



Temporary foreign workers Your rights are protected

This guide is intended for temporary foreign workers hired under the Temporary Foreign Worker Program (TFW Program). For information on rights as temporary foreign workers hired under the International Mobility Program, visit [Get to know your rights](#).

Your rights

In Canada, the rights of all workers, including temporary foreign workers, are protected by law. If you're a temporary foreign worker, you have the same rights and protections as Canadians and permanent residents.

Your employer must:

- ✓ give you information about your rights on or before the first day of work. This following guide is available in multiple languages
- ✓ give you a signed copy of your employment agreement on or before the first day of work in the Canadian official language of your choice (French or English)
- ✓ respect the work schedule and pay you for your work as stated in your employment agreement, including overtime and other pay commitments such as vacation time
- ✓ make reasonable efforts to provide you with a workplace free of abuse (verbal, physical, sexual, and financial abuse, as well as harassment and reprisals)
- ✓ follow the health and safety laws of the province or territory where you work
- ✓ provide additional benefits, if indicated in the employment agreement, and pay for private health insurance that covers your emergency medical care until you're eligible for provincial or territorial health insurance coverage (consult the [Access to health care services](#) section for exceptions)
- ✓ make reasonable efforts to give you access to health care services if you're injured or become ill at the workplace

Your employer or supervisor can't:

- ✗ force you to perform unsafe work
- ✗ make you do work that's not part of the occupation stated in your employment agreement
- ✗ force you to work if you're sick or injured
- ✗ pressure or force you to work overtime not included in your employment agreement or agreed upon
- ✗ punish you for reporting mistreatment, unsafe work, inadequate housing or for cooperating with a government employee conducting an inspection
- ✗ punish you for joining a union or participating in the lawful activities of a union
- ✗ take away your personal documents (passport, work permit, social insurance number [SIN], health card, bank card, etc.)
- ✗ deport you from Canada or change your immigration status
- ✗ make you pay to get or keep your job or reimburse any recruitment fees they may have paid for your current position. You only have to pay for your work permit, medical exam and biometrics (if required)



Your employment agreement

On or before your first day of work, your employer must give you a copy of your employment agreement. It must be in English or French (your chosen official language while in Canada). The employment agreement must refer to the same occupation, wages and working conditions as those outlined in the approved [Labour Market Impact Assessment \(LMIA\)](#). If all the information is correct and you accept the terms of employment, you and your employer need to sign the agreement and keep a copy.

Access to health care services

You don't need your employer's permission to seek health care. In most cases you don't have to pay to see a doctor or for hospital care in Canada.

Provincial or territorial health care insurance

If eligible, you'll have access to free health care under the health insurance system of the province or territory where you're working. However, when you first arrive in Canada, it may take some time before you're covered by the provincial or territorial health insurance system. Ask your employer to help you set up your health insurance coverage as required by your province or territory.

Private health insurance

If there is a period where you're not covered by the provincial or territorial health insurance where you're working, your employer must obtain and pay for your private health insurance that covers emergency medical care. Your employer can't deduct any money from your pay for this private health insurance.

If you're a [seasonal agricultural worker from Mexico or the Caribbean](#), this doesn't apply to you since agreements between these countries and Canada include provision of health insurance.

If you're injured or become ill at your workplace

Tell your supervisor or employer as soon as possible and get medical attention as quickly as possible. Your employer must make reasonable efforts to provide access to a health care provider (like a doctor, nurse or pharmacist) by, for example:

- ▶ giving you time off to seek medical attention
- ▶ ensuring there is a phone available to call emergency services
- ▶ giving you information on what to do and where to go to get health care
- ▶ helping you get transportation to the health care provider

Your employer isn't required to pay for your transportation to get to a hospital, clinic, doctor or other health care service. Consult the [Private health insurance](#) section for exceptions for seasonal agricultural workers.

You have the right to speak privately with a health care provider, without your employer.

Health and safety at work

Your employer can't force you to do work that you think is dangerous. They can't fire you or refuse to pay you for reporting unsafe working conditions or refusing to do work that's unsafe. Your employer must look into any danger that's reported in the workplace.

