is inherent in the way migrant workers are viewed and treated. The message is clear: if caught practicing without a licence or charging fees, there will be consequences. Ontario lacks legislation that will deter unlicensed recruiters, and the result is that migrants lack protection if they are exploited. Thus, Ontario should model legislation after Alberta and Manitoba as a starting point for protecting all migrant workers in the province.

In Ontario, employers who wish to use the services of a third party representative (recruiter), paid or unpaid, must complete and submit the Appointment of Representative form included in the LMO application, and the Annex to Appointment of Representative Form (HRSDC, 2008). Employers must identify their representative and not simply the firm/organization employing this person. Further, individuals representing or assisting employers in exchange for compensation (e.g. money, goods or services) must be authorized under section 91 of the Immigration and Refugee Protection Act (IRPA), which means they have to be a member in good standing with a Canadian provincial/territorial law society (HRSDC, 2008). Employers are advised to visit Citizenship and Immigration Canada (CIC) to verify that a specific representative is authorized to represent them or provide immigration advice (HRSDC, 2008). My data
reveal that one recruiter is working directly with agencies abroad and earning massive fees from migrants. It is logical to assume that this recruiter is not complying with the above rules and regulations in Ontario and is not registered as a member of good standing, since he is earning fees from migrants for his services, which is not allowed under the program. However, this is speculation, since I did not interview this recruiter.

3. Open Work-Permits and Access to Permanent Residency

Open work-permits should be granted for all migrant workers within the LSS. If a migrant experiences abuse at work, he or she should be able to find work on another farm without fear of being reprimanded or deported and without having to turn to a recruiter. Migrants deserve the freedom to choose their place of work if they are not happy or are being mistreated. Being tied to one recruiter and one employer severely restricts the personal rights and autonomy for migrants and increases cases of abuse within the industry. Canadian citizens have the right to choose their workplace, and so should migrant workers. As Marianne told me: “The fight to unionize amongst migrant workers is not about money, it is about basic human rights.” Open work-permits should be the bare minimum standard within the industry, not something migrants are continuing to fight for. The reality of agricultural labour is that it fluctuates with the seasons. Thus, migrants need open work permits to cater to these fluctuations. My research shows that although migrants are being promised consistent hours at the same farm, this is not always happening; migrants and are being moved to different towns and cities for work and this exposes them to further risk while under the LSS.

Temporary foreign workers should also be eligible to apply for permanent residency, and this would include improving policy which would facilitate the workers’
long-term integration. This includes family accompaniment and work permits for family members (Standing Committee, 2009:13). Without citizenship, individuals cannot participate in the fundamental aspects of democratic life, including the opportunity to vote for the municipal, provincial or federal representatives who make decisions that affect their lives (Albiom and Cohl, 2012:69). As Tanya Basok notes, “[t] his draws attention to the contradiction in two citizenship principles--one linked to legal rights prescribed by international conventions and inscribed through international agreements and national laws and policies, and the other to membership in a community” (2004:47). The government has focused much of its efforts on the recruitment of economic immigrants who are the most mobile and least likely to stay in Canada.

This short-term economic focus means employers and provinces may be selecting workers they need now, while lacking consideration of the skills that are needed for the future (Albiom and Cohl, 2012:60). Faraday (2012:11) argues that migrants should have a right to apply for permanent residency after their work permits expire. A serious problem involves many low-skilled temporary workers who will never be eligible for permanent residence and therefore never be eligible for citizenship; this points to how Canada is less welcoming than it once was (Albiom and Cohl, 2012:70). Many migrants I interviewed voiced a deep desire to become permanent residents, despite not being eligible for this under the TFWP. All non-English speaking migrant workers I interviewed expressed a desire to learn English while in the LSS in order to improve their chances of acquiring permanent residency.

