

# Moncton lawyer raises alarm on foreign worker issue

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If you live in Metro Moncton and surrounding areas, you've probably noticed a big change in the work force wherever you buy fast food.

A large contingent of foreign workers, mostly from the Phillipines, has energized many quick service restaurant outlets in the area.

And while anyone should be cautious about ever making sweeping generalizations, even positive ones, about any ethnic group, it's being noticed our fast food experiences have benefitted lately from the work ethic of staff who have lived most of their lives in places where living standards are not as high as ours.

When you consider that fast-food work is now considered undesirable enough in even a have-not province like New Brunswick that we have to import workers from the other side of the globe, you get some idea of how local people might not be quite as enthusiastic about going to work as those foreign workers for whom New Brunswick's minimum wage and fast food's hard work seem like a pot of gold at the end of the rainbow.

But like a rainbow, the good thing we have going here, for ourselves and the workers who have come here from faraway lands, is in danger of slipping away.

So says Moncton lawyer Nicole Druckman, who specializes in immigration law. Druckman has helped many of our area's foreign workers and immigrants come here and get established, with mostly great success. And when one family's plans to stay in Moncton last year went awry, Druckman led the legal to right a bureaucratic wrong that would have seen them deported to Korea for having a medically vulnerable family member.

Now she's raising the alarm about another bit of government regulation that is starting to have profound effects on many of the newcomers aging, shrinking New Brunswick so badly needs.

Every province has a provincial nominee program that allows foreign workers to come to Canada and fill jobs there are not enough native born Canadians able or willing to fill.

According to the federal government, about 90,000 foreign workers enter Canada every year. In 2008, more than 6,000 of them came to Atlantic Canada, a now four-year-old number that seems certain to have grown.

And though it's understood that foreign workers are only to stay in Canada for a temporary period of time, federal immigration law allows what's called "dual intent," the idea that someone coming here to work would also like to become a permanent resident and citizen one day.

It's of course easier for foreign workers with high level skills to get residency than those who are here as domestic workers, fish plant processors or working fast food. These lower skilled jobs, C and D level jobs in what's called the National Occupational Classification matrix, or NOC, could of course easily go to Canadian citizens if the economy cooled off and more citizens felt they had to take whatever they could get.

Druckman is one of those who is starting to question the priority we put on attracting quite unquote highly desirable immigrants who come here with investment capital to start businesses or high level professional skills we desperately need.

With New Brunswick's aging, shrinking population already a threat to our economic well-being and poised to reach a crisis point within a decade, she thinks there's plenty to be said for getting our numbers up with unskilled workers too.

She recalled how her own grandparents lived that common immigrant dream, coming to Moncton from Lithuania with little formal education, working hard and watching their children and grandchildren become successful professionals.

It's the sort of thing she'd like to see for our area's burgeoning community of Filipino foreign workers.

"I haven't met one Filipino who doesn't have the dream of staying in Canada," Druckman says. A high percentage have children back home they're supporting, but of course also missing.

That was a possible dream for area fast food workers, until the Province of New Brunswick decided earlier this year to remove fast food workers from eligibility to apply for permanent residency.

Manufacturing and processing workers, including those in our fish plants, can still apply.

Ironically enough, many of our Filipino fast food workers first came here to work in the fish plants, but have ambitiously made the jump to fast food as a way to better themselves and their situations.

"A few months ago this dream has basically gone," says Druckman. "It's created a huge mess and it's getting worse and worse."

She clarifies that the workers themselves can get their Canadian dream back on track simply by moving to any of the other provinces, and notes Newfoundland, with its vastly improved economy thanks to offshore oil, will likely benefit the most.

One of those feeling the impact is a local restaurateur who's also speaking out.

"We have a high turnover in the fast food business," says Yves Robichaud, who owns three Dairy Queen restaurants in southeastern New Brunswick. Because it can cost a business an average of \$1,500 to hire a worker, it obviously gets expensive if workers don't stick with their jobs. Raises to the minimum wage and rising food costs have been a challenge for the industry too.

"The bottom line was better in 2006," than it is today, Robichaud says.

But then came hope in the form of foreign workers, predominantly from the Philippines. There are foreign workers from a number of other countries, many from eastern Europe, in our communities these days, but Filipinos are predominant in our fast food restaurants.

"They're loyal workers, happy to come to work. Instantly, the atmosphere changes," he says, describing how wonderful it is for him, his other employees and his customers to meet with such hard work and enthusiasm.

"They're looking into provinces now," he says of his employees.

Robichaud may be very upset with the system, but says he not upset with his employees who seem destined to leave him soon.

"They're in survival mode. You have to put yourself in their shoes. I don't blame them."

The problem is certainly not limited to Robichaud's enterprises.

"It's hurting the whole quick service restaurant business," he says.

The Times & Transcript attempted to interview some of the foreign workers, but questioning government, the right we Canadians take almost for granted, proved too frightening for workers who want nothing more than to become Canadians.

"They're scared," Robichaud says.

Unfortunately, it wasn't possible late Friday or over the weekend to hear the rationale for changing the nominee program. Comment will be sought for the Department of Post-Secondary Education and Labour this week.

"The dream is all gone for New Brunswick, but rest of Atlantic provinces should be happy," says Druckman. "I don't think New Brunswick intended to do this, but that is the impact."