

## Transportation and temp agency work: Risks and opportunities for migrant workers

*Le transport et le travail en agence de placement temporaire : risques et opportunités pour les travailleurs migrants*

*Transporte y trabajo en las agencias de empleo temporario: riesgos y ventajas para los trabajadores migrantes*

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Résumé de l'article

L'accès au transport est depuis longtemps reconnu comme un élément-clé dans l'expérience du travail. Pouvoir se rendre au boulot à bon prix, à l'heure et de façon sécuritaire fait toute la différence en termes de sécurité d'emploi et de satisfaction au travail. L'augmentation récente du nombre d'agences de placement temporaire, en particulier comme porte d'entrée sur le marché du travail pour les nouveaux arrivants au pays, soulève de nouvelles questions. Nous présentons ici les résultats d'une étude longitudinale sur 3 ans au cours de laquelle nous avons suivi 42 travailleurs (im)migrants placés par de telles agences dans 5 secteurs d'emploi, afin d'explorer la trajectoire de leurs expériences. Nous analysons le rôle qu'a joué le transport dans leur emploi et soumettons que l'accès au transport – particulièrement le manque d'accès – constitue un facteur important dans le contrôle et l'exploitation des travailleurs par les agences. En même temps, nous suggérons que le transport vers le lieu de travail et retour peut s'avérer une cible opportune d'intervention pour ceux qui souhaitent aider les travailleurs.

# Transportation and temp agency work: Risks and opportunities for migrant workers

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## Abstract

Access to transportation has long been recognized as key to people's employment outcomes. Being able to get to work affordably, safely and on time makes all the difference in terms of job security and satisfaction. Recently, the rise of temporary placement agencies, especially as a gateway into the labour market for many newcomers to Canada, raises new questions. In this article, we present the findings of a 3-year longitudinal study that followed 42 (im)migrant temp agency workers in 5 sectors to explore the trajectory of their experiences. We analyze the role of transportation within their employment and make the argument that access to transportation—and especially the lack of it—is an important factor in temp agencies' control and exploitation of workers. At the same time, those seeking to help workers can look into their work commute as a place of intervention.

## Keywords

Migrant workers, temporary placement agencies, transportation, labour rights.

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## Résumé

L'accès au transport est depuis longtemps reconnu comme un élément-clé dans l'expérience du travail. Pouvoir se rendre au boulot à bon prix, à l'heure et de façon sécuritaire fait toute la différence en termes de sécurité d'emploi et de satisfaction au travail. L'augmentation récente du nombre d'agences de placement temporaire, en particulier comme porte d'entrée sur le marché du travail pour les nouveaux arrivants au pays, soulève de nouvelles questions. Nous présentons ici les résultats d'une étude longitudinale sur 3 ans au cours de laquelle nous avons suivi 42 travailleurs (im)migrants placés par de telles agences dans 5 secteurs d'emploi, afin d'explorer la trajectoire de leurs expériences. Nous analysons le rôle qu'a joué le transport dans leur emploi et soumettons que l'accès au transport – particulièrement le manque d'accès – constitue un facteur important dans le contrôle et l'exploitation des travailleurs par les agences. En même temps, nous suggérons que le transport vers le lieu de travail et retour peut s'avérer une cible opportune d'intervention pour ceux qui souhaitent aider les travailleurs.

## Mots-clés

Travailleurs migrants, agences de placement temporaire, transport, droits du travail.

*Transporte y trabajo en las agencias de empleo temporario: riesgos y ventajas para los trabajadores migrantes*

## Resumen

Se admite, desde hace mucho tiempo, que la accesibilidad al transporte es un elemento clave en la experiencia laboral. Poder llegar a la obra fácilmente, a tiempo y en seguridad asienta la diferencia entre la seguridad de empleo y la satisfacción en el trabajo. El incremento reciente de agencias de empleo temporario, particularmente la puerta de entrada al mercado de trabajo para los recién llegados al país, crea nuevos problemas. Presentamos aquí los resultados de tres años de un estudio longitudinal, donde hemos seguido la trayectoria de 42 trabajadores (in)migrantes contratados por dichas agencias, en cinco sectores de empleo, con el fin de explorar sus experiencias. Analizamos el rol que tuvo el transporte en el empleo y sostenemos que la accesibilidad al transporte – particularmente la inaccesibilidad – constituye un factor importante en el control de la explotación de los trabajadores por las agencias. Así mismo, sugerimos que el transporte para ir, como para volver del lugar de trabajo podría ser una ocasión oportuna para intervenir, si se desea ayudarlos.

## Palabras claves

Trabajadores migrantes, agencias de contratación temporaria, transporte, leyes del trabajo.

## Introduction

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For working people, the daily commute to and from their workplace is an important part of the day. How long it takes, how seamless it is, how comfortable they are—these are important considerations. Many people factor in the feasibility of their commute when making decisions about where to live and where to work. As is well documented, however, many factors influence our ability to choose housing and work. Apart from simple economic factors (such as availability of housing or work), social factors play an essential role; all the classic considerations of social location—class, gender, race, disability, among others—can severely restrict or open a person’s options (Block and Galabuzi, 2011; Chicha, 2012).

