A National Scan of Employment Standards, Occupational Health and Safety and Workers' Compensation Resources for New Immigrants to Canada

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ABSTRACT

Objectives: The burden of work injuries in Canada is a serious public health concern. Nearly one million Canadian workers experienced nonfatal injuries that led to time off work in 2005. New employees and recent immigrants are more likely to experience a work-related injury. The purpose of this study was to examine services, programs and resources available to newcomers to Canada that focus on employment standards (ES), occupational health & safety (OHS) and workers' compensation (WC).

Methods: We reviewed resources available through community organizations, employers, settlement groups and unions, as well as provincial and federal prevention agencies and workers' compensation boards. The materials were categorized according to geographical distribution, content, resource type, audience and language.

Results: We found a total of 224 resources that met our search criteria. The greatest numbers were found in the provinces of Ontario, British Columbia and Manitoba. Most resources consisted of short factsheets on the topic of ES; WC was the focus of the fewest resources. The most comprehensive resources were teaching materials for ESL/FSL classes and Job Search Workshops. Most resources were specifically produced for newcomers but only available in French/English. Our scan uncovered no information for health care providers, union representatives or safety professionals working with immigrants. Very few resources were aimed at young immigrant workers or employers working with newcomers.

Conclusions: Our research identifies gaps in the provision of health and safety resources for newcomers. Additional research is needed to evaluate the depth and quality of materials and to determine how decisions are made around the inclusion or exclusion of ES, OHS and WC information in language and labour market preparation programs for new immigrants.

Key words: Employment; occupational health; Workers' Compensation; emigrants and immigrants

La traduction du résumé se trouve à la fin de l'article.

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The burden of work injuries in Canada is a serious public health concern. Nearly one million Canadian workers experienced nonfatal injuries that led to time off work in 2005.¹ Rates of injury are not, however, evenly distributed among population groups. Certain groups of workers – for example, new employees² and recent immigrants³ – are more likely to experience a work-related injury.

Data from the 2006 Canadian Census reports that one in five Canadian workers is an immigrant.⁴ However, little is known about the sort of preparation that newcomers receive as they enter the Canadian labour market. Are there resources aimed at newcomers that speak to their rights at work, injury prevention and safety at work? Are there materials available for newcomers to inform them of what to do in the event of an injury or how to successfully return to work if injured on the job? Are these translated and if so into what languages? Are resources centred mainly in jurisdictions such as British Columbia, Quebec and Ontario that have historically been common destinations for new immigrants?

The purpose of this project was to examine the services, programs and resources available to newcomers to Canada that focus on employment standards (ES), occupational health & safety (OHS) and workers' compensation (WC). We reviewed resources available through community organizations, employers, settlement groups and unions, as well as provincial and federal prevention agencies and workers' compensation boards. In this paper, we discuss trends in the types of resources available, identify important gaps and

highlight interesting opportunities for providing this information to newcomers.

Literature review

Immigrants coming to and living in Canada are a diverse group, in part because they come to Canada under different immigrant categories which are associated with different educational, language

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Table 1. English Key Words Used for Recognizing Relevant Materials on Websites

Populations	Occupational Health and Safety
1. English as a Second Language (ESL)	1. Accident prevention
2. Foreign nationals	2. Employment standards
3. Foreign worker(s)	3. Health and safety training
4. Live-in caregivers	4. Injuries at work
5. Immigrant(s)	5. Injured worker(s)
6. Interpretation services	6. Occupational disease
7. Migrant worker(s)	7. Occupational health and safety
8. New Canadians	8. Occupational illness
9. New employers/workers	9. Occupational injury/danger/hazard
10. New immigrant(s)	10. Rights at work
11. New to Canada	11. Unsafe work
12. Newcomer(s)	12. WCB
13. Recent immigrant(s)	13. Work injury
14. Refugee(s)	14. Workplace disease
15. Temp agencies	15. Workplace fatality
16. Temporary foreign worker	16. Workplace health and safety
17. Translation services	17. Workplace health and safety rights and responsibilities
18. Vulnerable workers	18. Workplace illness
	19. Workplace insurance
	20. Workplace safety
	21. Workers' health & safety
	22. Worker's comp
	23. Worker's compensation
	24. Worker's compensation commission
	25. Worker's rights
	26. WSIB

