



WORLD SIKH ORGANIZATION
OF CANADA

The Canadian Sikh Election Guide



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EXECUTIVE SUMMARY

The active role of Sikhs in the political and social landscape of Canada means that we need to take action to have our concerns heard and addressed. The WSO recommends that political parties take action to address the following issues:

A. Afghanistan Sikh & Hindu Refugees

With the pullout of American troops from Afghanistan and a number of growing attacks on ethnic and religious minorities in the recent years, there is an imminent threat of genocide of Afghan Sikhs and Hindus. We call for an expedited process, and a direct sponsorship program to be put in place to allow Afghan Sikhs and Hindus to resettle safely in Canada.

B. Canada and India

The Indian government, its officials, agencies and representatives have continuously interfered in the affairs of Canadian Sikhs in an effort to malign and misrepresent the community. In addition, the inclusion of “Sikh (Khalistani) Extremism” in the 2018 Public Safety Canada Report on the Terrorism Threat to Canada was extremely misguided. It reinforced the efforts of the Indian government and its agencies. Also, the continuing growth and expansion of extremist groups from India, now based in Canada, are worrisome. We call for open dialogue and transparency of Canadian and Indian cooperation on countering terrorism and violent extremism. We also call for clear and consistent condemnations, and direct action to clamp down on foreign interference.

C. Quebec's Bill 21

Bill 21 restricts the wearing of ‘religious symbols’ by public servants in positions of authority such as police officers, judges, prosecutors and also school teachers and principals. This xenophobic piece of legislation is in clear violation of the Canadian Charter.

We call on Canadians and elected officials at all levels to oppose this legislation that goes against the values and rights Sikhs hold dear.

D. International Students

A significant number of International Students in Canada identify as Sikh. They face a number of hurdles and barriers to access resources for their mental and physical wellbeing. With the current pandemic, these issues have been exacerbated. We call on the federal government to address and formulate solutions for International Students in Canada facing a variety of issues from employment, residency, exploitation, visa applications, and financial hardship.

E. Workplaces

The Covid-19 pandemic has brought to light the hardships faced by a number of people and groups in Canada. The need for personal protective equipment (PPE) and policy guidelines that are accommodating of the Sikh Articles of Faith, has also never been more evident. A number of blanket policies, such as a hard-hat policy, also place Sikh workers under undue hardship. Sikh workers often struggle to procure suitable accommodations that are in line with their faith-based practices. We call on the government and workplaces to do away with blanket policies that lack the necessary accommodations and exemptions, and put in appropriate structures that allow grievances to be heard and addressed. We also call on the federal government to lead the initiative for innovative PPE solutions to provide Sikhs with appropriate accommodations.

We must work together to ensure all members of our Canadian society are treated with dignity and respect.



ABOUT THE WSO

The World Sikh Organization (WSO) promotes and protects the interests of Sikhs in Canada and around the world and advocates for the protection of human rights for all. It was registered with the Government of Canada on November 16, 1984, as a non-profit organization.

The WSO has been actively involved in addressing major social issues in Canada since 1984. As part of this involvement, and with the view to fostering better understanding and accommodation of all peoples, the WSO has prepared submissions to governmental and non-governmental agencies and organizations; presented at and hosted conferences with and for community groups, police boards, politicians, interfaith organization, schools, universities and various other non-profit entities; and conducted training and educational workshops in communities throughout Canada.

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INTRODUCTION

Sikhs in Canada are a crucial part of the social fabric and development of this country. There are over 600,000 Canadian Sikhs. 10,000 Sikhs reside in Québec, 50,000 in Alberta, 250,000 in Ontario, 300,000 in British Columbia, and the balance spread throughout the other provinces and territories. Sikhs continue to maintain their distinct religious identity while integrating themselves as a model community in the multi-cultural landscape of Canada and its institutions

Canadian Sikhs have made significant contributions to the public sphere in Canada while promoting equality, honesty, and selflessness through charitable work, interfaith dialogue, as well as policy and political work.

The Sikh community has pushed for several landmark cases and successful campaigns to secure legislative amendments and accommodations. The Canadian Supreme Court ruled in a landmark unanimous decision 2006 case, *Multani v. Commission scolaire Marguerite-Bourgeoy*, that a Quebec child could wear his kirpan at school and that the kirpan is not a symbol of violence. An absolute prohibition on wearing the kirpan by Sikh students was ruled to be an unjustifiable infringement on the freedom of religion.