People who have immigrated to Canada face many hurdles in accessing their ideal housing and employment—in particular, discrimination and lack of familiarity with the local system combine to make it difficult (or impossible) to reach their goals. These issues can be intensified when the person has precarious immigration status—that is, having a temporary status in the country that is dependent on a third party such as an employer or the discretionary powers of immigration officials (Goldring and Landolt, 2013). If these factors come together to constrict housing and employment options, access to affordable, safe and reliable transportation between the two can turn an otherwise unappealing job into an appealing option.

In this article, we consider the role of transportation in the work experiences of (im)migrant workers who rely on temporary placement agencies as an intermediary connecting them to work. Such agencies essentially rent the labour of workers to client companies, allowing the companies to fill (in theory) temporary labour demands while avoiding the responsibilities of recruitment, payroll deductions and, in many cases, training and supervision. Research indicates that immigrants are over-represented in Canadian temp agency work sectors most characterized by hard labour and difficult working conditions, such as warehouses, food industry, agriculture, and cleaning industry (Calugay *et al.*, 2011; Choudry and Henaway, 2012; CNT, 2013). For immigrant workers, in particular, contracts with temp agencies are (of course) temporary, contingent and, for most, are for lower-paying work. With few exceptions, immigrant workers’ employment via temp agencies is not by choice, but something they turn to after being unable to get permanent work elsewhere.

Furthermore, agency workers are not able to choose the location of their work or anticipate where it might be, and therefore are more likely to rely on the agency to also facilitate their commute.

We draw here on the results from a five-year Social Sciences and Humanities Research Council (SSHRC) funded project that sought to explore the role of temp agency employment in the employment, immigration, family and education trajectories of (im)migrant workers, with statuses ranging from undocumented to citizen. The primary aim of this study was to examine the ways in which participating in temp agency work aided or impeded (im)migrant workers in achieving their broad settlement objectives—for example, employment and education trajectories, and immigration and family reunification. The temp agency often presents itself as a “door” into the labour market. Given the common use of temp agencies by (im)migrant workers, we sought with this project to see what exactly this “door” opened into. In this article, we explore the ways in which transportation is used by agencies to connect workers with jobs they otherwise could not access, but in doing so increase their reliance on the agency and subject themselves to further vulnerabilities. We argue that these transportation dynamics make agency workers more vulnerable to labour violations but also, in some cases, provide opportunities for organizing and contestation.

The article begins with a brief overview of both the literature on immigrant workers in the temp agency industry and the literature of the importance of transportation to work. We then present the methods of our study, before turning to the findings related to two modes of transportation to work with agencies: independent or provided by the agency. In our discussion, we argue that transportation deserves attention as a key element of temp agencies’ control and exploitation of workers. However, for those looking to organize workers or help defend their rights, understanding transportation patterns represents an opportunity to reach workers at a moment in their day that is conducive to conversation. We conclude with implications of these findings in terms of policy, practice and future research.

## Literature review

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In order to contextualize this issue, we begin with the topic of immigrants labouring via temporary placement agencies, introducing the phenomenon of temp agencies themselves and immigrant workers’ experiences with temp agencies. Secondly, we discuss the importance of transportation to

people's employment experiences, considering themes such as the diverse locations of workplaces, provision of public transportation to facilitate employment outside of downtown and employers' involvement in the provision of transportation. Finally, we turn to the literature on the use of transportation nodes and trajectories as opportunities for community organizing.

### Immigrants in the temp agency industry

While they have been around for decades (famous in the 1950s for the introduction of the “Kelly Girl”; see Hatton, 2011), since the early 2000s agencies have been contracted by an increasing array of employers (Theodore and Peck, 2002) seeking to lower their costs and avoid longer-term legal commitments to employees (Gonos and Martino, 2011; Choudry and Henaway, 2012; Van Arsdale, 2013). Temporary placement agencies have become ubiquitous in the Canadian labour market (Choudry and Henaway, 2012). Statistics Canada (2015) reports that, in 2013, they accounted for \$12.5 billion in economic activity. Labour practices are regulated provincially in Canada. Although a registry has been newly established (Assemblée nationale du Québec, 2018) the lack of any previous licensing regime in Québec makes it impossible to provide an accurate count of the number of temp agencies in the province, (Bernier, 2011; 2014); however, there are likely more than 1,000 such enterprises in operation (Choudry and Henaway, 2012). What distinguishes temp agencies from other employers is their triangular employment relationship. Temp agency workers are hired, paid and fired, officially, by the temp agency but the labour they perform is on the premises of and (usually) under the supervision of a client company (Vosko, 2010; Bernier, 2014). This triangular relationship disrupts the traditional role of the company directly benefiting from the worker's labour; the company is no longer the “employer” and distances itself from responsibility for regular labour standards and, particularly worryingly, in many countries, including Canada, from occupational health and safety responsibilities (Lippel *et al.*, 2011). When problems occur, it proves difficult to seek recourse in the confusion about who—the temp agency or the client company—is responsible for the violation (CNT, 2013). Ultimately, agency workers tend to make lower wages than their non-agency colleagues, have precarious work contracts and face more workplace danger of illness or accident (Underhill and Quinlan, 2011; Lippel *et al.*, 2012; CTTI, 2016).