and work experience expectations.⁵ In the 1990s and 2000s, the majority of immigrants have been in the economic (skilled) class, coming to Canada primarily for the purpose of employment. Although new immigrants are increasingly likely to have high levels of education and considerable work experience,⁶ a large proportion take on poor quality work in order to quickly enter the labour market. Many have difficulty finding jobs that are commensurate with their education and experience because their foreign credentials are not recognized,⁷ they have few Canadian social networks,⁸ lack Canadian work experience⁹ and do not have full fluency in English.¹⁰

Some recent studies indicate that immigrant workers are exposed to more occupational health and safety hazards than Canadian-born workers. Smith et al.¹¹ found that workers with poor English proficiency, family class immigrants and refugees were most likely to be employed in occupations with higher physical demands two and four years after arrival in Canada. They also found immigrant males to be at increased risk for work-related injuries compared to Canadian-born workers. Another study¹² found that immigrants were more likely to be in work situations that put them at greater health and safety risk, including non-membership in a union, employment in physically demanding occupations, employment in a small workplace, regular shift work, and non-permanent employment. Premji et al.¹³ also found that immigrants, linguistic and visible minorities were over-represented in job categories with the greatest injury risk.

Newcomers who have been injured at work may also have problems accessing the workers' compensation system. Smith et al.¹⁴ found that new immigrants were less likely than Canadian-born workers to receive wage replacement benefits from workers' compensation or other wage replacement programs after a work-related injury or illness lasting seven or more days. Because accessing information can be a particular problem for immigrants,¹⁵ immigrant workers may not understand compensation system requirements, such as prompt reporting and regular communication.¹⁶ This may impact their ability to receive and maintain compensation benefits.

Table 2. French Key Words Used for Recognizing Relevant Materials on Websites

Populations	Occupational Health and Safety
1. Travailleurs temporaires	1. Prévention accidents travail
2. Aides familiales	2. Normes de travail
3. Immigrants	3. Ateliers SST
4. Travailleurs migrants	4. Lésions professionnelles
5. Nouvel arrivants	5. Travailleurs accidentés
6. Réfugiés	6. Maladie professionnelle
7. Agence de travail temporaire	7. Santé Sécurité au Travail
8. Travailleurs vulnérables	8. Droits des travailleurs
9. Francisation	9. Compensation
	10. Assurance professionnelle
	11. Travail précaire
	12. Conditions
	13. Normes de santé et sécurité au travail
	14. Droit et responsabilité au travail
	15. Commission des normes de travail
	16. Commission compensation
	17. Indemnisation professionnelle

Table 3. Total Resources Found

Provinces/Territories	Number of Resources
Alberta (AB)	21
British Columbia (BC)	47
Manitoba (MB)	28
National*	14
New Brunswick (NB)	1
Newfoundland (NL)	2
Nova Scotia (NS)	2
Northwest Territories (NT)	0
Nunavut (NU)	0
Ontario (ON)	77
Prince Edward Island (PE)	3
Quebec (QC)	16
Saskatchewan (SK)	11
Yukon (YT)	2
Total	224

* Resources found on a national level included both initiatives of the federal government and resources or initiatives produced by other bodies operating on a national scale.

METHODS

Given the move to the digitization of materials, we decided to focus on materials that could be found online. Websites of organizations thought to have ES, OHS and WC information for our target population – immigrants to Canada – were scanned. For each province, official government websites, workers' compensation boards, newcomer settlement organizations, labour organizations and community groups were identified. This list was generated by the research/stakeholder team and subsequently expanded using a snowball method.* Websites were scanned for publications and resources. A list of key words was developed in English and French to help spot relevant materials on the websites searched (see Tables 1 and 2).