Changes must be made to the LSS that are not only employer-friendly but also worker-friendly. Academic research, community organizations, unions, policy papers, and the media are progressively shining a light on the dangerous and sometimes exploitative conditions under which migrants work. Thus, a rights-based framework is developing which highlights that migrants face enormous hurdles when it comes to accessing their rights (Basok and Curasco, 2008; Faraday, 2012; Walia, 2010; Preibisch, 2012). Faraday (2012:7) recommends a comprehensive plain language guide for migrant workers that would be made readily accessible outlining their rights through each stage of the labour migration cycle. Here, Faraday (2012) suggests that a written package must be provided to all migrants upon arrival in Canada, which details (translated into the languages where workers are coming from) the rules of the LSS, the rights migrants have while here in Canada, and a phone number that migrants can call if they have any problems. The Canadian government officials should provide, in writing, migrant workers with information about their rights, their employment, social and human rights in Ontario, mechanisms for enforcing their rights, and government and community organizations and services that are available to assist them in Ontario.

Under the LSS, migrants are not being informed as to how they can access these social services. English lessons should be provided, free of charge, to all migrants within the LSS. In addition, I suggest that a telephone hotline be put in place specifically for aiding migrants during times of distress; this should reduce the need for Canadian volunteers to step in and offer their personal time. Also, migrants under the LSS are already contributing to CPP with no chance of ever collecting it. My suggestion here is for the Federal government to take a portion of these contributions and put it towards
funding free and accessible English language classes for migrant workers in the LSS. Migrants want to learn English in order to communicate with their employers, become better employees, to educate themselves about their rights within LSS, and in some cases, to improve their chances of acquiring permanent residency (even though this is rare within the TFWP).

In my interviews, every migrant worker I interviewed told me that there is an absence of government involvement during their time under the LSS. I was often told that part of the reason migrants chose Canada rather than another country was because they assumed there would be more protections for migrant workers; yet, once in Canada, they quickly realized that this was not the case. Migrants are not able to access protection and security under the LSS and are turning to recruiters as a result. Recruiters cannot be left to operate freely, without restrictions and rules. Like in the SAWP, the Federal government must become more involved in the process of managing and administering migration, since this will decrease the need for migrants to turn to recruiters.

I strongly urge the federal government to pay attention to points of weakness within the management and administration of the LSS and look to SAWP practices as guidance for creating tighter regulation and monitoring against abusive recruiters. I suggest that policies must be developed by the Federal government with a focus on protecting the rights of migrant workers. Although it is not realistic to assume that Canada’s TFWPs should return to the practices of the SAWP, there needs to be more involvement with a long-term, national, cohesive focus on protecting the rights of migrants. Albiom and Cohl (2012:71) suggest that “Canada needs a long term vision to meet future needs, evidence-based policies that work under a national vision, public
engagement, and a focus which ensures Canada remains a welcoming environment’. This is not to say that going back to SAWP practices will equal less vulnerable workers, but tighter monitoring can alleviate the financial burden and stress that is being unnecessarily placed upon the shoulders of migrant workers under the LSS.

**Suggestions for Future Research**

This research creates many avenues for future exploration. First, researchers should interview additional numbers of South East Asian migrants under the LSS and from other areas in Canada. Addressing the differences and similarities between other migrants would add another dimension to this research, including learning more about what the major needs and concerns are from other migrants surrounding recruitment, and other ways migrants are coping while in Canada.

Second, if possible, the recruiters themselves need to be heard. Even though it is difficult to access recruiters, I urge future researchers to try to gain access to these individuals to add their perspectives to the literature. There is a lack of critical research about the ‘powerful’ and this needs to be addressed in order to acquire a more holistic understanding of the recruitment of temporary migrant workers in Canada.

Third, I am curious to know more about other coping mechanisms that migrants may be using within the LSS. According to my data, speaking English or turning to Lena are the best instruments for self-empowerment within the LSS amongst migrants from particular countries. However, there may be other tools that other migrants in the LSS are using to educate and empower themselves. It would also be beneficial to learn about the importance of speaking English for other migrants in the LSS.
Fourth, another avenue for future research would be to learn more about the international agencies (in migrants’ home countries) that are currently charging fees to migrants and facilitating migration to Canada. How do these agencies initially develop relationships with Canadian recruiters? How are these relationships maintained over time? Here, researchers could look more closely at how relationships are formed and maintained between these agencies and Canadian recruiters.