Notably, in June 2018, Bill 176 was adopted, amending Québec's Labour Standards Act (Assemblée nationale du Québec, 2018), which had not been reformed since 1982, and filling gaps in the regulation of temp agencies. The new regulations for agencies included equal salary for direct employees of the client enterprise and those from agencies; prohibition against operating a placement agency without holding a license issued by the Labour Standards Commission; prohibition for a client company to retain the services of an agency that does not hold a license; and establishing that a client company and the agency share responsibility for the pecuniary obligations towards agency workers. The law does not address agency-provided transportation or the travel time related to agency assignments, however.

There is a wide range of types of temp agencies, from high-end agencies with beautiful offices and a roster of professional workers for rent, to fly-by-night operations being run by one person with a cellphone and a van. Along this continuum, racialized and gendered divisions of labour are evident (Bernier, 2011; Choudry and Henaway, 2016; Donald, 2017; Malhaire, 2017; Hanley *et al.*, 2018) and one can observe the exploitation of (im)migrants with precarious status (Salamanca Cardona, 2018). The use of spatial and geographic segregation of temp workers from the wider community (Peck and Theodore, 2002; Gonos and Martino, 2011) and hiring according to language proficiency (or lack of it), immigration status and race/ethnicity (Vaillancourt, 2014; Čaněk, 2016; Villarrubia-Mendoza, 2016) are some of the practices that have been documented among temp agencies to control workers and respond to client companies' demands. The professional deskilling (Chicha, 2012), inequitable salaries (Déom and Beaumont, 2008; Beeman, 2011; Chicha and Charest, 2013) and professional segregation (Cognet and Fortin, 2003; Chicha and Charest, 2013) faced by racialized immigrant women in the labour market already are intensified under the temp agency system, and the unstable nature of the work (for example, regarding hours, location, duration of contract) makes it harder for women who have a disproportionate amount of family care responsibilities (Chicha, 2012). Despite all these pitfalls, temp agencies seem to increasingly serve as the entryway into the Canadian labour market for newcomers, even being promoted by public agencies such as Emploi-Québec, the government agency mandated to support Quebecers (including newcomer permanent residents) in job readiness and job search.

## Transportation as a factor in employment

The link between transportation and employment is already well-established in the literature and is linked with both geographic and social location. As mentioned, social location plays a key role in determining people's housing options and the distance of a person's housing from feasible or decent employment possibilities can increase their vulnerability (Jones *et al.*, 2007; Åslund *et al.*, 2009). If one lives far from feasible or decent employment possibilities, then adequate transportation—that is, affordable, reliable, safe—becomes essential. Without adequate transportation, it becomes difficult, if not impossible, to secure employment and then to hold on to it (Blumenberg and Pierce, 2017). Furthermore, without steady employment, it is difficult to maintain stable housing. Even with access to adequate transportation, if the distance and travel time are too long, this presents other implications for family caregiving responsibilities and basic work/life balance (Thakuria *et al.*, 2013).

The literature has also documented that transportation systems in North America tend to disadvantage already marginalized populations (Blumenberg and Pierce, 2017). First of all, transportation infrastructure (highways or train tracks, for example) are disproportionately located close to low-income or racialized neighbourhoods—whether such communities are there because they can only afford to live in the devalued areas or whether new infrastructure is planned to pass through their pre-existing neighbourhoods. While this can potentially locate them closer to major transportation hubs, it also disproportionately exposes them to air pollution, noise, and lack of green space. Urban public transportation routes are typically planned to bring people from the suburbs to the centre of the city in the morning and back again at the end of the traditional workday. Other employment commutes—from inner neighbourhoods to suburban worksites, for example, or different shifts than the typical 9-to-5—are often poorly served, if at all (Jones *et al.*, 2007; Blumenberg *et al.*, 2015). In rural areas, public transportation may be altogether absent, making employment impossible without a personal vehicle (Fletcher *et al.*, 2010).

Policy makers are aware that improvements to transportation access can improve employment outcomes of unemployed or underemployed workers (Thakuria *et al.*, 2013). Employers also recognize the importance of transportation to their labour force, a factor contributing to workers reporting for work on time, staying in a job

or not, and their general job satisfaction (Jones *et al.*, 2007). Employers will sometimes subsidize public transit passes or help organize carpooling (Di Domenico, 2006; Sanchez, 2008). In other cases, they intervene with public transit authorities to arrange bus schedules that coincide with their shift turnover and travel routes that are convenient to their workers. Where public transportation is not available, typically in more rural or remote locations, employers may also organize private bus or van transportation (Hanley *et al.*, 2015). In very remote parts of Canada, some worksites (e.g., resource extraction, medical services for isolated communities, etc.) even require the employer to organize fly-in shuttles. While these employer interventions aimed at accessible transportation are usually seen as win-win propositions—ensuring a steady workforce while making the employment feasible for workers who might not otherwise be able to get to the worksite on their own—it seems that in the case of temp agencies, this employer/transportation link more often takes a negative turn.