The provincial governments of British Columbia, Alberta, Manitoba and Ontario have also passed legislative amendments to exempt Dastar-wearing (Sikh Turban) motorcyclists from wearing a helmet. In addition to garnering success in a variety of fields,

Canadian Sikhs have had significant interactions, participation, and engagement with the Canadian political system. During each election, officials conduct local campaigns at religious events, most prominently the annual Nagar Kirtan on Vaisakhi, and through community engagement by placing Sikh issues at the forefront for electoral success. Many Sikh candidates also rely on their community's support to be elected, by ensuring they will push to have the concerns and struggles of Sikhs be heard and addressed once in office.

There are many Sikh politicians at the federal and provincial levels of government. There are currently two Sikh members in the current federal cabinet. One of the major political parties of Canada, the New Democratic Party, is led by Jagmeet Singh, who made history by becoming the first visible minority to be elected as leader of a major federal political party in Canada.

Despite the visible representation of Sikhs within parliament and the use of Sikh votes, the concerns of the Sikh community have in many respects been ignored. Sikh voters have been an integral part of local, regional, and national democratic institutions and organizations, but their issues have not been addressed.

While contributions of the Sikh community have been celebrated, and members of political parties have repeatedly committed to addressing the concerns of the community, there has been very little action.



SIGNIFICANCE OF THE CANADIAN SIKH ELECTION GUIDE

The Canadian Sikh Election Guide is an effort to provide insight into the ongoing issues of Canadian Sikhs.

The issues listed within this Guide have been identified as the most important areas in which challenges remain, hindering the progress of Sikhs in Canada. Thorough research and consultation on these issues reveal that the matters at hand are of particular concern and require immediate action.

This Canadian Sikh Election Guide has been designed to empower Canadian Sikhs. It can be used by Canadian Sikhs ahead of the federal election to clarify and challenge candidates and political parties regarding their positions and backing for Sikh issues highlighted here. The WSO will continue to monitor the stances and actions of the political parties on these issues over the next years. The objective is to promote openness and accountability of elected officials and the major political parties who seek the Sikh vote.

While Canadian Sikhs have shaped grassroots activism into political clout, **it is important Sikh voters critically evaluate how these parties address the issues highlighted in this document, to then utilize this source of activism for meaningful change.**

East Indians detained in Halifax: a refugee drama that even more...

CANADA

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RESETTLEMENT OF AFGHAN SIKH AND HINDU REFUGEES

Expedited process to allow Afghan Sikh and Hindu families to resettle in Canada through a direct sponsorship program.



Key Objectives:

- Request the Government of Canada to directly evacuate Sikhs and Hindus currently in Afghanistan.
- Press the Government of Canada to expedite the processing of currently sponsored Afghan Sikhs and Hindus and create a special program to allow the Sikh community to privately sponsor the remaining families.



BACKGROUND

From a population that once numbered in the hundreds of thousands, ongoing persecution and several deadly attacks have resulted in the number of Afghan Sikhs and Hindus dwindling to approximately 250. Afghan Sikhs and Hindus are unable to freely leave their homes, find employment, or attend schools. Women are unable to leave their homes unaccompanied, must wear the burqa, and live in a constant fear of being kidnapped. The remaining Sikhs and Hindus live collectively in Gurdwaras for safety and protection.

In recent years, things have gotten much worse, with the community being actively targeted for attacks by extremists who have vowed to drive them out of Afghanistan.

A member of the Hazara minority perhaps said it best, “to be a member of a minority in Afghanistan is hell; but to be a Sikh means being in the innermost circle of hell”.

429 Sikhs and Hindus fled Afghanistan for India in July 2020 on a special visa valid for 6 months. Those that have fled, live in precarious and troubled conditions in India with no real prospects of permanent settlement despite the claims of India’s Hindu nationalist BJP government that is playing politics as it tries to project itself as a saviour of minorities fleeing Muslim countries. India is not a signatory to the 1951 Refugee Convention. Families in India are left in

limbo with no official refugee status, and therefore no access to basic services such as healthcare and education. Very few of them have found employment, so they have no financial security.

