



# The Brief

Vol. 14 No. 4 | A publication of the NB Media Co-op | February/March 2023 | nbmediacoop.org

## Migrant workers in New Brunswick join nationwide calls for permanent resident status for all

By DATA BRAINANTA



Migrant workers and organizers from Migrant Workers Alliance for Change visited the Shediac office of Liberal MP Dominic LeBlanc on Dec. 16, 2022 with a letter calling for equal rights for all. Photo from Migrant Workers Alliance for Change.

On December 16, migrant workers and organizers from Migrant Workers Alliance for Change (MWAC) visited the Shediac office of Liberal MP Dominic LeBlanc to deliver a letter asking him to support permanent residency status for all in Canada. Migrant rights organizers say that such a move would benefit approximately 1.7 million migrants in Canada, including 500,000 undocumented people and their families.

LeBlanc represents a region of the province with some of the highest numbers of low-wage temporary foreign workers. The workers are employed in the province's seafood processing plants.

LeBlanc is also the Minister of Intergovernmental Affairs and is one of the fourteen federal Ministers in the Cabinet Committee on Economy, Inclusion and Climate "B" that are meeting to discuss who and how many people will be granted residency status.

"We are asking the ministers to give equal rights for all the migrants; workers, students. We want all migrants to be included, no caps and no exclusion," explained Niger Saravia, an organizer with MWAC, to staff at the Minister's office.

LeBlanc was in Ottawa and not available to meet with MWAC and the migrant workers but that did not deter the group from delivering the letter and making a statement outside his office. They held signs that said, "Status for all!", "No exclusions. Regularize everyone!"

Regularization involves legalizing or "regularizing" the immigration status of people with no or precarious immigration status in the country.

Saravia further explained to LeBlanc's staff, "A year ago, Prime Minister Justin Trudeau, in the Mandate Letter sent to Immigration, said that he was going to regularize immigrants, and he hasn't done it yet... We are here, and we are going to be here until you do something about it."

One of the migrant workers, who wishes to not be named, added, "It's not easy to be here working and have no rights."

The letter, endorsed by hundreds of organizations across Canada and signed by organizations in New Brunswick such as the Madhu Verma Migrant Justice Centre and the Filipino-Canadian COMMUNITY of New Brunswick, asks the federal government to treat all migrants equally and consider the undocumented people, mostly racialised, low-waged, and disproportionately more women, in their plan to regularize the status of people in Canada.

Migrants have often been praised as the lifeblood of the Canadian economy, paying taxes but not receiving services accorded to citizens and permanent residents.

However, more than a million of them do not have equal labour rights or access to the same kinds of social services such as health care provided to Canadian citizens and permanent residents.

Migrant justice advocates say that regularization, ensuring permanent residency for all migrants, will improve labour conditions as employers will not be able to easily threaten workers with deportation, making it more difficult to hire workers informally or for cash payment, forcing employers to follow existing regulations.

Considered key to economic growth and labour mobility, regularization programs were implemented by 24 of the 27 member states of the European Union from 1996 to 2008, affecting an estimated 5.5 to 6 million people.

The number of migrant workers coming to New Brunswick has increased over the years. According to Statistics Canada, in 2021, there were 3,628 people working under the federal Temporary Foreign Workers Program in New Brunswick's agriculture and agri-food sector, including seafood processing.

One of the migrant workers outside LeBlanc's office was an elementary school teacher in Mexico before coming to work at a lobster plant in Shediac as a temporary foreign worker in 2021. She holds a closed work permit which means she cannot switch employers if she wishes.

She gets paid \$17 an hour and works 10 hours a day without any day off during busy summer months.

"They don't treat you well. They shout. You're not human for them," said the worker whose employer is also her landlord and deducts her rent from her wages.

"They are going to the house and they check how you live, how you clean, everything. You cannot have visitors there... If you get sick, they'll say take a pill and come to work. It's hard to ask them to take you to the doctor. They don't want to lose time with that kind of thing. Because that's time for them that you're not working," she said.

In the spring of 2022, the worker applied and got a 6-month open work permit through a government program for workers who experience or are at risk of abuse by their employers.

Today, the woman interviewed works 12 hours a day for a vegetable food-processing company that pays her less but she has days off and she says she is treated better. Unfortunately, her open work permit has expired.

"The open work permit for vulnerable workers is not renewable. Once you get it and it's expired, you're in limbo. We have talked to a lot of workers in the same situation," explained Sonia Aviles, another organizer from MWAC.

## First Nations in New Brunswick among 250 Indigenous communities experiencing long-term water advisories

By DAVID GORDON KOCH

A map of the country is riddled with blue markers, each one pointing to a First Nation that has been affected by a long-term drinking water advisory, meaning that it lasted more than 12 months.

In recent years, the number of communities with unsafe drinking water has dropped, but the long-running problem has remained a source of embarrassment for Canada — and a hazard for residents of the affected communities.