After the initial scan was complete, a Google search was also conducted to help capture any materials that may not have been found through the targeted website scans. The relevant resources were printed out and reviewed by the research team. Each resource was categorized according to geography, content/topic, mode of delivery, audience and language. The search was completed by March 21, 2011. Materials, resources or programs developed or posted online after this date are not included in the results.

* The research/stakeholder team was comprised of individuals from the following organizations: Citizenship and Immigration Canada; Public Health Agency of Canada; Ontario Ministry of Labour; Injured Workers' Consultants (a legal advocacy organization); Workplace Safety and Prevention Services; Workplace Safety & Insurance Board; Workers' Health and Safety Centre (Ontario); Skills for Change (a large Toronto-based settlement and training organization); The Occupational Health Clinics for Ontario Workers (OHCOW); Institute for Work & Health.

Table 4. Content/Topic of Resources

	ES	OHS	WC	ES, OHS	ES, WC	OHS, WC	ES, OHS, WC	Other*	Totals
AB	8	3	2	0	0	1	7	0	21
BC	26	3	3	1	5	5	3	1	47
MB	4	14	1	0	0	0	6	1	26
National	0	6	0	3	0	2	2	0	13
NB	0	0	0	0	0	0	1	0	1
NL	1	0	0	0	1	0	0	0	2
NS	1	1	0	0	0	0	0	0	2
NT	0	0	0	0	0	0	0	0	0
NU	0	0	0	0	0	0	0	0	0
ON	35	18	5	9	1	3	2	4	77
PE	0	0	0	0	0	1	1	1	3
QC	9	0	0	2	1	2	2	0	16
SK	5	1	1	1	0	1	2	0	11
YT	0	0	0	2	0	0	0	0	2
Totals	89	46	12	18	8	15	26	7	

* Including information about harassment or violence at work, human rights and worker health.

Table 5. Mode of Delivery of Resources

	Service*	Workshop	Fact Sheet	Guide	Poster	Teaching Resource	Audio CD/File	Video/Slide Show	Other	Totals
AB	8	6	1	4	3	6	1	1	0	30
BC	5	4	23	14	0	1	1	1	3	52
MB	0	1	10	8	2	9	2	0	0	32
National	2	0	2	2	0	6	0	0	1	13
NB	0	0	0	0	0	0	0	0	1	1
NL	0	0	0	1	0	0	0	0	1	2
NS	0	1	0	0	0	0	0	0	1	2
NT	0	0	0	0	0	0	0	0	0	0
NU	0	0	0	0	0	0	0	0	0	0
ON	5	6	32	20	1	11	3	1	5	84
PE	0	0	1	2	0	0	0	0	0	3
QC	3	8	0	5	0	1	0	0	2	19
SK	2	3	3	4	0	0	0	0	0	12
YT	2	2	0	0	0	0	0	0	0	4
Totals	27	31	72	60	6	34	7	3	14	

* A program given to newcomers (other than a formal workshop or class), including telephone "help lines", legal assistance, advocacy services and other problem-solving services; one-on-one counselling.

RESULTS

We examined 421 websites across Canada and found a total of 224 resources that met our search criteria. These included:

- Resources on work and health issues (ES, OHS, WC) aimed at newcomers (new immigrants, temporary foreign workers, migrant workers coming from an outside country, refugees);
- Resources aimed at newcomers on a general topic (settlement in Canada or finding work, for example) that contained some information on a work and health issue;
- Resources on specific work and health issues aimed at a general audience (all workers, for example) that were available in multiple languages (indicating some effort to reach newcomers);
- Resources for employers for the purposes of training newcomers;
- Resources related to work and health aimed at teachers, settlement workers and others working with new immigrants.