A detailed timeline of events endured by the Afghan Sikh and Hindu community in recent years:

- July 1, 2018: 19 killed in suicide bomb attack claimed by ISIS in Jalalabad, including political candidate, Awtar Singh Khalsa
- March 15, 2019: Arjit Singh, a resident of Kabul, is brutally murdered
- March 25, 2020: 24 Sikhs are massacred by ISIS terrorists at Gurdwara Guru Har Rai Sahib, Kabul, including 4 year old Tania Kaur, and over 150 injured.
- March 26, 2020: Bombs are set off during the funeral process for the murdered Sikhs.
- March 28, 2020: ISIS issues threats against Sikh and Hindu communities, giving ultimatum to leave the country within 10 days or face more terrorist appraisals.
- June 2020: Nidan Singh, a leader of the Sikh Community, was abducted from a Gurdwara in the Paktia district and held captive for over a month.
- February 2, 2021: A series of bomb attacks killed one Sikh and injured two others in an area with several Sikh shops in Kabul. The victim, Sunny Singh, never got to see his newborn son in India and his wife watched his funeral on a video call.



- July 17, 2020: 13 year old Salmeet Kaur is abducted from a Kabul Gurdwara. Her father, Surjan Singh, was killed in the March 2020 Kabul attack.
- June 30, 2021: A targeted bomb explosion in the Dharamsal (Sikh) district of Jalalabad, injures 2 Sikhs.

Since 2015, the WSO and Sikh community has called on the Canadian Government to create a special program for Afghan Sikhs and Hindu refugees so they can come to safety in Canada.

Opposition parties have made it clear that they support a special program for Afghan Sikh and Hindu refugees. In July 2020, 25 Canadian MPs from the Conservative Party of Canada, New Democratic Party and the Green Party wrote to the Minister of Immigration in support of this special program. No response to this letter was ever received.

On July 23, 2021, the Canadian government announced that they will be evacuating Afghan interpreters and staff who assisted the Canadian Armed Forces. However, despite repeated calls from the Sikh community, Afghan Sikh and Hindu families have not been included in this program.

On Aug 13, 2021, Immigration Minister Marco Mendicino, Defence Minister Harjit Sajjan and Foreign Affairs Minister Marc Garneau announced a program to bring 20,000 Afghan refugees to Canada, including members of religious minorities such as Sikhs and Hindus.

This program was not however an evacuation or an airlift directly from Afghanistan. These individuals can only apply to come to Canada after arriving in a third country.

With the Taliban capture of Kabul, approximately 250 Sikhs and Hindus remain trapped in the Karte Parwan gurdwara with no way to escape.

The question is not whether there will be another attack, but when. These are extremely vulnerable individuals who do not have a future in Afghanistan or India and are looking desperately to Canada to save their lives. Those left in Afghanistan lack the financial resources to move and forcing them to travel to a neighbouring country in order to begin the refugee process puts their lives in danger.

The Government of Canada must create a special program for the sponsorship of Afghan Sikhs and Hindus and facilitate the evacuation of the remaining Sikhs and Hindus in Afghanistan on an immediate basis.





CANADA AND INDIA

Halt India's Interference in Canada



Crackdown on foreign interference by the Government of India, its officials, agencies and representatives in the affairs of Canadian Sikhs.

Key Objectives:

- Canadian politicians and political parties must stand up against Indian interference and attempts to marginalize and malign the Sikh community.
- CSIS must remain vigilant against ongoing Indian attempts to interfere in Canadian affairs and the Sikh community.

BACKGROUND

There have been long-standing fears around Indian interference and espionage within the Sikh community.

In April 2020, a report published by Global News revealed that Indian intelligence agencies “attempted to use money and disinformation to ‘covertly influence’ Canadian politicians”.

India’s intelligence agencies, Research and Analysis Wing (RAW) and the Indian Intelligence Bureau were behind the operation which began in 2009. According to a decision by the Federal Court, dated March 31, 2020, editor-in-chief of an unnamed Indian newspaper, identified only as “A.B”, met with Indian intelligence over 25 times in five years and as a result was refused permanent residency in Canada. The basis of the denial was that A.B. had been tasked by RAW to covertly influence Canadian government representatives and agencies on behalf of the Indian government. His instructions from RAW included providing financial assistance and propaganda material to politicians in order to exert influence over them, including convincing politicians that funding from Canada was being sent to Pakistan to support terrorism.

During almost every bilateral meeting between Canada and India for well over a

decade, Indian officials have raised concerns over alleged extremist activity in the Canadian Sikh community and "pro-Khalistan radicalism". Canadian Sikhs have consistently rejected these claims as attempts to marginalize and smear the Sikh community to disparage Sikh advocacy on issues India finds objectionable.

