



Migrant Workers
Alliance for
Change

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The Hon. Sean Fraser
Minister of Immigration, Refugees and Citizenship Canada (IRCC)
House of Commons, Ottawa, Ontario K1A 0A6

*Cc: Olga Radchenko, Director of Policy to Minister of Immigration, Refugees and Citizenship,
David Cashback, Senior Director, Strategic and Horizontal Policy and Planning Division.*

April 13, 2022

Dear Minister Sean Fraser,

Renewable Post Graduate Work Permits and an End to 20 Hour Work Limit for Students

My name is Sarom Rho and I am the National Coordinator of Migrant Students United (part of the Migrant Workers Alliance for Change), an organization of current and former international students in nine provinces, and the only national representative body of migrant students in Canada. **I am writing about the urgent need to make post-graduate work permits (PGWP) permanently renewable as well as to remove the 20 hour work limit for students, and ensure permanent residency for all.**

Renewable Post-Graduate Work Permits

As you know, in January 2021, IRCC allowed graduated international students to apply for an open work permit after their PGWP had expired. This change was made because “the pandemic’s disruption and uncertainty [had] jeopardized their (International Students) chances of obtaining the work experience they need to apply for permanent residence.” This program expired in November but the disruption caused by the pandemic did not. In May of 2021, the Temporary Resident to Permanent Resident (TR to PR) program was created with 40,000 spots for graduated international students. These spots were filled within 27 hours of the program opening.

Making the PGWP permanently renewable is still urgently needed because:

1. We are in touch with more than a thousand of graduated international students who applied for permanent residence through the TR to PR and Express Entry programs but have not had their applications marked completed. They, along with many others, are not able to apply for Bridging Open Work Permits but their PGWPs are expired or expiring. Some have been forced to leave the country, and others may have to do so soon or remain in Canada undocumented.



2. While the unemployment rate today is low, migrant student workers must complete at least one year of high-waged (National Occupational Classification - 0, A or B) work experience to qualify for the Canadian Experience Class. The unemployment rate for visible minority groups was 9.4% a year ago. While many graduated student workers are working now, they have not completed the one year required in NOC 0, A or B, and will not be able to before their permits expire.
3. There are labour shortages in multiple industries. Many migrant student workers have lived here for years, built relationships, and are now working in key sectors. Those whose permits have expired have already been forced to quit their jobs, many others will have no choice but to do the same in the coming months. Making post-graduate work permits renewable will ensure that employers are not forced to recruit and re-train in the current climate.
4. There have been no draws in the Canadian Experience Class program under Express Entry since September 2021. Many migrant student workers who have completed their requirements and have applied are waiting for draws as their permits expire or are expiring.
5. Migrant student workers who remain in Canada after their work permits expire are either forced into irregular work, and face labour rights violations because of their increased precarity. Those who stay in the country on employer dependent work permits have reduced ability to assert their rights because they no longer have labour flexibility.

It is crucial that new changes to make PGWP permanently renewable include:

- Graduated international students whose work permits have already expired: The extension to restoration periods in 2020 and 2021 no longer applies, and some graduated students have already become undocumented. They should be able to access renewable PGWPs;
- Graduated international students who are not in Canada: Many student workers were forced to leave so as to not remain in the country without valid immigration status. They should be able to apply for this permit too;
- Permanent renewability for future international students: Giving migrant student workers the ability to renew PGWPs is a necessary step to ameliorate exploitation and ensure a fair and productive workforce.

This includes people like Minzi Wataoka who graduated from a journalist program at Ryerson University in 2019. She was unable to apply for the TR to PR program because she did not have her English language test results in time. Her PGWP is expiring soon but she was only able to secure serving jobs during most of COVID-19 and has not amassed the NOC - 0, A or B work experience required. She told the [Toronto Star](#), "We are only given three years to figure out our



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life, to find work and start a career. We are constantly on survival mode, moving from one temporary status to another. There's no time to breathe. So why all the deadlines? We are not criminals. We are just trying to live a life that we want. We are trying to pursue a dream here."

Without a swift resolution to these concerns, many migrant student workers face a worsening mental health crisis.

Removing the 20-hour work limit for International Students

Migrant students in public post-secondary education can only work 20 hours off-campus without a work permit. The most commonly stated reason for this limit is so that international students continue to focus on their studies instead of work.

However, there are number of reasons why the 20 hour work limit should be removed including:

1. Average structure of work: An average work shift is 8 hours, migrant student workers who take a third shift, are effectively working irregularly for 4 out of 24 hours. Two shifts add up to 16 hours, which are simply not sufficient, and part-time work is generally considered 3 days a week. The 20 hour work limit effectively forces workers to engage in irregular work, outside of labour law protections.
2. Migrant students are working past 20 hours already, just without rights: International tuition rises each year, and particularly in the context of global inflation, migrant students must work to survive. Many are forced to work more than 20 hours, which increases their vulnerability to labour exploitation, and makes it harder for them to pay taxes.
3. There is already precedent: In 2020, international students in Canada in essential industries were allowed to work an unlimited number of hours. As of February 2022, Australia has removed the 20 hour restriction on study permit holders.
4. Self-determination and flexibility: The academic cycle has ups and downs. Migrant students want to have the ability to work more during periods of lower intensity, and not at all during exam season. Removing the limit allows students the flexibility and freedom to make their own decisions.

Valuing all work and ensuring permanent resident status for all

Making post-graduate work permits permanently renewable, and removing the 20 hour work limit will make immediate improvements in the lives of migrant student workers, but also the rest of our society and communities. It will ensure improved labour rights for all.



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In addition, we want to reiterate that for most migrants, permanent residency is not simply about whether they live in Canada permanently or not. Rather it is a mechanism through which they can access their basic rights. Without permanent residency, migrant students must pay high tuition fees, face labour exploitation, may not be able to access health services or have their families join them, and are denied equal rights.

While only NOC 0, A and B work experience qualifies migrant student workers for the Canadian Experience Class, many are engaged in low-waged, NOC C & D, essential work. These are the jobs that ensure that our communities kept functioning through the worst of the COVID-19 pandemic. But this work experience, along with work experience gathered while working on a study permit, or work experience when workers are undocumented is not valued.

As per your mandate letter, you've been asked to "Expand pathways to Permanent Residence for international students and temporary foreign workers through the Express Entry system." We believe that this can happen by creating a low-waged (NOC C and D) stream for all migrants including current and former study permit holders. We are available to speak with you on these matters.

Please let me know if we are able to meet to achieve a quick resolution to the urgent matters outlined in this letter. I can be reached at sarom@migrantworkersalliance.org and 647-858-2854.

Thank you.

Sarom Rho
National Coordinator, Migrant Students United