The greatest numbers of resources were found in the province of Ontario, followed by British Columbia and Manitoba. Very few resources were found in the Atlantic provinces and in the North. We also found few resources in the province of Quebec, despite the fact that there were many organizations/websites that catered to newcomers in the province.

The greatest numbers of resources were in the area of ES and the fewest focussed just on WC. While a number of provinces had resources that we classified as offering information on all three topic areas (ES, OHS and WC), in many cases the information on WC consisted of only a mention that there was a workers' compensation board and contact information for the board.

Most materials we found were short fact sheets (one or two pages), so necessarily contained limited information about our top-

ics of interest. Longer guides also often contained limited information on our topics of interest. Often, the most comprehensive resources were training materials and curricula for teachers of ESL/FSL and Job Search Workshops. These were typically multi-part resources containing lesson plans, exercises for newcomers and PowerPoint slides.

We found the greatest number of resources specifically written for newcomers. There were also many resources for workers in general (that were translated, indicating an effort to make them accessible to some new immigrants). We found the least amount of information aimed at employers or supervisors of newcomers. Our scan uncovered no information on the topics of interest aimed at health care providers, union representatives or health and safety professionals working with newcomers.

Most of the information directed at newcomers was only available in English or French. We also found a large number of resources written for workers in general that were translated into multiple languages, especially originating from the provinces of Ontario and British Columbia. Very few national resources were available in languages other than English or French.

Table 3 shows the number of resources found in total and Tables 4-7 show these by category. Some resources fit into multiple categories, so were counted more than once. As a result, totals vary between tables.

DISCUSSION

We found a range of resources related to health and safety in the workplace aimed at new immigrants in the provinces that are top

Table 6. Audience for Resources

	Employers/ Supervisors	Workers (general), Translated	Immigrants/ Newcomers	Temporary Foreign Workers	ESL/FSL Teachers/ Settlement Workers	Other	Totals
AB	2	2	4	11	6	0	25
BC	5	17	19	13	1	0	55
MB	4	8	6	1	11	0	30
National	0	0	3	4	6	0	13
NB	0	0	1	0	0	0	1
NL	0	0	2	0	0	0	2
NS	0	0	2	0	0	0	2
NT	0	0	0	0	0	0	0
NU	0	0	0	0	0	0	0
ON	8	32	24	10	11	0	85
PE	0	1	2	0	0	0	3
QC	1	0	12	4	1	0	18
SK	0	3	7	2	0	0	12
YT	0	0	2	2	0	0	4
Totals	20	63	84	47	36	0	

Table 7. Language of Resources

	English/French Only	English/French + One Other Language	Multiple Languages*	Unknown/Other	Totals
AB	13	0	8	0	21
BC	9	7	30	1	47
MB	17	1	10	0	28
National	13	0	1	0	14
NB	1	0	0	0	1
NL	2	0	0	0	2
NS	2	0	0	0	2
NT	0	0	0	0	0
NU	0	0	0	0	0
ON	26	10	41	0	77
PE	2	1	0	0	3
QC	12	3	1	0	16
SK	7	0	4	0	11
YT	2	0	0	0	2
Totals	106	22	95	1	

* We found resources in many different languages, including Arabic, Chinese (simplified and Mandarin and Cantonese), Ethiopian (Tigrinya), Farsi (Persian), Finnish, Greek, Hindi, Italian, Korean, Polish, Portuguese, Punjabi, Russian, Serbo-Croatian, Spanish, Tagalog (Filipino), Tamil, Turkish, Vietnamese.

destinations for newcomers. The exception to this was Quebec, the province that welcomes the greatest number of immigrants after Ontario.¹⁷ While there are many organizations and “welcome” programs for new immigrants in Quebec, these seem to focus primarily on integration into Quebec society and the labour market, not on health and safety. Further, almost all of the resources found were exclusively offered in French. While a large percentage of immigrants coming to Quebec speak French, 20% of immigrants speak neither French nor English.¹⁸ Manitoba sees far fewer immigrants than Ontario, Quebec and Alberta, yet it has an extensive and well-developed program for newcomers focussing on work and health that can serve as a model for provinces considering ways to expand the information they offer in this area. This program includes in-depth training guides, available in multiple language levels for both immigrants and employers, as well as curricula for ESL teachers.

