

# Emergency Exit or Dead End ?

## An Analysis of the Impacts of the Open Work Permit for Vulnerable Workers in Canada

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# Context

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**In partnership with** | Réseau d'aide aux travailleuses et travailleurs migrants agricoles du Québec (RATTMAQ) - Québec, Migrant Workers Center - Vancouver, FCJ Refugee Center - Toronto.



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**November 2024**

# A Promise of Protection?

An assessment of IRCC decision-making under the  
Vulnerable Worker Open Work Permit program




By Amanda Aziz  
Migrant Workers Centre

March 2022



*Article*

## Band-Aid on a Bullet Wound—Canada's Open Work Permit for Vulnerable Workers Policy

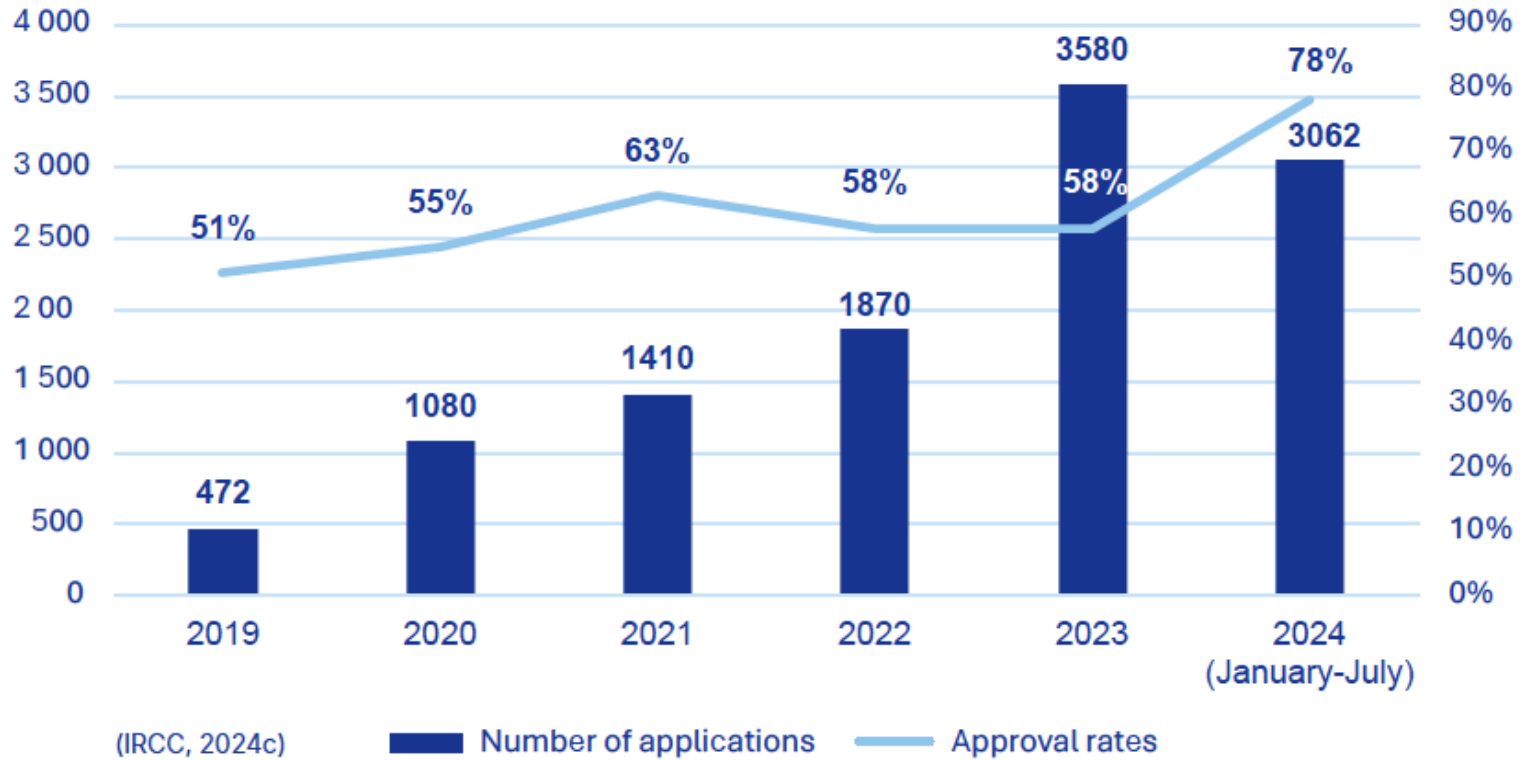
Eugénie Depatie-Pelletier<sup>1</sup>, Hannah Deegan<sup>1,\*</sup> and Katherine Berze<sup>2</sup>