You have the **right to refuse to do the work** until you and your employer agree that:

- ▶ the danger is removed
- ▶ you have received the proper equipment and training
- ▶ the problem no longer exists

Your employer must:

- ✓ follow the health and safety laws of the province or territory where you work
- ✓ train you to do your job safely, including how to safely operate any equipment or machinery
- ✓ provide you with personal protective equipment (PPE) and appropriate training if your job requires you to use pesticides/chemical products. If you

work in the Northwest Territories, Nunavut, Quebec or Saskatchewan, your employer must provide PPE at no cost. In other provinces, it varies. Consult [Who pays for PPE?](#) for more information

Most provinces and territories offer workers' compensation benefits (payments to make up for lost wages) when workers are injured or sick because of their work.

- ▶ It's against the law for your employer to stop you from making a workers' compensation claim
- ▶ In some provinces and territories, employers must get and pay for workplace safety insurance. Your employer must not deduct any money from your pay for this
- ▶ If you and your employer disagree about a health and safety issue, report the situation to your union representative if applicable and/or to the workplace health and safety office in your province or territory (consult the [Reporting a workplace health or safety problem](#) section)

Workplace free of abuse

Employers must make reasonable efforts to provide a workplace that's free of abuse. Your employer or anyone acting on behalf of your employer (for example, your supervisor) can't abuse you, physically, sexually, psychologically or financially.

Abuse includes reprisals (punishments) such as actions or threats of demotion, disciplinary measures or dismissal due to reporting your employer for non-compliance. Any behaviour that scares, controls or isolates you could be abuse.

Some examples of abuse:

- ▶ physical harm
- ▶ threats, insults, bullying
- ▶ forcing you to work in a way that's unsafe or risky to your health
- ▶ unwanted sexual touching
- ▶ demanding sexual favours so you can keep your job or return the following year
- ▶ controlling where you can go or who you can see
- ▶ stealing from you
- ▶ taking any or all of the money you're owed

- ▶ taking and refusing to return your passport, work permit or other identification
- ▶ forcing you to commit fraud
- ▶ firing, threatening or disciplining you for complaining about your working conditions or abuse or for participating in an inspection by a government employee
- ▶ firing you, making you or threatening to make you leave Canada because you're pregnant or pressuring you to have an abortion

To report an abusive situation, contact the Service Canada confidential tip line at 1-866-602-9448 or use the [online reporting tool](#). Your consulate, a migrant worker support organization or anyone you trust can help you make a report.

Visit [How to report abuse of temporary foreign workers](#) for more information.

If you need help right away, call 9-1-1 or your local police.

If you lose your job

Your employer should provide reasonable notice before laying you off. If they don't, they might be required to pay you termination pay. The amount is based on how long you have been working and in which province or territory you're working. Consult the [Reporting other employment problems](#) section for the provincial and territorial employment standards websites.

If you lose your job through no fault of your own, or if you leave your job because you're being abused, you may qualify to receive Employment Insurance (EI) benefits.

For information about EI, visit the [EI regular benefits](#) page. If you're unable to access services online, you can contact the [Service Canada Outreach Support Centre](#) to receive assistance from a Service Canada representative toll-free at 1-877-631-2657.

Changing employers

You're allowed to change employers. However, your employer-specific work permit only allows you to work for the employer named on your work permit. You must apply for a [new work permit](#) to work for a different employer. Also, your new employer must get permission from the Government of Canada to hire you as a temporary foreign worker. They'll need to have a valid LMIA.

If you're an agricultural worker under the Seasonal Agricultural Worker Program (SAWP), you may be able to change employers without getting a new work permit. To find out if you're a SAWP worker, look at your work permit: the words "Approved MEX/CCSAWP employer only" will be written in the bottom remarks. Consult your signed employment contract on how your transfer across SAWP employers can be completed.

If you change jobs without following the steps above, you may be working without authorization. Read your work permit carefully. It sets out all the conditions for working in Canada. If you don't meet the conditions, you could be asked to leave Canada.

You can use the Government of Canada Job Bank to [search for jobs with Canadian employers who want to hire temporary foreign workers](#). The job posting will say if the employer has already applied for or received a positive LMIA. The employer needs this to hire a temporary foreign worker.