There is a long history of Indian interference in Canada. In 1986-87 several Indian diplomats were asked by Canadian authorities to leave Canada because of their espionage activities in the Sikh community. One of these diplomats was Maloy Krishna Dhar, a former Joint Director and a 29-year veteran of the Indian Intelligence Bureau who was in Ottawa on a diplomatic posting from 1983-87. Dhar wrote in his memoir, *Open Secrets*, that his mission was to “penetrate select Gurdwaras”, create assets in the Sikh community and generate “a few friends amongst the Canadian Members of Parliament”

Dhar also targeted mainstream and Punjabi media with stories to “tell the Indian side” and was directed to “regularly meet Canadian Foreign Office mandarins and RCMP point men to brief them about developments back in India and to share whatever ‘open’ information the Indian mission could cull from the community through ‘open’ means”.

Dhar wrote, “I do not intend to disclose the details of the intelligence operations that were carried out between Mani, Shashi and me in deference to the niceties of diplomatic protocol. But we did a lot and reached appreciable penetration in the key Sikh inhabited cities in Canada.” While the activities of Indian intelligence have not drawn attention in the same way in recent years, pressure from Indian interests continues to be felt by many members of the Canadian Sikh community.

In many cases, Canadian Sikhs have been subject to intimidation and coercion.

Many Sikhs, including current and former elected officials, have been denied visas to visit India for speaking out against human rights abuses in India. In some cases, relatives of Canadian Sikh activists in India have also been targeted for harassment by Indian security agencies.

Indian intelligence agencies have a long track record of using media and planted stories to negatively portray Sikhs in Canada. The WSO recently published a report on India’s disinformation campaign against Canadian Sikhs.

Most recently, in an official diplomatic note obtained by the WSO through a freedom of information request to the Peel District School Board and supplied to CBC news, the Consulate General of India, which represents the Indian government, urged Ontario’s Office of International Relations and Protocol to

investigate dialogue about the ongoing protest of predominantly Sikh farmers in India, and stop teachers in the Greater Toronto Area from giving lessons on these protests. The Indian consulate claimed such material could threaten relations between India and Canada, which has been a consistent manipulation tactic of the Indian government and its officials.

The WSO has regularly raised the issue of Indian espionage and interference in Canada with the federal government. Immediate steps must be taken to crack down on Indian interference here in Canada and to ensure that the Canadians can live free from the machinations of foreign governments.





Framework for Cooperation on Countering Terrorism and Violent Extremism

New Delhi, February 23, 2018

CANADA AND INDIA

Cooperation on Countering Terrorism and Violent Extremism between Canada and India

The 2018 Framework for Cooperation on Countering Terrorism and Violent Extremism between Canada and India ignores India's appalling human rights record and has the potential of putting Canadian Sikhs and their families at risk.

Key Objectives:

- As India has consistently failed to respect basic human rights standards, any formal intelligence sharing and cooperation agreements between India and Canada must be suspended.



BACKGROUND

During Prime Minister Trudeau’s visit to India in February 2018, it was announced that the Government of Canada had signed onto the Framework for Cooperation on Countering Terrorism and Violent Extremism between Canada and India. The Framework formalizes “increased collaboration between the law enforcement and security agencies of both countries” and will “develop exchanges and facilitate effective cooperation in the fields of security, finance, justice, and law enforcement, including, where appropriate, at the operational level.”

The Framework states that both countries are “committed to work together to neutralize the threats emanating from terrorist groups such as Al Qaida, ISIS, the Haqqani Network, LeT, JeM, Babbar Khalsa International and the International Sikh Youth Federation ”.

While Babbar Khalsa International and the International Sikh Youth Federation are listed terrorist entities in Canada, both are operationally inactive and the inclusion of these two groups in the same list as ISIS and Al Qaida was noted as being strange, given that there is no equivalence in the activities or capacities of these groups.

It is widely believed that the Framework resulted in the inclusion of “Sikh (Khalistani) Extremism” for the first

time in the 2018 Public Safety Canada Report on the Terrorism Threat to Canada.

The Report did not make any reference to current extremist activities in the Sikh community, nor did it point to any recent incidents of violence or terrorism. The Report only stated, “some individuals in Canada continue to support Sikh (Khalistani) extremist ideologies and movements.”

After a strong outcry from the Sikh community, references to “Sikh (Khalistani) Extremism” were removed in April 2019.

