

2005:04PU Sexual Exploitation of Temporary Workers in the Adult Entertainment Industry

Whereas: Canada permits foreign nationals, the vast majority of whom are females, to work in Canada on temporary work permits in aspects of the adult entertainment commercial industry such as exotic dancing; and

Whereas: these workers cannot apply for permanent residence after working for a period of time; and

Whereas: the global sex trade profits enormously from trafficking of women and girls across borders, including into Canada, to work in strip clubs, peep shows, escort services, massage parlours and prostitution generally; and

Whereas: the global sex trade is dominated by organized crime and consequently all workers in the commercial sex industry are vulnerable to exploitation and coercion to work in other aspects of the sex trade against their will; and Whereas Canada has ratified Article 3, paragraph (a) of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children*, which supplements the United Nations Convention against Transnational Organized Crime (The Palermo Protocol); and Whereas Canada must take proactive steps to ensure it is not complicit in human trafficking, including ensuring that all employers in the adult entertainment industry are accountable for following Canada's immigration, employment and human rights laws; therefore be it

Resolved: that the National Council of Women of Canada adopt as policy that the paramount principle governing any measures taken by Canada concerning foreign workers in the adult entertainment industry must be the protection and safety of individual workers; and be it further

Resolved: that the National Council of Women of Canada urge the Government of Canada to

- a. monitor and enforce the working conditions of temporary workers in the adult entertainment industry to ensure that they are legal, safe and meet all health standards;
- b. ensure that temporary foreign workers are entitled to work as full-time employees with all the rights and protection given to *Canadian* employees and may only work as independent contractors or part-time employees with the consent of *Human Resources and Skills Development Canada* (HRSDC) pursuant to a written agreement;
- c. ensure that an employment agreement must be signed in every case between the employer and a temporary foreign worker in the adult entertainment sector. The agreement must be translated into the language of the worker and filed with HRSDC before approval is given to hire the foreign worker. The contract must set out the employee's rights under immigration and employment law, and other relevant information such as contact agencies available for reporting of abuse;
- d. institute amendments to the Act to Allow temporary foreign workers in the adult entertainment industry the right to apply for permanent resident status after two years without meeting the points system requirement;
- e. introduce amendments to make the purchase of sex- related services from women and children who are trafficked into Canada a specific offence within the Criminal Code of Canada;
- f. establish safe houses for women and children seeking to escape their employers in the adult entertainment industry;
- g. develop a tracking system to enable authorities to know whether a foreign worker under such an agreement is still in the country after the work permit expires;

- h. ensure that when the rights of temporary foreign workers in the adult entertainment industry are violated that these workers will not be penalized, charged or deported and shall be permitted to apply for permanent residence from within Canada on humanitarian grounds, be given valid temporary work status and Federal Health benefits during the process.**