Housing rights

Workers in the SAWP

If you're employed through the SAWP, your employer must provide adequate and suitable housing at no cost to you (except in British Columbia where employers can deduct from your pay for accommodations). All pay deductions should be listed in the [Mexico or the Caribbean signed employment contract](#).

Workers in the agricultural stream under primary agriculture

If you're a worker hired under the agricultural stream, your employer must provide adequate, suitable and affordable housing on-farm or off-site. Your employer can deduct a maximum of \$30.00 per week. For certain types of positions, they can deduct a maximum of 30% of your gross monthly earnings for off-farm housing. This deduction includes money from your pay for the cost of rent and any payments for electricity, fuel, water and other municipal services.

Workers in low-wage agricultural positions under primary agriculture

If you're a worker in a low-wage agricultural position, your employer must ensure that suitable and affordable housing is available or provide it to you. If your employer provides you with housing, they can deduct money from your pay for the cost of rent and any payments for electricity, fuel, water, and other municipal services. This deduction must be less than 30% of your monthly gross earnings.

Workers in high-wage agricultural positions under primary agriculture

If you're a worker in a high-wage agricultural position, you and your employer may make arrangements that are mutually agreed upon.

Adequate housing

The place where you live should meet provincial/territorial and municipal legislations, including:

- ▶ be safe (free of hazards, pests and mould)
- ▶ not be overcrowded
- ▶ be in good condition and protect you from the weather
- ▶ have a working fire extinguisher and smoke detectors
- ▶ have proper ventilation
- ▶ have functioning toilets, hand-washing sinks and showers that work properly and offer privacy
- ▶ have a constant supply of hot and cold drinking water

If there's a problem with your housing, talk to your employer. If the problem persists, call the Service Canada confidential tip line at 1-866-602-9448 or use the [online reporting tool](#).

How to get help

Reporting abuse

If your employer is breaking the rules of the TFW Program, or is abusing you or someone you know, **you should report it**.

Call Service Canada's tip line at 1-866-602-9448.

- ▶ This service is confidential. Service Canada won't tell your employer you called
- ▶ You can talk to a Service Canada agent Monday to Friday from 6:30 am to 8 pm Eastern time, in one of more than 200 languages
- ▶ You can leave an anonymous message to report your concerns 24 hours a day, 7 days a week. All calls are taken seriously and may lead to an inspection

You can also [report abuse to Service Canada using the online reporting tool](#). For examples of situations that you should report, consult [When to call the tip line](#).

[Find out how to report abuse of temporary foreign workers.](#)

Changing jobs due to abuse or risk of abuse

If you're being abused or at risk of being abused, you may be eligible to [apply for an open work permit for vulnerable workers](#). This work permit allows you to leave your situation of abuse by authorizing you to work for almost any employer in Canada. Your new employer doesn't need an LMIA for the duration of this work permit.

Getting assistance from a migrant worker support organizations

- ▶ **British Columbia**
 - The [Community Airport Newcomers Network](#) will welcome you at Vancouver International Airport and offer you an orientation session: 604-270-0077
 - [MOSAIC](#) offers a variety of services and can connect you with support organizations near you: 604-254-9626
 - [DIVERSEcity Community Resources Society](#) doesn't provide direct services to temporary foreign workers but works through networks and partnerships: 604-547-1240

- ▶ **Alberta, Saskatchewan and Manitoba**
 - The [Calgary Catholic Immigration Society \(CCIS\)](#) offers a variety of services to temporary foreign workers at the Calgary International Airport (YYC) and can connect you with support organizations near you: 1-888-331-1110
- ▶ **Ontario**
 - [Polycultural Immigrant and Community Services](#) will welcome you at Toronto Pearson International Airport (YYZ): 1-844-493-5839 ext. 2266
 - [The Neighbourhood Organization \(TNO\)](#) offers you a variety of services and can connect you with support organizations near you: 647-296-0161
 - [Workforce WindsorEssex](#) supports you through a community coordinated strategy: 226-774-5829
- ▶ **Quebec**
 - [Immigrant Québec](#) is for temporary foreign workers. A list of support organizations is included under the "[Who can help you?](#)" tab
- ▶ **New Brunswick, Nova Scotia and Prince Edward Island**
 - [The Atlantic Region Association of Immigrant Serving Agencies \(ARISA\)](#) can connect you with support organizations near you: 902-431-3203
- ▶ **Newfoundland and Labrador**
 - [The Association for New Canadians \(ANC\)](#) supports temporary foreign workers and can offer support near you: 1-833-316-5839 or 1-833-31NLTFW