Given India’s appalling human rights record, as reported in depth by Human Rights Watch and Amnesty International, the WSO expressed doubts as to how the Framework would be in compliance with the September 2017 Ministerial Direction to the Canadian Security Intelligence Service: Avoiding Complicity in Mistreatment by Foreign Entities.





The Direction prohibits:

- The disclosure of information that would result in a substantial risk of mistreatment of an individual by a foreign entity;
- The making of requests for information that would result in a substantial risk of mistreatment of an individual by a foreign entity; and
- Certain uses of information that was likely obtained through the mistreatment of an individual by a foreign entity.

Many in the Sikh community expressed concerns that increased collaboration and intelligence sharing between Canadian and Indian counterparts may jeopardize the lives of Canadian Sikhs or their family and friends in India, as it took place during the 80s.

There were also concerns about the objectivity of intelligence shared by India about Canadian Sikhs and attempts by India to malign Sikh advocacy and the community as a whole - concerns that appear to have been validated after the 2018 Public Safety Report.

Given India's repeated interference in Canada and lack of accountability on its human rights record, Canada must immediately suspend the Framework for Cooperation on Countering Terrorism and Violent Extremism between Canada and India.





CONTINUED PRESSURE AND OPPOSITION TO QUEBEC'S BILL 21



Quebec's discriminatory Bill 21 must be condemned by Federal politicians and steps must be taken by the Government of Canada to join the legal challenge against the law.

Key Objectives:

- Press elected officials and political parties to publicly oppose Bill 21.
- Call for the federal government to intervene in the case against Bill 21, to ensure the law is struck down.



BACKGROUND

Bill 21 restricts the wearing of ‘religious symbols’ by public servants in positions of authority such as police officers, judges, prosecutors, school teachers and principals.

Bill 21 was passed by the Government of Quebec, invoking the notwithstanding clause which allows it to override freedom of religion protections enshrined in the Canadian Charter of Rights & Freedom.

In short, the law represents institutionalized discrimination and racism.

There are approximately 15,000 Sikhs in Quebec who have been disproportionately impacted by the ban on religious clothing and symbols. Practising Sikhs, both women and men, wear their articles of faith at all times; they are a constant reminder of the Sikh principles of equality, service and spirituality.

Amrit Kaur, a WSO Board member who is a practising Sikh and wears a Dastaar (Sikh Turban) as a part of her beliefs, was forced to relocate from Quebec to British Columbia in order to pursue her profession as a teacher because of Bill 21.

Several civil society and private organizations have mounted a legal challenge to Bill 21 that was partially successful at the Quebec Superior Court in April 2021 and has now been appealed to the Quebec Court of Appeal. The WSO and Amrit Kaur are parties to the case and

appellants at the Quebec Court of Appeal.

Prime Minister Trudeau has stated “we’re not there” when asked if the government may intervene in legal proceedings against the bill. However, Trudeau had baited his political opponents earlier over their lack of commitment to challenge Bill 21 in court, stating the federal government may intervene to protect minority rights, and language rights.

The Conservative Party of Canada has stated they “...will not challenge laws passed by provincial legislatures or assemblies in areas of their jurisdiction” while noting they would “never introduce this kind of legislation at the





federal level.”

The Conservative Party of Canada has also stated in their election platform that their government will “Respect the jurisdiction of the Quebec National Assembly by neither intervening in nor providing federal funding to support legal challenges to Law 21”.

Green Party leader Annamie Paul does not support the law, stating a Green Party government would intervene in support of the legal challenges against Bill 21 as the bill

violates the universal right to freedom of expression, and religious expression.

The New Democratic Party Leader, Jagmeet Singh, has stated he is personally against the law but would not join the legal challenge against it.

Federal parties must unequivocally condemn Bill 21 and support those affected by the discriminatory law by joining the legal challenge against it.





INTERNATIONAL STUDENTS NEEDS AND CONCERNS

Address and formulate solutions for International Students in Canada facing a variety of issues from employment, residency, exploitation, and financial hardship.

Key Objectives:

- Urge the federal government to crack down on both employers and immigration consultants engaged in illegal and harmful practices.
- The federal government needs to remain aware and vigilant of exploitative practices, and ensure other levels of government and partners are also committed to a zero-tolerance policy for such exploitation and collective action to address them.
- Encourage the federal government to review and revise the criteria of federal permanent residency programs to reflect the current economic hardships that most international students will encounter.
- Though tuition fees are not within the federal government's purview, it is important to strongly encourage the federal government to urge provincial governments and post-secondary institutions across the country to address this significant and growing inequity.
- Pressure the Ministry of Immigration, Refugees and Citizenship to work closely with provincial ministries of citizenship and immigration to enhance existing and develop tailored settlement supports for International Students.
- Pressure the Ministry of Immigration, Refugees and Citizenship to work diligently and quickly to address the backlog of visa applications.