Now, funds from a massive class-action suit are meant to address ongoing problems with drinking water on reserves and compensate people and communities affected, although statutory limits mean that many individuals aren't eligible. The deadline for claims is coming up on March 7.

### More than 250 communities across Canada affected

In December 2021, the federal court and Manitoba's Court of Queen's Bench approved the \$8-billion settlement between Canada and First Nations affected by drinking water advisories that lasted more than one year.

The class-action settlement applies to "boil water," "do not consume" and "do not use" advisories.

An interactive map on the website for the class action shows locations across the country known to have long-term drinking water advisories during the time frames covered by the settlement.

In New Brunswick, they include Tobique, Woodstock, Oromocto, Buctouche, Indian Island, Eel Ground, Pabineau and Fort Folly First Nations.

The settlement includes \$6 billion to deal with ongoing water infrastructure issues on First Nations land, along with \$1.8 billion in settlement funds for First Nations and their individual members.

### Roughly \$1,300-\$2,000 per year without safe water

The claims period covers water advisories from November 20, 1995, until June 20, 2021. The amount available per person depends on a number of factors, said Jaclyn McNamara, legal counsel with Toronto-based OKT Law.

"The rough amounts [per person] are about \$1,300 per year for a boil water advisory, \$1,650 per year for an order not to consume the water, and about \$2,000 per year for a 'do not use' advisory," she said.

Other factors include the number of people who make claims, the length of time living under an advisory and whether the community is located in a remote location.

First Nations that opt into the settlement can also receive \$500,000 and an amount equal to half of damages paid to individual members, McNamara said. People who suffered injuries related to unsafe water can also receive additional compensation.

"There's no amount of money that can compensate for the harms that people experience living under these kinds of long-term drinking water advisories," McNamara said, "And those harms are extraordinary."

"We've got a commitment from Canada to make all reasonable efforts to ensure the class members have



A map shows Indigenous communities across the country known to have experienced long-term drinking water advisories during time frames covered by a legal settlement between Canada and First Nations. Screengrab: [firstnationsdrinkingwater.ca](https://firstnationsdrinkingwater.ca)



# Mock funeral held to mourn death of rental control in New Brunswick

By ARUN BUDHATHOKI



ACORN NB members held a mock funeral in downtown Moncton on January 3, 2023. Photo by Serge Landry.

Rent control supporters paraded a coffin draped in a New Brunswick flag in downtown Moncton on January 3, part of a mock funeral to protest against the province’s decision not to renew the rent cap.

The mock funeral held by ACORN NB, a tenants’ union for low- and moderate-income people, had members as mourners dressed in black, marking the end of the temporary rent cap, which limited rent increases at 3.8 per cent.

It expired at midnight on Dec 31, 2022.

“The casket was basically to represent all the thousands of dollars” that tenants stand to lose, the sacrifices they will make, and the struggle to survive, said Peter Jongeneelen, co-chair of ACORN NB, in an interview with the NB Media Co-op.

The New Brunswick government introduced Bill 25 on Nov. 24, 2022, to amend the Residential Tenancies Act, but the legislation did not extend rent control.

The rent cap was introduced last March in response to tenants’ complaints about rent increases reaching upwards of 50 per cent.

The government appears to have deleted a page about the rent cap from its website.

Jongeneelen said the decision not to renew the rent cap is a “direct insult to tenants who are struggling to survive” at a time when inflation is high and their incomes aren’t keeping apace.

The Higgs government had faced criticisms for giving leeway to landlords last year by granting “a 50 per cent reduction in the provincial property tax rate for non-owner-occupied residential properties and a 15 per cent reduction for non-residential properties and other residential properties.”

“To give them tax breaks, at 50 per cent and then say no, we can’t extend the rent cap, it makes no sense,” Jongeneelen said.

“If they had come out when the rent cap was introduced and said, three years of tax breaks for the landlords and three years of rent control for the tenants, that would have been fair, it would have been balanced.”

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Jongeneelen said tenants should not hesitate to complain and contact the Residential Tenancies Tribunal if they find themselves on the receiving end of a big rent increase.

CBC reported last December the province’s housing minister is mulling over new legislation that could force landlords to seek permission if they wish to increase rent above certain thresholds.

However, Jongeneelen says that the provincial government has sided with the landlords and has failed to understand that unaffordable housing will result in people leaving the province and a surge in homelessness.

The province’s population reached 800,000 last year but uncontrolled rent increases could be an Achilles heel to sustaining continuing population growth.

“We’ve seen new immigrants to the country arrive in New Brunswick, live here [for] two, three years. And then what happens is, they can afford to live cheaper in PEI, Nova Scotia, Quebec, Newfoundland. So they’re moving there, and they’re leaving the province.”