Reporting a workplace health or safety problem

Contact your provincial or territorial workplace health and safety office if:

- ▶ you've been asked to perform dangerous work
- ▶ conditions at work are unsafe
- ▶ you've been injured or sick because of your work
- ▶ you're pregnant and the nature of your work may jeopardize your pregnancy

Provincial and territorial workplace health and safety offices:

- ▶ [Alberta](#): 1-866-415-8690
- ▶ [British Columbia](#): 1-888-621-7233
- ▶ [Manitoba](#): 1-855-957-7233

- ▶ [New Brunswick](#): 1-800-999-9775
- ▶ [Newfoundland and Labrador](#): 1-800-563-5471
- ▶ [Northwest Territories](#): 1-800-661-0792
- ▶ [Nova Scotia](#): 1-800-952-2687
- ▶ [Nunavut](#): 1-877-404-4407
- ▶ [Ontario](#): 1-877-202-0008
- ▶ [Prince Edward Island](#): 1-800-237-5049
- ▶ [Quebec](#): 1-844-838-0808
- ▶ [Saskatchewan](#): 1-800-567-7233
- ▶ [Yukon](#): 1-800-661-0443

Reporting other employment problems

If you think that you're not being properly paid, treated unfairly or if your employer isn't respecting your employment agreement, contact your provincial or territorial employment standards office:

- ▶ [Alberta](#): 1-877-427-3731
- ▶ [British Columbia](#): 1-833-236-3700
- ▶ [Manitoba](#): 1-800-821-4307
- ▶ [New Brunswick](#): 1-888-452-2687
- ▶ [Newfoundland and Labrador](#): 1-877-563-1063
- ▶ [Northwest Territories](#): 1-888-700-5707
- ▶ [Nova Scotia](#): 1-888-315-0110
- ▶ [Nunavut](#): 1-877-806-8402
- ▶ [Ontario](#): 1-800-531-5551
- ▶ [Prince Edward Island](#): 1-800-333-4362
- ▶ [Quebec](#): 1-844-838-0808
- ▶ [Saskatchewan](#): 1-800-667-1783
- ▶ [Yukon](#): 1-800-661-0408 ext. 5944

Employees working in a federally regulated sector

Most industries in Canada are regulated by provincial or territorial governments, but some are regulated by the federal government. If your workplace is federally regulated, you can [make a complaint online](#) or by calling 1-800-641-4049. You can refer to the [list of federally regulated industries and workplaces](#).

Reporting a problem with an immigration consultant

You don't have to hire an immigration consultant in Canada. This is your choice. All the [forms and instructions](#) you need to apply for a visa, a permit or citizenship are available online for free.

However, if you choose to pay an immigration consultant, [check first if they're authorized](#). It's illegal for anyone to make you pay or ask you for something in return, for advice on Canadian immigration without being licensed by the College of Immigration and Citizenship Consultants (CICC), a Canadian law society or the Chambre des notaires du Québec.

If you have concerns about your immigration consultant, you can [file a complaint](#).

Protection and help for victims of human and labour trafficking

Human trafficking involves recruiting, transporting, harbouring a person and/or exercising control, direction or influence over the movements of a person to exploit them, typically through sexual exploitation or forced labour.

If you're a victim of human trafficking, including labour trafficking, or you suspect or know of human trafficking activity, call:

- ▶ the [Canadian Human Trafficking Hotline](#) at 1-833-900-1010 to be connected with support services or law enforcement in your community, or
- ▶ Service Canada's confidential tip line at 1-866-602-9448 or use the [online reporting tool](#).