## Temp agencies and transportation

For more than a decade, advocates and researchers have been pointing to transportation as a potential source of exploitation of temp workers (Kerr and Dole, 2005). As in other situations where the worksite is hard to access by public transportation, employer provision of transportation may be necessary for some temp workers. However, temp agencies may also use the provision of transportation as an opportunity to exercise control over the workforce, leading to further exploitation.

A common practice is to require workers to report to a specific location each day to then be dispatched according to the immediate demands of client companies (Gonos and Martino, 2011). This means workers can be unsure of whether they will get daily work, spending unpaid hours waiting for assignment and having very little information about where they are being dispatched. Collective transportation means workers are under observation when they are together and, additionally, they are often charged exorbitant fees for the “service”. Temp agencies may require that workers use this service regardless of whether it is possible for them to reach the worksite independently (Freeman and Gonos, 2005; Kerr and Dole, 2005; Gonos and Martino, 2011).

One clear example of this is the “*raiteros* system” used by many agencies in the U.S.—including, for example, giant agencies such as Select Remedy—who have learned

to target (im)migrants according to ethnicity and using transportation as a management tool. The *raiteros* system, used in Chicago and other cities, refers specifically to a method of recruiting Mexican and other Latin American workers with precarious immigration status. A *raitero*, coming from the English word for “rider”, is a person—generally another Mexican immigrant—who recruits and transports Mexican workers to factories and other agency worksites (Villarrubia-Mendoza, 2016). The *raiteros* work informally for the agencies, and are left to manage the workers they transport. Since they are also (im)migrants and are aware of migrant trajectories and neighbourhoods, they know where to find workers, how to approach them, ask them for their information and recruit them (Grabell, 2013). For many agencies in Chicago, not using *raiteros* means incurring higher operation costs for labour recruitment, thus putting agencies at a disadvantage compared to competing agencies who use them (Grabell, 2013). The *raitero* system provides a model to help us understand how temp agencies in Canada can use transportation to recruit and manage their labour force.

The quality of temp agency transportation is often brought into question and has long been a grievance of workers (Kerr and Dole, 2005). Drivers exercise quite a bit of power, often deciding who gets to join the lift and therefore who gets a day’s work. Workers arriving late for a job assignment may be denied the contract; workers also report having to wait unpaid hours after the end of a shift at an inaccessible worksite for the agency transportation to pick them up (Kerr and Dole, 2005). In the worst-case scenario, vehicles are in a dangerous state of disrepair, overcrowded, and drivers may lack proper training (Kerr and Dole, 2005; Gonos and Martino, 2011). There have been several cases in Canada of temporary foreign workers being killed when the employer-supplied vehicle they had to take to and from their assignments crashed under dubious safety conditions—for example, due to overcrowding and/or overtired drivers at the end of a shift (Russo, 2011; Preibisch and Otero, 2014).

### Transportation as a factor in collective organizing

There are clearly many reasons for the transportation provided by temp agencies to form the basis of organizing campaign demands, but Gonos and Martino argue that the bringing together of disgruntled workers into buses and vans also “represents a point of vulnerability that organized temps could exploit to their advantage”

(2011: 507). While transportation has rarely been discussed as an organizing issue for temp agency workers, there is ample literature discussing transportation issues as both the subject of organizing demands and, less often, an organizing tool or opportunity.

As a subject of demands, people typically organize for better public transportation in terms of such things as affordability (Staples, 2012), service to marginalized neighbourhoods (Swanstrom and Banks, 2009; Lavoie, 2012), disability access (Pillsbury, 2016), and freedom from discrimination, harassment, and violence in public transportation (Soja, 2009). Organizing also occurs against such things as harmful industrial transportation through residential neighbourhoods (Pearson, 2013) and dangerous or inadequate transportation for temporary foreign workers (Gabriel and Macdonald, 2011).

The most famous example of using transportation as a location and opportunity for organizing is the Los Angeles Bus Riders Union (Mann, 2001). In the United States, other efforts by the National Day Labour Network also use transportation hubs and street corners where employers are known to hire workers as key spots for holding organizing meetings, outreach, but also as a way to negotiate with employers. This location-specific organizing strategy has been able to inform workers of their rights and create a collective bargaining on an informal level based on workers who go to different sites but share a common geography of where they are hired. One example of this is the Latino Union of Chicago, which conducts workshops on health and safety, immigration rights, and workers rights that protect against wage theft by employers at street corner hiring sites (Theodore and Martin 2007). While migrant workers are dispersed from these hiring locations to many different worksites, they still share similar socio-economic conditions that create common employment challenges and preoccupations.

Within Montreal, the organizing efforts of the Immigrant Workers Centre (IWC), our community partner on this project, using transportation nodes for outreach to workers, are well-documented (Hanley and Shragge, 2009; Henaway, 2012). They identify metro stations with high traffic of migrant workers, identify ends of shifts and do regular flyering and outreach there. Their regular presence leads to connections and the building of trust, leading some workers to eventually approach them to ask questions about their rights, share information about their workplaces and—sometimes—join the process of

organizing. Organizers from the IWC also identify end-of-shift bus routes and ride with the workers, distributing flyers, answering questions and providing information. For agency workers in Montreal, the IWC has identified pick-up and drop-off points for the buses and vans transporting workers and arranges outreach efforts based on their schedules. In all of these cases, they must exercise caution to avoid being obvious to employers so as not to put workers at risk. While the IWC has long been aware of these transportation nodes, our study has provided much more detail about how workers end up having to use agency transportation and conditions as well as what happens during the commute and at the worksites. All of this information helps consolidate organizing efforts and provides a basis for exploring how well the current policy framework protects workers having to use agency-provided transportation as opposed to travelling independently.