There is a wide range in the quality and availability of resources for immigrants provided through each provincial workers’ compensation board (WCB). In the vast majority of jurisdictions, there are little to no resources targeting immigrants, nor are there resources targeting workers in general that are translated into multiple languages to make them accessible to someone with low English or French language fluency. The WCBs in all the Atlantic provinces, in Saskatchewan and in the Territories fall into this category of having neither immigrant-specific resources, nor having translated resources. For the WCBs that do have resources, accessibility is variable. Sometimes resources are embedded deeply within a website, which makes them difficult to find for non-English speakers (e.g., the Ontario WSIB website). In contrast, WorkSafeBC

has arranged their website in a way that is easily accessible to newcomers and allows the identification of all language-specific resources in one area (by language type) directly from their homepage. This site is user-friendly and accessible for immigrant workers with low English literacy, and as such, its design could serve as a model of accessibility for other WCBs in the country.*

Nationally, there are hundreds if not thousands of organizations offering job search workshops, employment preparation/labour market entry programs and language classes to newcomers in Canada. There are also a number of programs that provide pre-departure information to potential newcomers in their home countries. Many of these programs did not include any health and safety information. Similarly, official “welcome” guides (both federal and provincial) produced for new immigrants contained little information on the topics of interest. Given that these guides and other programs are regularly delivered to newcomers, we see them as an area where there is opportunity to enhance the information currently provided.

Finally, we found very few resources targeting young immigrant workers. While there are resources aimed at young workers and resources aimed at immigrants, these appear to be treated as mutually exclusive groups. This seems to be an important gap given that young workers make up a significant number of immigrants entering Canada (in 2009, 37,340 immigrants coming to Canada were between the ages of 15 and 24)¹⁷ and that research has shown that

* A number of case studies highlighting innovative programs or services for newcomers can be found at <http://www.iwh.on.ca/immigrant-workers-experiences> (Accessed December 7, 2011).

both young workers¹⁹ and immigrant workers tend to have a higher risk of injury in the workplace.

Limitations of the scan

Because this scan was web-based, it only highlighted resources available or publicized on the internet. Not all organizations that serve immigrant workers, nor all initiatives directed towards them, are online. Thus, it is likely that there are resources available for immigrants that we have not captured.

We did not do a systematic assessment of the depth or quality of the resources identified. Information can be 'shallow' (a short paragraph on OHS in a larger settlement guide) or 'deep' (a guide devoted entirely to OHS). The impact of a workshop offered once versus one that is offered regularly is also likely different. However, in our scan all these resources would have been included and treated in the same manner.

Future research directions

A number of important questions have been raised in the course of this scan that warrant further investigation and research.

Delivery mechanisms

The pathways of Canadian immigration are varied and complex. Through various immigration pathways, individuals may have contact with different government and non-profit agencies and access different types of documents and resources both prior to immigration and upon arrival. Future research should examine how immigrants arriving under different immigration categories and through different pathways access information, how it is delivered and whether the delivery of this information is systematic or ad hoc. Such research would help determine the best venues and mechanisms for delivering ES, OHS and WC to newcomers.

Measuring impact and effectiveness

We did not access the quality, depth or scope of the materials found. We were also not able to find evaluations of any of the programs, resources or materials included in the scan. Interviews with providers of some of the more centralized resources could uncover whether evaluations were conducted and the outcome of these evaluations. Future research should also examine the impact of information resources or training programs on newcomers' knowledge of their rights, injury prevention and perceived ability to invoke rights (under the Occupational Health and Safety Act, for example).

