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# EMPLOYMENT

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**Filipino Community  
Leaders Conference**  
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ISSUE

# EMPLOYMENT

AND OCCUPATIONAL  
HEALTH & SAFETY

**Material compiled from:** Alberta Workers Health Centre  
(2017) New Alberta Workers: Improving health and safety:  
Improving workplace health and safety for temporary foreign  
workers and others new to Alberta workers.

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# CONTEXTUAL INFORMATION

Over the course of three years, the New Alberta Workers partnership of the Alberta Workers' Health Centre (AWHC), Multicultural Health Brokers Cooperative (MCHB), Ethno-Cultural Council of Calgary (ECCC 2015-16) and Workers' Resource Centre (WRC 2013- 15) developed and delivered occupational health and safety related public legal education (PLE) about rights and responsibilities under the Occupational Health and Safety Act to Temporary Foreign Workers and other new Alberta workers, including immigrants, Permanent Residents and refugees.

# 1 | KEY ISSUES

## PRECARIOUS WORK

- Many workers experience fear and insecurity in their workplace.
- Workers had limited trust in their employers or in government for protection.
- Concerns extended from worry about job security and immigration status to the protection of their rights as parents.

## STRESS AND HEALTH ISSUES:

- Stress related to financial and family issues are exacerbated for TFWs who are separated from their families, sending remittances home to support their families, isolated in community, and excluded from social programs that support quality of life.
- Negative health effects of workers engaged in precarious work include: risk of injuries, stress from low income and job insecurity, barriers to access to health and medical services, and personal stress

## LANGUAGE BARRIERS:

- Language barriers include: understanding instructions; holding employers accountable; building relations with employers; and asking for help and assistance. Language is required to build alliances and to participate in committees. In a sense, language barriers create employment “isolation” and all that follows.

# POLICIES IMPACTING THE SECTOR

## OCCUPATIONAL HEALTH AND SAFETY ACT, REGULATIONS AND CODE

- Based largely on the Internal Responsibility System (IRS) which is essentially an employer self-regulation model. It does not recognize that workers are often the least empowered in the system, and yet are tasked with holding their employer and the government accountable to ensure and enforce the conditions for health and safety in the workplace

## TEMPORARY FOREIGN WORKERS PROGRAM (TFWP):

- TFWs are at particular risk for abuse and exploitation in the workplace. The Temporary Foreign Worker Program (TFWP) and the International Mobility Program (IMP) are federal programs that bring in foreign nationals under work permits, jointly managed by Employment and Social Development Canada (ESDC) and Immigration, Refugees and Citizenship Canada (IRCC). The IMP

## EMPLOYMENT STANDARDS AND HUMAN RIGHTS:

- Basic protections under the Employment Standards Code (ESC) include the legal right to minimum wage, wages, overtime pay, and the right to a rest period. In a study by the Community Based Research, researchers found that many new Alberta workers experienced violations of the ESC. Specifically, these violations included:
  - Not having enough rest break
  - Not being able to refuse overtime
  - Not being compensated properly under terms of contract
  - Not being paid for time and mileage
  - Sexual harassment
  - Intimidation
  - Lack of protection

## 4 RECOMMENDATIONS

# FOR POLICY & PROGRAMS

### **The AWHC report advocates for the following policy and program changes:**

- a) Education and the NAW Broker model: The peer-to-peer model for worker rights public legal education should be funded and strengthened as an entrenched educational program to provide appropriate and accessible worker focused public legal education for new Alberta workers and other marginalized and precarious workers.
- b) Community organizations and not-for-profits should be funded to develop and support collective and community based new Alberta workers' networks to facilitate information sharing and to address emerging work focused issues.
- c) Unions should develop resources and processes that address and recognize the realities of their diverse membership.
- d) Amend the Occupational Health and Safety Act to require that employees receive health and safety information from employers in appropriate languages and literacy levels.
- e) The Government of Alberta should establish an Office of the Worker Advocate to advocate for and support workers to navigate Occupational Health and Safety, Employment Standards, the Workers' Compensation Board and other employment related government systems and resources.
- f) Mechanisms for increased worker participation in workplace health and safety should be legislated.
- g) Alberta's Labour Relations Code should be changed to make it easier for workers to form and join unions without fear of reprisal from employers.
- h) Access to worker related government services
- i) Domestic workers included under the protection of the OHA
- j) Open permits