## Methods

The data for this article was collected as part of a three-year longitudinal study on the experiences of (im)migrant temp agency workers in Montreal. The primary focus of this study was to examine the role placement and recruitment agencies play in immigrant workers' employment trajectories, given that they are often framed as an entryway into the Canadian labour market. Following approval by McGill University's Research Ethics Board, we interviewed 42 (im)migrant workers 9 times over 3 years at 4 month intervals<sup>1</sup>. Of these, 18 workers participated in all 9 interviews, while 14 participated consistently but were not available for all 9, and 10 workers participated in less than 5 interviews, totalling 274 in-depth interviews. In recognition of the contribution of participants over such a long period of time, they were offered a \$50 honorarium for each interview. Semi-structured interviews were conducted in French, Spanish and English by a team member fluent in that language. Interviewers asked about current employment, immigration issues, educational opportunities and pursuits, and family relationships. All interviews were digitally recorded and transcribed verbatim; Spanish interview transcripts were translated into English. The team was composed of two faculty members and five doctoral students who remained

involved for the length of the project. All members of the team participated in the interviews (with four of us taking primary responsibility, including the principal investigator) and the coding and analysis was shared by all. Interviews were analyzed thematically, using a human rights framework. Given the enormous amount of data, strong coordination of our efforts was essential: we had weekly work meetings.

Participants were recruited to represent experiences from a range of different labour sectors, such as warehouses, the food industry, health care, day-labour (e.g., recycling, farms, and cleaning), and professional sectors. These sectors are characterized by a high degree of precariousness and a considerable proportion of (im)migrant labour. Table 1 outlines the participants' socio-demographic profile.

We had excellent retention of participants, with three quarters of them continuing with the project for the full three years. The stories they shared with us allow for a rich understanding of the realities of labouring under the temporary placement agency system, from the perspective of (im)migrant workers.

## Findings

In our interviews, it became evident that many temp agency workers were travelling a lot to reach their daily work assignments, whether via public transportation or transportation provided by the agency. Working in the more remote workplaces outside or on the outskirts of the city necessarily implied long periods of travelling. While most workers reported commute times of 30 to 45 minutes from their pick up point, others mentioned that 60 to 90 minutes of travel to get to work was not uncommon for them. Notably, these periods do not include the time many of them spent using the public transportation to arrive to the places where agencies pick them up. Our discussions with workers made it clear that one major distinction in their employment experiences was whether they travelled to work independently or had to rely on their temp agency employer to travel to the work setting. In this findings section, we divide their stories into these two categories.

<sup>1</sup> The study also involved a comprehensive casefile review of complaints made about employment and recruitment agencies to the IWC and PINAY, two community organizations in Montreal specializing in migrant worker rights and advocacy. However, we report on those results elsewhere (Hanley *et al.*, 2018).

TABLE 1 Profile of participants at the beginning of the project | Conception: Hanley, Salamanca Cardona, Henaway, Larios, Dwaikat Shaer, Ben Soltane and Eid, 2018

	44% women	56% men
<b>Age</b>	73% prime working age, between 26-44 years old	
<b>Family situation</b>	49% single	51% married
	68% have children	43% of these children were born in their country of origin
<b>Language</b>	85% speak French	65% trilingual (French, English, other)
<b>Education</b>	80% have post-secondary education	20% have post-graduate education
		88% would like to study in Canada
<b>Immigration status</b>	53% citizens or permanent residents	47% precarious status (including 17% undocumented)
		From the Americas, Europe, Africa and Asia

### Getting to the work site independently

Those who travel independently share the advantage of having more information about their workplaces (for example, the exact location and the name of the company), being able to associate and speak freely while commuting and being able to arrive and leave work when they want to. Disadvantages are the sometimes limited schedules and routes of public transportation and having to assume the cost of transportation themselves. First, some workers expressed enjoying the autonomy of being able to make their own way to work. One worker who was happier with their current job told us that it was because: “It is more close to my home... I take the bus in Côte-Vertu. I pay my transportation. They take you in the trucks when the work is outside of Montreal, but if it is in Montreal, they don’t take you” (Warehouse work/Mexican/Male/52 years old/Rejected refugee [undocumented])<sup>2</sup>.

When workers make their own way to work, not only can they better control their commute time, they also have much more information about where they are working. The agency must give them the details of the location, allowing the worker to figure out routes to get there and possible alternative types of travel (public transportation, ridesharing, using a personal car or getting picked up by a friend or family member, for example). Another worker, when asked to name something they liked about the

current job the agency had placed them in for a relatively extended time, told us: “I go walking. It is near my home, I live near there. I do like 25 to 30 minutes walking, and the same to return” (Food transformation work/Mexican/Female/51 years old/Rejected refugee awaiting a response of humanitarian application).

