



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, Chief of Staff, Minister of Immigration, Refugees and Citizenship,
David Cashback, Senior Director, Strategic and Horizontal Policy and Planning Division.*

May 17, 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 ensure that the newly announced open work permit program does not exclude any graduated student, that post-graduate work permits (PGWP) be made permanently renewable, the 20 hour work limit for study permit holders is removed, and to call on you to ensure permanent residency for all.**

Renewable Post-Graduate Work Permits

We are pleased that on April 22nd, you announced that international graduates will be able to apply for an 18 month open work permit. We have been raising concerns about expired and expiring post-graduate work permits since November 2021, most recently in our letter of April 13th.

However, migrant student workers are deeply concerned that according to a tweet by IRCC on April 22nd, this new work permit is only available to those whose "post-graduation work permits expired or are expiring between Jan 31, 2022 and Dec 31, 2022". We are writing to insist that the open work permit must be made available to any migrant student worker with an expired post graduate work permit; at the very least, the start date of the permit renewal program should be extended to November 27, 2021.

As you are well aware, the previous temporary public policy of January 27 to July 27, 2021, was available to migrant student workers whose permits were expiring within four months of July 27th, i.e. November 27th. Excluding those whose permits expired between November 27, 2021 and January 31, 2022 is arbitrary, unfair and does not meet the stated goal of this new



temporary public policy to support “These talented and skilled international graduates [who] play a vital role in addressing our labour shortage, and those nearing the end of their post-graduation work permit are already well-integrated into Canada’s labour market and work in key industries across the country.”

At the same time, we urge you to make long-term sustainable changes to immigration policy instead of temporary public policy. PGWPs must be made permanently renewable so that all migrant student workers have the opportunity to gather the one year high-skilled work experience required to apply under the current Express Entry program.

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.



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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.

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 416-887-8315.

Thank you.

Sarom Rho
National Coordinator, Migrant Students United