**Published: 20 April 2022**

Objectives



## Number of VWOWP applications and approval rates from 2019 to July 2024





**Conseil des droits de l'homme**

Cinquante-septième session

9 septembre-9 octobre 2024

Point 3 de l'ordre du jour

**Promotion et protection de tous les droits de l'homme,**

**civils, politiques, économiques, sociaux et culturels,**

**y compris le droit au développement**

**Visite au Canada**

**Rapport du Rapporteur spécial sur les formes contemporaines  
d'esclavage, y compris leurs causes et leurs conséquences,  
Tomoya Obokata\***



# CONDITIONS FOR GROWTH: RECONSIDERING CLOSED WORK PERMITS IN THE TEMPORARY FOREIGN WORKERS PROGRAM

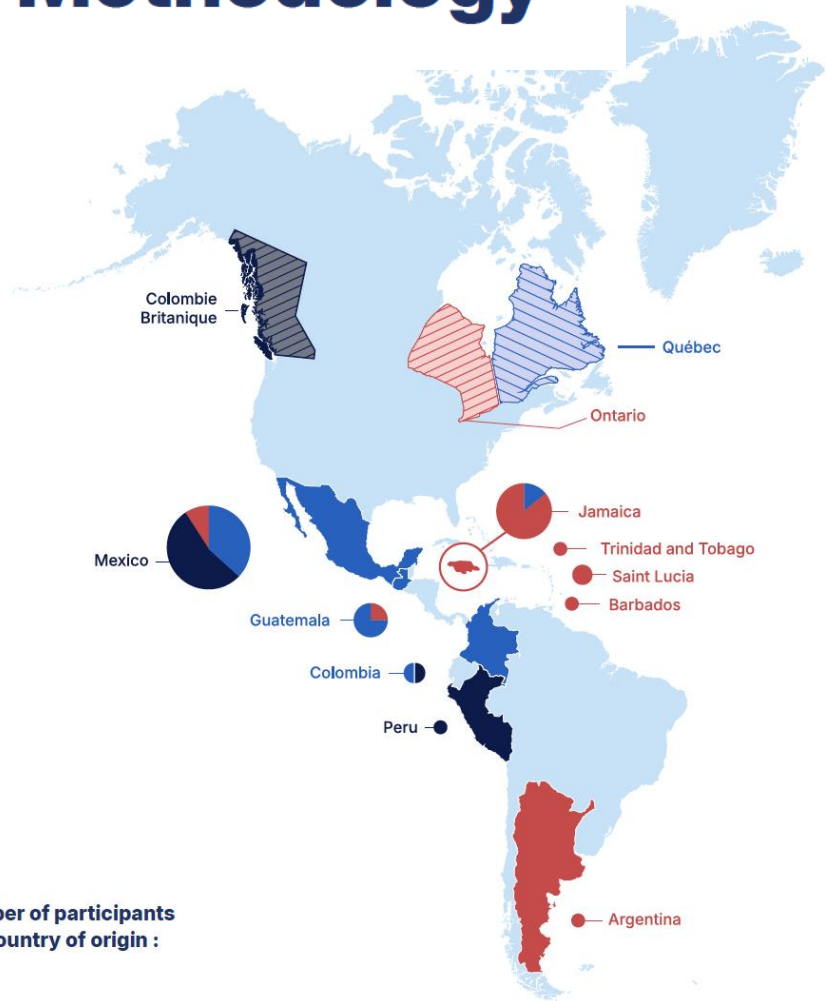
Report of the Standing Committee on Citizenship and  
Immigration