In addition, when workers travel independently, they are free to associate with others they encounter along the way. Workers exchange information, share observations and give each other warnings and tips about getting by in the city. And finally, one of the biggest advantages of getting to the job site on their own is that the worker retains the possibility of leaving the worksite when they want to. Whether their shift is cut short, they get fired or want to quit—they can just leave. As we will see in the next section, this is not always the case when the agency provides the transportation.

However, there are also disadvantages to travelling independently, one of which is the workers’ obligation to assume the cost. While many workers will have invested in a monthly transit pass for use in their private lives already, the most precarious workers find the cost of such a pass prohibitive. Furthermore, if they must travel off the island of Montreal to get to a worksite, there are surcharges for suburban transportation that eat into what is already a low salary: “I was working in Laval. They didn’t recognize my transportation; I paid my bus ticket with the money I earned there. At the beginning they transported me, but afterwards I had to pay my own ticket to Montreal, and that represented 6 dollars less from my payment” (Cleaning work/Male/38 years old/Rejected refugee). A second

<sup>2</sup> Interviewed participants are identified in each quote according to their work, age and immigration status at the time of the interview being cited. Age obviously changed, but employment and status also often changed over the course of the three years of our project.

drawback of travelling independently to the worksite is the limitations of the public transit schedule and being held accountable for buses being late or other things beyond a worker's control.

I have to transport myself. It takes one hour and a half to arrive to my work area. I have to take three buses, and one time the metro, and the bus arrives a little late, and then... I work in Laval, and now I live in Montreal. It is far, and sometimes I arrive late... Most of all in winter, it is a little heavy, because you have to invest time on the transportation, and if you lose one bus you lose time (Industrial cleaning work/Male/43 years old/Rejected refugee).

There are certain circumstances, therefore, in which workers appreciate that the temp agency provides the transportation. It seems that many of the contracts offered to immigrant workers are outside of the central work districts that are easy to access via public transportation. In the suburbs and small towns surrounding Montreal, there seems to be a shortage of available low-wage labour. When the demand for workers is in distant locations without a supply of labour, temp agencies link client companies to the workers in the city looking for work. Workers without private vehicles are acutely aware that there are opportunities they cannot access via public transportation. This worker describes how his lack of transportation, apart from what was provided by the agency, prevented him from being hired directly by a company outside the city:

[It is a yogurt company] I see it in the supermarkets with the image of Greek who says something about Greek yogurt... This was in Ontario. One leave the Montreal Island, then Québec, and after passing the border of Québec with Ontario, there it was the factory... There was that possibility [to be hired directly by the company] but the problem was to arrive there. Because everybody said that if you had a car or you live nearby, the enterprise contracts you immediately. But if you are not with the agency anymore, the agency does not take you there anymore. It is a sort of dependency on the agency because of the transportation.... The Québec women who did the cheese, it is because they live five minutes from there. They had a better salary, and for sure they have all the benefits, the union and all that. We [the agency workers] are in lower level; we were dependents of the car. If the tire of the car poked, or something, one cannot go out from that place. That is the country, there is no bus, nothing there (Food transformation work/Male/30 years old/Citizen).

Another worker describes having found interesting work outside the city but not being able to keep the job because he was not able to organize stable transportation: "Well, what happens is that yes, there is job, but nobody can get you there... I went there, one day, not more. But nobody can drop you there... It's like 40 minutes... but they drop us in a mountain that is close to the fields" (Agricultural work/Male/40 years old/Ex-temporary foreign worker, currently undocumented, preparing spousal sponsorship). As we shall see in the next section, however, there are serious drawbacks to the agency transportation.

### Transportation provided by the agency

When transportation is provided by the temp agency, workers report that it allows them to access jobs that are distant or off the usual public transportation routes. The disadvantage, though, is that access to the worksite (both coming and going) is completely controlled by the employer, with workers often having very little information about where they are going. During the commute, the workers are under surveillance by the temp agency. And, in the worst-case scenario, agency-organized transportation becomes a site for immigration raids.

Travelling with the agency often means a lack of information about where the worker is headed, even the name of the client company. This worker describes how her supervisor at a cleaning temp agency used control of the transportation as a way to limit her knowledge of where and for whom she was working:

There is a difference between the agencies which do work for a company [in one location], like the one of the apple, the one of the onion, etc, versus the cleaning agencies. Because the cleaning agencies, they have the contracts. They take you directly where you work and sometimes they monitor you, do you understand?... Here the owner of the cleaning agency supervises you directly, he says what you have to do. And he took us to the work centres and he supervised us... Then after they take you to another place sometimes... But, it's true, I do not know what is the name of the company (Cleaning work/Male/38 years old/Refugee claimant).

Sometimes workers simply show up at the meeting point, get into the vehicle and head out, as described by this participant:

The apples were my first job. We went to an event of the refugee shelter and there we met a friend from Mexico. He told us we could go to the Metro and there there was a person who can take us to the place of the apple work. There a car arrived, well, a car from these agencies which recruits people, then they took us and returned. So that was how I started my work with agencies (Agricultural work/Male/38 years old/Refugee claimant).