Content development, comprehensiveness and depth

As stated earlier, we found many examples of resources that provided newcomers with information on labour markets, finding work, building a resume, and so on. Yet, often these resources did not include information on ES, OHS or WC. Research should examine how content is developed for new immigrants and why such exclusions exist. Are there barriers to providing this type of information? How do content decisions get made? Who is consulted? How are changes made?

The untapped role of intermediaries

There are groups of service providers and stakeholders – union representatives, employers and health care providers – that potentially have frequent contact with new immigrants. Yet, we found no information about our topics of interest aimed at these groups. For

example, health care providers can play a role in providing information about injury prevention and WC, especially since in most Canadian provinces they are required to play an active role in the filing of claims and in the return-to-work process.²⁰ Future research should explore the potential of involving a larger group of intermediaries working with newcomers to Canada in the delivery of work and health information.

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RÉSUMÉ

Objectifs : Le fardeau des accidents du travail au Canada est un grave problème de santé publique. Près d'un million de travailleurs canadiens ont subi des blessures non mortelles qui ont nécessité des absences du

travail en 2005. Les nouveaux employés et les immigrants récents sont plus susceptibles de subir un accident du travail. Nous avons voulu examiner les services, les programmes et les ressources qui sont à la disposition des nouveaux arrivants au Canada et qui traitent des normes d'emploi (NE), de la santé et de la sécurité au travail (SST) et des accidents du travail (AT).

Méthode : Nous avons examiné les ressources disponibles par le biais des organismes communautaires, des employeurs, des groupes d'aide à l'établissement et des syndicats, ainsi que par les organismes de prévention et les commissions des accidents du travail au palier provincial et fédéral. Les documents ont été triés selon la portée géographique, le contenu, le type de ressource, le public visé et la langue.

Résultats : Nous avons répertorié 224 ressources correspondant à nos critères de recherche. Les plus nombreuses étaient dans les provinces de l'Ontario, de la Colombie-Britannique et du Manitoba. La plupart des ressources étaient de brèves fiches d'information sur les NE; les AT étaient l'aspect le moins souvent traité. Les ressources les plus complètes étaient le matériel didactique pour les classes d'anglais ou de français langue seconde et pour les ateliers de recherche d'emploi. La plupart des ressources s'adressaient spécifiquement aux nouveaux arrivants, mais n'étaient disponibles qu'en français ou en anglais. Nous n'avons répertorié aucune information pour les personnels soignants, les représentants syndicaux ni les professionnels de la sécurité travaillant avec des immigrants. Très peu de ressources s'adressaient aux jeunes travailleurs immigrants ou aux employeurs travaillant avec de nouveaux arrivants.

Conclusion : Nous avons relevé des lacunes dans l'offre de ressources en santé-sécurité pour les nouveaux arrivants. Il faudrait pousser la recherche afin d'évaluer le niveau de détail et la qualité des documents et de déterminer comment se prennent les décisions d'inclure ou d'exclure l'information sur les NE, la SST et les AT dans les programmes de langue et de préparation au marché du travail destinés aux nouveaux immigrants.

Mots clés : emploi; santé au travail; accidents du travail; émigrants et immigrants

Prendre soin de vous et de votre bébé

Le livret *Prendre soin de vous et de votre bébé* est un guide pratique dont le but est d'aider les nouvelles mères à s'occuper de leurs bébés à partir de leur naissance jusqu'à ce qu'ils commencent à marcher. Il présente de l'information qui peut vous aider, vous et votre bébé, à rester heureux et en santé. Ce guide a été rédigé par des spécialistes de la santé publique qui se sont concentrés sur ce qu'il faut faire pour élever des bébés en santé et les protéger contre les blessures et les maladies.

Vous pouvez télécharger des versions de *Prendre soin de vous et de votre bébé* dans les langues suivantes: anglais, arabe, chinois, coréen, espagnol, français, inuktitut, ourdou, persan, punjabi, russe et tagalog.

Pour plus des
renseignements, visitez
vous-et-votre-bebe.cpha.ca

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