

Minister  
of Immigration,  
Refugees and Citizenship



Ministre  
de l'Immigration,  
des Réfugiés et de la Citoyenneté

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Dear Colleague:

Thank you for your correspondence of August 31, 2022, regarding the possible abuse of the Temporary Foreign Worker (TFW) Program by employers hiring massage therapists.

I am pleased to respond to those concerns that fall under the purview of Immigration, Refugees and Citizenship Canada (IRCC).

Canada takes the abuse of TFWs and the TFW Program very seriously. The Government works with provincial/territorial, industry and not-for-profit partners to ensure proper protocols are in place to keep all workers safe.

The TFW Program helps employers who are unable to fill temporary labour market needs where Canadians or permanent residents are not available. This program is administered by Employment and Social Development Canada (ESDC), which processes the Labour Market Impact Assessment (LMIA), with IRCC being responsible for the work permit issuance.

You are correct that section 196.1(a) of the *Immigration and Refugee Protection Regulations* (IRPR) prohibits the processing of any work permit applications from foreign nationals seeking employment in businesses in sectors where there are reasonable grounds to suspect a risk of sexual exploitation, such as massage parlours. However, immigration officers are guided to take care not to refuse applications involving businesses where employees have qualifications and credentials that are regulated and certified by provincial authorities, such as massage therapy clinics.

In Canada, massage therapists are required to complete a program in massage therapy from an accredited school and to have supervised, practical training. In addition, some provinces require the massage therapist to be registered with a regulatory body. IRCC officers can request evidence that the foreign national has the education, work experience, and proof of registration, as required.

Canada 

To protect TFWs from abusive situations, the Government has taken action on several fronts. In 2019, IRCC introduced the Open Work Permit for Vulnerable Workers (OWP-V). The OWP-V enables TFWs with an employer-specific work permit to apply for an open work permit if they are experiencing or are at risk of abuse in their job. This allows them to leave the abusive situation and look for new work with a different employer without compromising their authorization to work in Canada. This permit mitigates some of the barriers that migrant workers have previously faced in reporting abuse, such as loss of their work authorization, fear of deportation, and employer retribution.

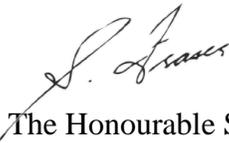
Furthermore, in 2006, [Ministerial Instructions](#) were issued to enhance existing in-Canada mechanisms for protecting out-of-status foreign nationals who may be victims of trafficking in persons (VTIP). This initiative provides temporary residence permits to vulnerable out-of-status foreign nationals and regularizes their temporary status in Canada. Through the VTIP temporary resident permit, vulnerable foreign nationals are able to escape the influence of the traffickers and access medical treatment and counselling services through the Interim Federal Health Program.

IRCC has also worked jointly with ESDC to amend the IRPR to enhance the protection of temporary foreign workers in Canada and prevent potential mistreatment or abuse during their period of employment in Canada. For instance, new regulatory amendments that came into force on September 26, 2022, will require that employers provide workers with information about their rights in Canada along with information about where they can find support.

To address your remaining concerns, I defer to my colleague, the Honourable Carla Qualtrough, Minister of Employment, Workforce Development and Disability Inclusion, who administers the TFW Program.

I wish to assure you that the protection of temporary foreign workers in Canada is a top priority. Departmental officials and my office will continue to follow up on these issues, and I thank you for bringing your interest in these important matters to my attention.

Yours sincerely,



The Honourable Sean Fraser, P.C., M.P.  
Minister of Immigration, Refugees and Citizenship

c.c.: The Honourable Carla Qualtrough, P.C., M.P.  
Minister of Employment, Workforce Development and Disability Inclusion