While there are certain metro stations in Montreal that are common meeting points for temp agency buses and vans, the more fly-by-night agencies may change meeting points frequently. Workers described how this made them nervous and gave them the impression that their agency managers were afraid of being identified. The provision of transportation by the agencies can become a tool of worker exploitation. Here a worker gives a detailed description of how one agency coerced workers to take on contracts they might otherwise refuse:

When the people arrive at 6 in the morning at the metro, they do not know where they will go to work because they tell them at that moment: 'Go to the yellow bus to work at the quails, and the white van will go to the warehouses in Montreal North'. The same vehicles cover another round in the afternoon, to work either at the apple packing or chicken packing. Every time you ask where you will go to work they say 'you go to the quails, you go to the cucumbers, you go to the chickens, you go to the apples, you go to the strawberries'. They never say you go to this enterprise or to that enterprise... You must take your own food, your work equipment, and every day is a surprise because you do not know where they will send you. And there are enterprises where the conditions are much worse than others. Most of the people do not want to work at the quails. What does the owner of the agency do? They cheat you: they lie to you, they tell you 'you are going to work at the cucumber'. But what happens is that suddenly the vehicle goes to where the quails are, and suddenly they tell you that unexpectedly work at the cucumbers was cancelled, but for you to not lose the day...and you have to be assured that they would take you to the quails. When you are on the way, and you do not have a way to return, you have no other option. These type of tricky practices are very common too. Also, when the agencies contract you they never tell you how much you are going to earn. They only tell you to step on the bus, and you just have to say, almost begging, 'ok but how much are you going to pay me?' ...But what can you do at that moment? You cannot go back, and besides it is the only earnings you have (Agricultural and food transformation work/Male/Rejected refugee claimant without work permit).

We see here the vulnerability of workers who are in worksites outside of Montreal, when they must choose between tolerating abuse or abandoning the workplace with the risk of not having transportation back to the city. Here, a worker describes making a clear decision to put up with abusive treatment because she knew that if she stopped working, she would still be stuck at the workplace until the agency vehicle returned:

They are not so nice, right? It is true that sometimes if they see someone working, and this person is not doing the things as it was told, this lady comes and screams at his face as a crazy, not as a person... At the first time I went there, yes, she screamed at me. And I swear to you that I still tremble when I remember. I didn't leave the job because it was too early to do it and I knew I had to wait until the car arrives. So I thought, between sitting with my arms crossed, waiting, without nothing to do, and without payment, well I prefer to tolerate this (Food transformation work/Female/Tourist, preparing spousal sponsorship).

Related to this problem, other workers described the agency just not showing up with the vehicle until an hour or more after the end of the shift, time for which they are stranded and not being paid. When the agency provides the transportation, it can also raise serious questions about minimum labour standards and occupational health and safety. The time spent in agency transportation is almost never counted as work time, even if it is very far and impossible to get there via public transportation. Many workers echoed this participant's feelings of exhaustion with long hours and frustrations at not being paid for long commutes:

Usually the work times are of 10 and sometimes 12 hours. When a worker leaves his workplace, you want to arrive to your home to sleep; you are strained. And we are talking about a transportation time that, in the best scenarios, used to take me 90 minutes to go, and 90 minutes to return. We are talking about three hours per day that don't mean any earning for you, it is time wasted. This transportations time is also exhausting (Agricultural/food transformation and light industrial work/Male/Rejected refugee claimant without work permit).

And although it appears to be an uncommon practice in Montreal, there are some agencies that charge their workers for the transportation provided: "Oh, these people do not lose money. If at the exit time you don't have a way to get home, they tell you 'Don't worry, we'll take you' but they charge you. Five dollars. And they fill a bus and they

drop the people off here and there...” The occupational health and safety implications of the agency-provided transportation are worrying, for example, not having proper safety belts, no snow tires, faulty mechanical conditions or an unlicensed driver for the vehicle. On this last point, it was also mentioned that sometimes the driver is also one of the workers, which means that this person is sometimes too tired to be driving safely:

Well, one of the reasons why I left this job was because of the trip to get there and back, and most of all because there were good drivers and bad drivers. I mean, some lost control of the vehicle in the snow, and they did not do the maintenance and reparations on the vehicle. One day, for example it snowed and they still did not put the snow tires on the vehicle, and that trip was frightening. In this case, your life is not in your hands, and this is a guy who wakes up before you. He sleeps later than you, and he was 72 years old, and he worked all day in the factory. And if one is tired and you can sleep in the car while going and coming back from work, well, this guy cannot, because he has to drive. When you see him starting to sleep while driving the car with seven guys in the car, you get frightened, and the people woke up, and the people complained, but it happened again... So, a bad day involves some of that, it creates much tension and you feel the car might crash, and that you can lose your life in an accident that is completely avoidable and I was expecting it to happen. Accidents have happened before, and for sure they will happen again... Yes, a Cuban woman told me that it happened before (Food transformation work/Male/30 years old/Citizen).