Government spokesperson Bruce Macfarlane provided this statement to the Sackville community radio station CHMA:

*“Please note the rent cap was first announced on March 22, 2022, and came into effect upon Royal Assent on June 10, 2022. The RTT marketing campaign aimed to inform tenants of their rights and where to go for help began in December 2021.*

*“Once a tenant applies to have a rent increase notice reviewed, the Residential Tenancies Tribunal will review the new rent amount to ensure it is within market value comparable to rental amounts in similar units in the same building and neighbourhood. This includes the size and condition of the unit, number of rooms and bathrooms, amenities included in the rent, age of the building, and recent renovations, if applicable. New rent amounts found to be outside of market value will be denied.*

*“Legislation came into effect on December 16, 2022, that allows new rent amounts that are significant and within market value to be phased in over 2 to 3 years. Also, tenants now have 60 days, instead of 30, after being served a notice of rent increase to apply for assistance from the Residential Tenancies Tribunal. Extending the application period for rental reviews to 60 days allows more time for tenants to seek help to ensure the increase was correctly served, meets all legislative requirements and is within market value. The Application for Assistance can be accessed online [www.snb.ca/irent](http://www.snb.ca/irent), by calling 1-888-762-8600 or by emailing [irent@snb.ca](mailto:irent@snb.ca).”*

Arun Budhathoki is a video-journalist with the NB Media Co-op. This project has been made possible in part by the Government of Canada, administered by the Canadian Association of Community Television Stations and Users (CACTUS).

## Environmental Praxis Lecture Series

Join St. Thomas University’s Environmental Praxis Class this winter for an online interdisciplinary lecture series at 8:30 AM Atlantic time. Co-hosted by the NB Media Co-op and RAVEN.

- Tuesday, January 31 - **Sarah Agustiorini** on How People on Borneo Survive Coal and Climate Change
- February 9 - **Josephine Savarese** on Honouring Chantel Moore: Considering Policing Violence, Indigenous Mothering and Ecological Praxis
- February 16 - **Jenn Wambolt** on Building Community with the Wil-Doo Community Bike Club
- February 28 - **Terry Ann Sappier**, Wolastoqi land defender, on Protecting Miramichi Lake and the Heart of the Land
- March 16 - **Suzanne Fournier**, Executive Director of the National Farmers Union – NB, on Farmer Opposition to Potash Mining in New Brunswick

For the Zoom link or for more information, contact Tracy at [tglynn@stu.ca](mailto:tglynn@stu.ca).

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## Nation-wide calls for permanent resident status for all

According to Aviles, the majority of undocumented people lose their work permit or status due to various reasons, including the immigration system that is so deficient and behind.

The workers choose to stay in Canada because their families back home depend on their income as they struggle with security issues and climate change that disproportionately affect poor communities and farmers.

According to Saravia: “At the end of the day, the government knows that all these abuses are happening, but they’re not doing anything.”

Aviles added, “The government has shown that they can give people permanent residency status. They just refused to do it because, of course, there is a lot of economic power. A lot of employers don’t want this to happen because they want a labour force that they can dispose of. They don’t want people to have full rights because people that have permanent residency have more freedom. It’s about people having full rights.”

Aviles wants everyone to be included in the regularization plan, including international students who pay two or three times as much in tuition as Canadian citizens.

“We’re focusing on all migrants because they all have one thing in common. They come to Canada with temporary permits that make them easily exploitable,” said Aviles.

*Data Brainanta is a contributor to the NB Media Co-op.*

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## Indigenous communities experiencing long-term water advisories

regular access to safe, clean drinking water in their homes, and have enough of that drinking water to do all the things that Canadians use drinking water for.”

### Statutory limits exclude many from settlement

McNamara said about 262 communities that may be eligible had been identified by December.

But the settlement has attracted criticism because a federal statute of limitations means that many people are excluded from the settlement package.

Leaders from an Oji-Cree First Nation in Ontario recently spoke out when they learned the majority of people affected in their remote community wouldn’t qualify, the CBC reported.

Generally speaking, anyone over the age of 26 wouldn’t be eligible, McNamara said.

That’s because there’s a limit on how long adults have to launch legal action following a given incident, but the clock doesn’t start ticking until the age of 18.

“It’s really hard for a lot of people to have suffered under these drinking water advisories and to not be eligible for compensation under this class action,” McNamara said.

Exceptions exist for people with mental or physical conditions that prevented them from coming forward with a claim, she added.

### More than 30 communities still under long-term advisories

Thirty-two drinking water advisories lasting more than one year were ongoing in 28 Indigenous communities by December 29, 2022, according to the latest update from the federal government.

One hundred and thirty-seven long-term water advisories have been lifted since November 2015.

McNamara expressed hope that a new sense of urgency about the issue will lead to clean drinking water in all communities. “Hopefully we’ve moved forward on that path,” she said.

*David Gordon Koch is a reporter for CHMA and the NB Media Co-op’s part-time manager. This reporting was made possible by CHMA in Sackville, with funding from the Local Journalism Initiative and CHMA’s local community partners. Please consider supporting community radio by donating to our friends at CHMA. Visit: <https://www.chmafm.com/>.*