Sukh Dhaliwal, Chair



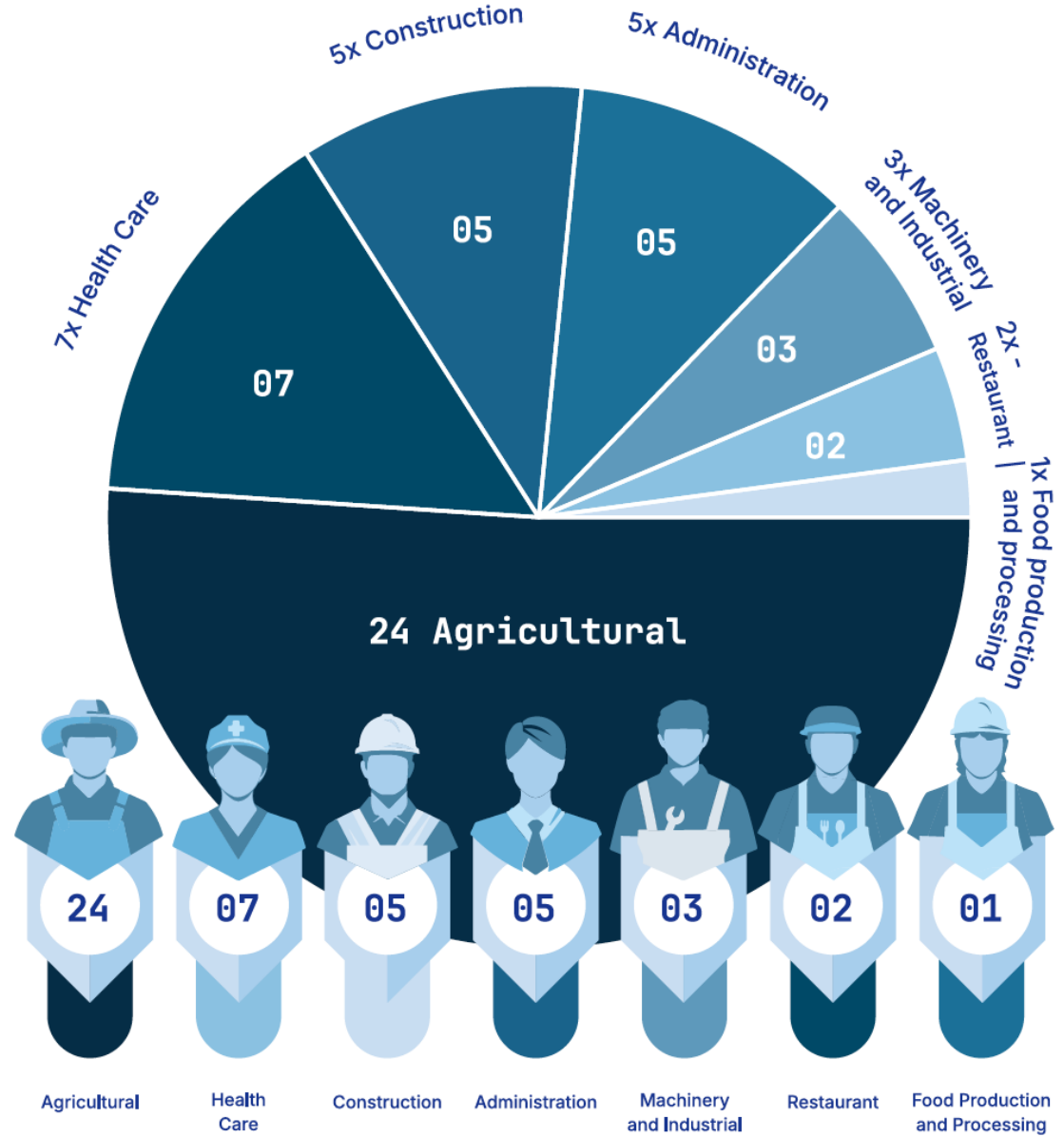
# Relevance of the research

# Methodology



Number of participants per country of origin :









## **1. Pre-application experience of VWOWP**

- **Long duration of abuse until the decision to leave**
- **Cumulative nature and diversity of kinds of abuse**