Overcrowding of the vehicles is another problem mentioned by several:

The bus becomes full... There are people sitting on the ground. They make you sit because if the police see you standing up, they stop the car. It is not easy. And besides that, the woman who is in charge of the vehicle screams at you, “Hey, you son of a bitch! Sit! Don’t do that...” If you don’t get a seat and you are standing, she screams at you, “Get down there!” and she sometimes threatens to leave people on the road if they do not obey... How can people complain if they have the need for work? They do not know what the laws are, or they just don’t care about it. Do you want to go hungry, or do you want the money? What do you want? Going hungry or do you want the money? You have to accept this, there is no choice; it is hard, it is difficult (Food transformation/Male/40 years old/Ex-temporary foreign worker, currently undocumented, preparing spousal sponsorship).

Finally, increased security measures in public transportation makes some undocumented workers prefer the difficulties of agency-provided transportation. They are afraid of when there are ticket audits in the metro, afraid they will be asked for identification they don’t have. However, over the past year, there have been examples in Québec and Ontario where immigration officials have actually targeted the buses of agencies to check for immigration documents and have detained and deported undocumented workers.

## Discussion and conclusion

In this article, we offered a portrait of the transportation experiences of (im)migrant temp agency workers in Montreal. We explored the major differences between when workers travel independently to the workplace versus when the agency provides the transportation. While both have advantages and disadvantages, we demonstrated that agency-provided transportation diminishes the autonomy of workers and puts them at serious risk of labour standard and occupational health and safety violations. To our knowledge, this is the first article to explore the links between temp agency work and transportation within the Québec and Canadian contexts.

The important work preceding ours (Bernier, 2011; 2014; Choudry and Henaway, 2012) did not give transportation issues deep consideration. In our examination of the experience of temp work in Montreal, we were able to identify the way that transportation issues intersect with the use of spatial and geographic segregation of temp workers from the wider community (Peck and Theodore, 2002; Gonos and Martino, 2011), and with practices of hiring according to language proficiency (or lack of it), or immigration status and race/ethnicity (Vaillancourt, 2014; Čaněk, 2016; Villarrubia-Mendoza, 2016) identified by authors studying other jurisdictions. We explored the difference it made for workers to be able to travel independently to work as opposed to having to rely to rely on the agency for transportation; there were both risks of labour violations and opportunities for rights-oriented organizing.

There are a number of situations that seem to make the transportation risks greater for immigrant temp agency workers. One is if the agency provides “informal” transportation, for example when an agency owner picks workers up or pays one of the workers to use their private

or rented vehicle to transport others. In these situations, the service is unprofessional, more dangerous and implies a high level of surveillance and control due to the small size of the vehicle and physical proximity of the person doing the hiring and job assignment; additionally, it is often presented as a “favour” and not officially related to the job, a distinction that can become critical if problems arise.

A second risk is when the workers are dependent on the agency to reach a distant workplace, making them sometimes feel grateful toward the agency owner, again as if they are doing them a favour. This lessens the likelihood of workers defending themselves from rights violation, as they express their need to return to the agency to access employment in the future. Agency transportation creates greater job insecurity, as well, with the issue of making the daily pick-up—often with very little leeway—a one-shot deal. Finally, we observed a tight relationship between immigration status and quality of transportation. Undocumented workers seem more likely to rely on agency-provided transportation and report the most dangerous, unpredictable and surveilled travel.

The labour rights and occupational health and safety violations we documented in our interviews are significant enough to warrant serious consideration by government authorities as they move toward greater regulation of this industry. In Québec, despite recent reforms with Bill 176, little consideration is given to transportation issues. Our research suggests that this needs to be a standard part of investigation into temp agency complaints and proactive measures need to be taken on this issue. Transportation issues are of serious concern to workers, which also suggests that it is something important for community organizations seeking to support these workers to become knowledgeable about and to incorporate into their work.

We argue here that our examination of the transportation dynamics of the temp agency industry in Montreal also offers opportunities for organizing, aligning with what organizers in other jurisdictions (Freeman and Gonos, 2005; Kerr and Dole, 2005; Mann, 2009; Gonos and Martino, 2011) have already put into practice: transportation can be an important target for worker organizing. First of all, it is relatively easy to identify the key transportation nodes for agency workers in Montreal. There are clear times and places where agency workers come together either on their way to Montreal workplaces using public transportation or to access agency-provided

transportation. These nodes represent opportunities for organizers to provide information, engage in popular education and—under the right conditions, and usually after a good period of trust-building—mobilize workers to defend their rights. On public transportation routes, riding along with workers offers the same opportunities. Looking to transportation nodes as targets for outreach and organizing can help to identify the most vulnerable agency workers. Caution and discretion are necessary, of course, since employers are likely to retaliate—for example, by simply not hiring workers who appear linked to organizing. It is possible to organize sensibly, however, and it is possible to do so by analyzing the patterns of agency-related travel in order to shed light on the city that immigrant temp agency workers experience.

Hearing from agency workers about their transportation experiences exposes an important element of exploitation not often examined when studying precarious work. We have demonstrated that although there is considerable value in temp agencies providing transportation for their workers to and from worksites, there is also considerable danger that this intensifies their vulnerabilities. Policymakers and organizers need to be aware of both the advantages and disadvantages of agency-provided transportation and take these into consideration moving forward for Labour Standard and Health and Safety protections.

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