A fifth area of future research should centre upon the underemployment of migrants in the LSS. As mentioned earlier, migrants are not always receiving sufficient hours at their places of employment and are turning to recruiters to find them work with other employers as a result. This makes migrants more vulnerable to exploitation and reflects a major weakness within the operation of the LSS.

Finally, talking to banks in sending countries would be an excellent avenue to explore in future research. More research should be conducted about the role of banks and the role of the state in facilitating migration. More specifically, research could look at the possibility for state-facilitated development through relationships with banks that are lending money to migrants with high annual interest rates. The literature indicates that in the past few years there has been a resurgence in the issue of migration and development in migrant-sending societies (de Haas, 2008). Further, as the number of migrants is continuing to grow, the impact that international migration has on the development of sending societies becomes increasingly important. A World Migration Report by the IOM (2010: 3) suggests that “it is essential for governments to systematically engage adequate financial and human resources to ensure that governments and migrants reap the full potential of future migration”. An important question that needs to be addressed in future
research concerns whether banks are playing an active or passive role in facilitating migration. Do the banks know that the loans to migrants are being used to pay recruitment agencies? Are the banks aware that a portion of these fees are being used to pay recruiters in Canada?

Since my data reveals that government banks (and commercial banks) are issuing loans to migrants, it would be interesting to explore the ways in which sending states could become more involved in the development process by working with the banks that are lending to migrants. Since migrants are paying annual interest rates of 7 percent or more, perhaps with the state’s involvement, these rates could be lowered, or eliminated, in order to alleviate some of the pressure placed on migrants abroad. If states fail to implement effective political and economic reform, migration and remittances are unlikely to result in nation-wide sustainable development (Gammage 2006; Taylor et al 2006). Given this evidence that migration is good for development, it is important to consider the role of the state in facilitating migration, and exploring the possibility of a relationship between states and banks is a good way to start.

Limitations

As noted earlier, my position within this research, as an outsider and a white female, impacted the way this research was conducted and the answers I received. Hence, a process of reflexivity was practiced throughout in order to minimize the way I may affect the outcomes of this research. Although my data proved to be fertile, I am still an outsider, and this impacts what migrants will say, out of a need to protect their privacy.

Though I was able to present the perspectives of one liaison as well as two other support workers, not having the perspectives of the recruiter was a limitation in my
research. In my research, gaining access to Recruiter Paul and other potential recruiters was not possible. Recruiter Paul is extremely secretive, private and is unreachable. Even though migrants had his cell phone number, they warned me that he does not pick up his phone and only makes outgoing calls. Migrants told me that he is aware that people are “on to him”, so he keeps his distance from anyone other than the migrants themselves. Since I was unable to talk to this recruiter, I cannot present both sides of the story.

The inability of some migrants to speak English (or for me to speak their language) was also a limitation in my study. These interviews with Thais took longer and were more difficult to conduct because of the language barrier and the need to use a translator. Also, the interpreter’s English was good but not perfect. This may have created room for misinterpretation in some answers from participants. Had these migrants spoken English like the other migrants--or had I been able to speak their language--answers might have been richer and more detailed.

Another limitation in my study was the short time I was in the field. Since my research is based on a period of two and a half months, including only weekends (when migrants are not necessarily working), my research is time and place specific and does not reflect the situation for all migrant workers in Ontario or in the LSS. Thus, my findings should not be generalized. Although I still keep in touch with migrants, I was unable to follow up with migrants in my data, so a long-term look at how migrants maintain relationships with recruiters is absent. These data should be used as a starting point for future research about South East Asian migrants in Canada’s agricultural industry and their experiences of recruitment.


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