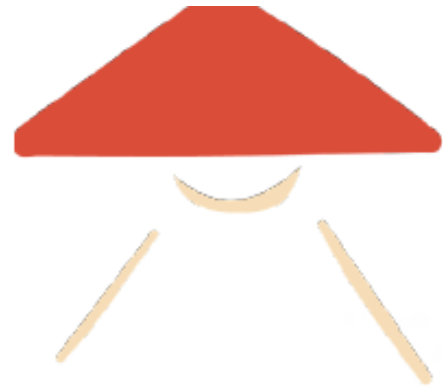
## 2. Application process for the VWOWP

- Lack of awareness of the program and inadvertent discovery
- Burden of proof
- Role of third parties

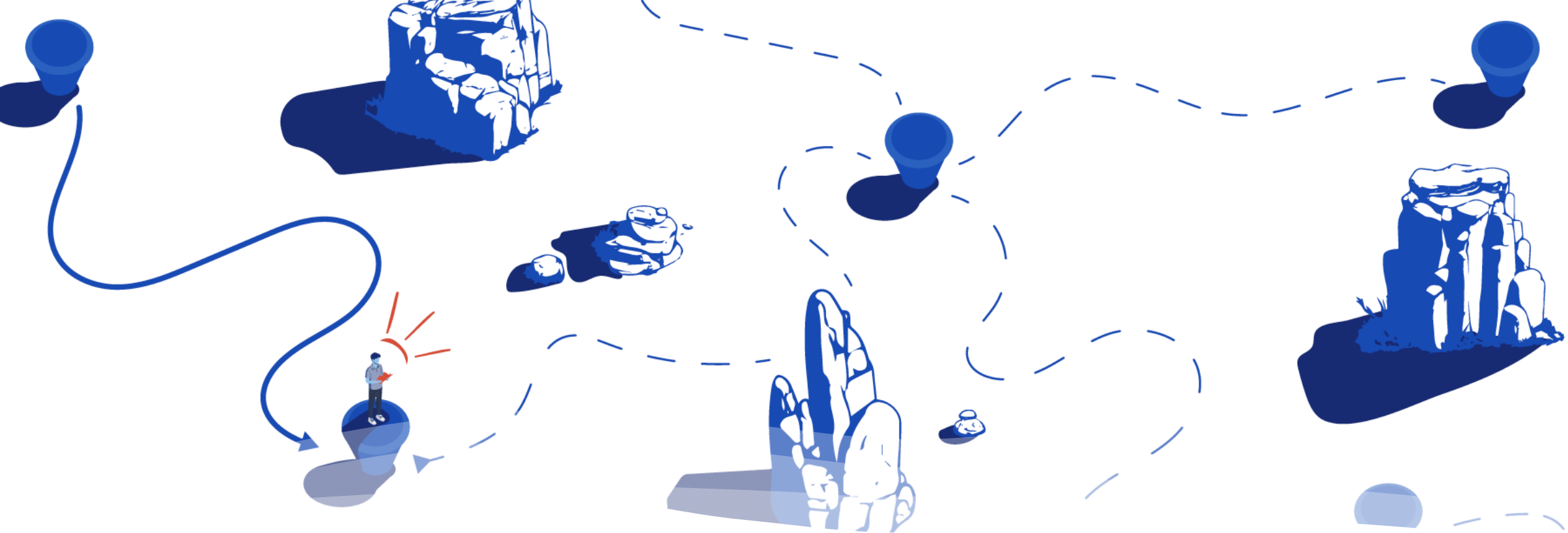




« When [the migrant worker] arrives here, he knows nothing about here and then the person that has to advise him is the employer. So he gives him all the negative advice that he can give in his own advantage. [The worker] is enslaved. We have no freedom, no freedom at all. We're going to the market, they are taking us to the market. [...] They will wait until you finish to take you back home, because they don't want you to ask anything from anybody. They don't want you to know about the outside world. They don't want you to know about Canada. The closed permit to me is just giving the employer the opportunity to enslave workers. »



“If you’re vulnerable, you can’t just start recording and say, ‘Hey, can you insult me, please, but do it here on the phone? I need proof.’ It’s really tough.”



### **3. Post-application experiences with the VWOWP : Encountering new vulnerabilities**

- **Sinuous paths of immigration status**
- **Economic survival and new employment**
- **Housing precarity**
- **Major psychological stress associated with the program**

*«After receiving the open work permit, it was still not just about getting the work permit. But it was about me. Mentally, it wasn't all that for me. I wasn't okay. [...] I was traumatized and it's like I did not want to go back to work and going through that same thing again.»*



“I can’t get any place right now, until I get a job. I need proof of income to get a place or to rent a place. If I get kicked out [from the employer’s accommodation], I got no place to go. I’d be homeless. So just.. if there’s any place that I can get free housing or something or even work there or something, I would. But I can’t get any place right now. I got no income...”

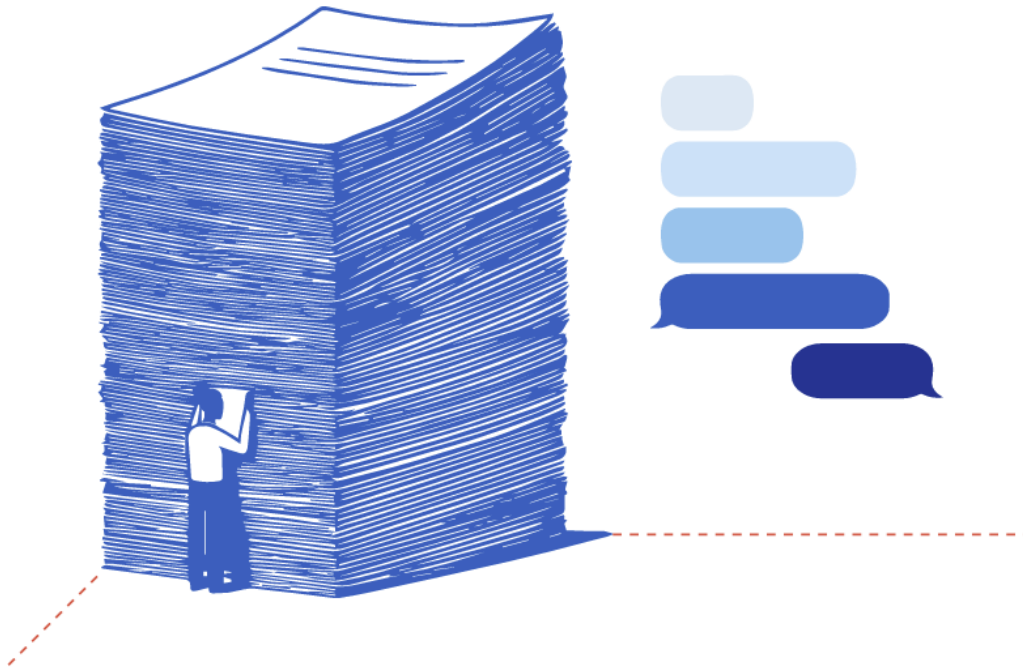


« [Le processus] est très long et même un peu cruel. Oui, d'une certaine façon un peu cruel parce qu'il nous fait revivre tout ce que nous avons vécu pour finalement nous dire : "Non, nous ne vous aiderons pas." Et ça, c'est cruel pour une personne qui vit réellement de la maltraitance. C'est comme si, d'une certaine manière, ils approuvaient le comportement de l'entreprise envers nous. Une personne qui a peu d'estime de soi va finalement penser "OK. C'est le traitement que je mérite en tant qu'immigrant." »



# Key findings

- Significant inequalities in accessing the VWOWP program
- Burden of proof vs. necessity to leave



**End of vulnerability to abuse?**

# Key findings

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**3. Unauthorized work to address program failures**

**4. Right to exit and institutional abandonment**



## Participants' Recommendations

- 01** Improving the Open Work Permit for Vulnerable Workers Program
- 02** Ensuring social benefits and access to essential services
- 03** Strengthening government accountability in protecting rights
- 04** Enhancing support for community organizations
- 05** Addressing the root of the issue: closed work permits

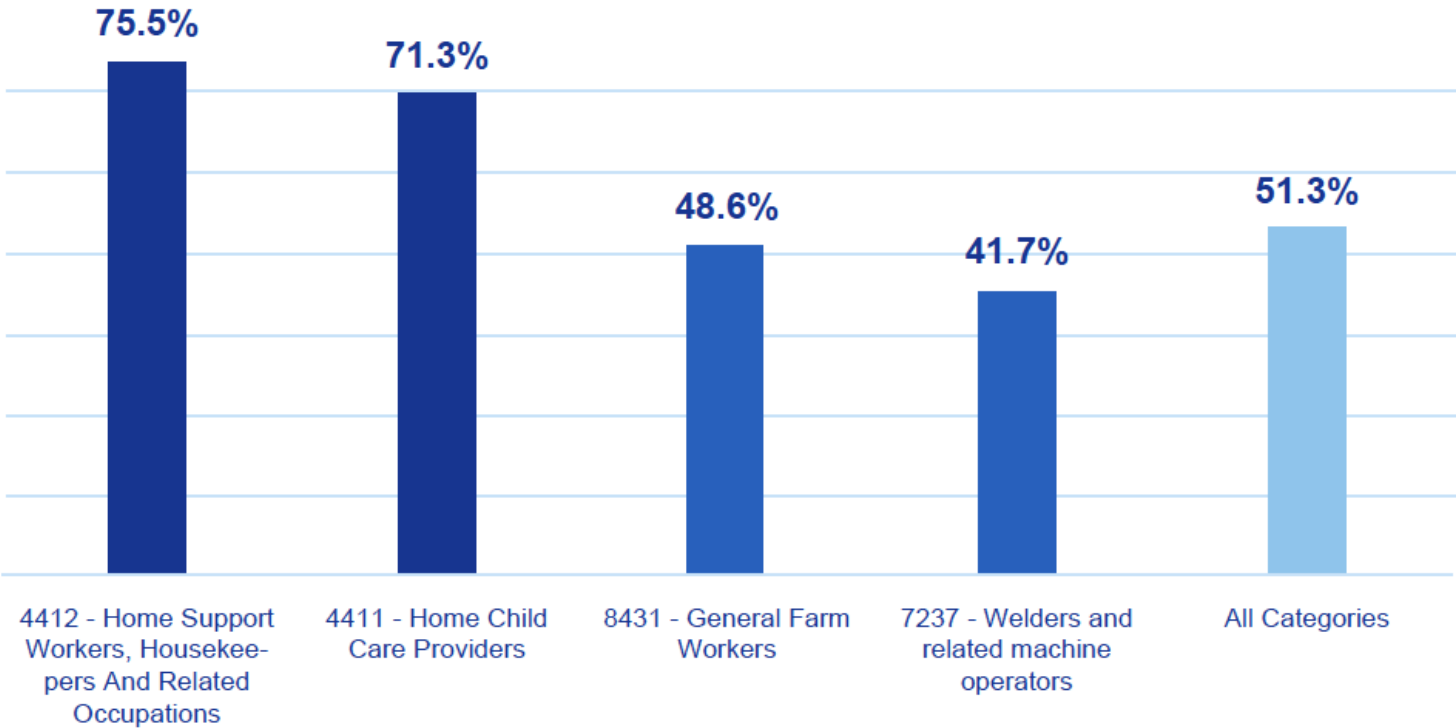
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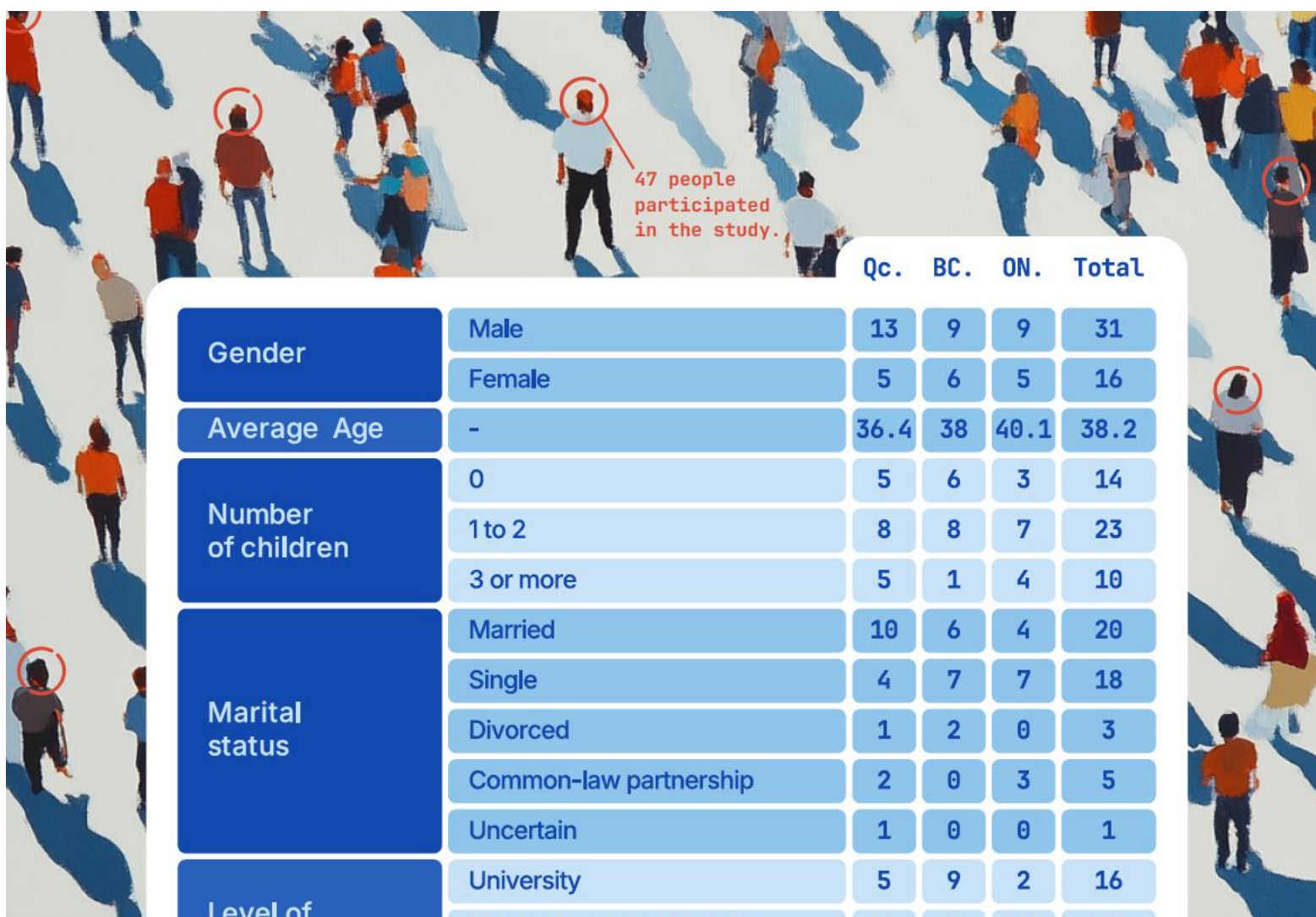


# Approval rate of PTO-V by NOC (in %) for the two highest and lowest categories

The NOC codes used in this chart correspond to version 1.3 from 2016.



(IRCC, 2021)



47 people participated in the study.

		Qc.	BC.	ON.	Total
Gender	Male	13	9	9	31
	Female	5	6	5	16
Average Age	-	36.4	38	40.1	38.2
Number of children	0	5	6	3	14
	1 to 2	8	8	7	23
	3 or more	5	1	4	10
Marital status	Married	10	6	4	20
	Single	4	7	7	18
	Divorced	1	2	0	3
	Common-law partnership	2	0	3	5
	Uncertain	1	0	0	1
Level of Education	University	5	9	2	16
	Secondary school or college	9	5	12	26
	Unfinished secondary school	4	1	0	5
Time spent in Canada	One year or less	1	5	2	8
	One to five years	17	7	9	33
	More than five years	0	3	3	6

Québec #12	Âge : 30	État civil : Marié	Années au Canada : 2 ans
	Nationalité : Guatémaltèque	Enfants : 2	Profession : Inconnu
	Genre : Homme	Éducation : Primero basico (secondaire 1)	PTO : Obtenu