BACKGROUND

In 2018, more than 721,000 International Students studied in Canada. A significant proportion of these students originate from Punjab, India and identify as Sikh. As a result, the WSO has dedicated significant resources to better understand emerging issues and become involved with supporting these students across a spectrum of needs.

The root cause of most issues faced by International Students is driven by financial insecurity, and a major contributing factor of this is high tuition fees. Tuition fees are uncapped and therefore have increased exponentially. Examination of Stats Canada data on undergraduate tuition fees uncovered that, across Canada, international students pay 4.5 times higher fees compared to domestic students (\$29,714 vs. \$6,463). In Ontario, on average, International Students pay 5 times higher tuition fees (\$38,276 vs. \$7,922). The increase in tuition fees has also been staggering. Between 2015/16 and 2019/20, domestic students across Canada faced an increase of 4% in tuition fees and 0.7% in Ontario. Over the same time period, International Students have faced a 33% increase in tuition fees across Canada, and a staggering 39% increase in Ontario.

Students continue to struggle with the current supply of affordable housing across communities. On-campus housing is not within financial means; therefore, the majority of students seek off-campus accommodation. This has resulted in

unsafe conditions, as young people are living in upwards of 20 renters within one dwelling. These houses are often not legally constructed second units, presenting significant health and fire safety concerns. WSO has been working with local post-secondary institutions to help increase legal accommodation awareness amongst students; however, this is an area that requires a multi-pronged approach to increase future supply and address inadequacies in the current housing supply.

There are also countless areas where international students are being exploited. The potential for exploitation begins early, with agents (i.e. academic advisors/consultants) used by post-secondary institutions to recruit and process administration of students abroad. Without knowledge, International Students have been un-enrolled from reputable post-secondary institutions, only to be enrolled into other subpar private institutions where agents earn an additional fee. Female International Students in particular have been targeted for sexual exploitation in communities across Canada.

The COVID-19 pandemic has also had a disproportionate impact on International Students. With the onset of this pandemic, high-density living conditions, front-line and precarious employment, high stress, and food insecurity made this population at high risk for exposure and transmission of COVID-19. International Students also faced barriers to accessing vaccinations because provincial and local public health booking systems



required provincial health cards for online booking.

Provincial governments, such as Ontario, have offered to temporarily expand health care coverage for COVID-19 assessment, treatment and other emergent issues. However, this is not common practice across Canada. Where most students do have private health insurance coverage through post-secondary institutions, these plans often provide limited coverage and may require upfront payment at health care facilities with claims assessment and reimbursement to the student later. Full public health coverage of assessment and treatment removes barriers and ensures International Students and other uninsured/underinsured patients have immediate and comprehensive access to the much-needed health care services. Recognizing that health coverage falls under provincial jurisdiction, the federal government is encouraged to work with provincial health counterparts to ensure all provinces provide consistent, equitable, and comprehensive health coverage for International Students delivered through the post-secondary sector and public system.

Most international students make the significant financial investment to come to Canada with aspirations of permanent residency. However, the process to achieve permanent residency status has been recognized as treacherous – even before the economic disruption resulting from the pandemic.

International Students are expected to unrealistically find work immediately after graduation, if they wish to become permanent residents. This is because most students complete two-year courses and are still required one year of full-time high-level Canadian work experience in order to qualify for most immigration programs, and must complete all these requirements within the three-year work permit they are issued.

For example, a student who completes a two-year diploma/associate degree in the business stream and finds a job, may still not meet the provincial program criteria. This is because after one year of work, they will still be unable to score the required points to get a nomination under the Provincial Nominee Program (PNP) of BC if the job title is not ‘Manager’ or ‘Assistant Manager’ and that too with a minimum wage of \$24/hour or above, depending on which region of BC one is working. It is even more difficult to qualify for immigration in the federal programs. This was an unreasonable expectation for an entry-level job seeker before the pandemic. In light of the sudden economic downturn, meeting such program criteria will be impossible for most international students.

This is most concerning because the struggle to find relevant work experience has also led to exploitation. Some employers force students to pay huge sums for a job that will lead to immigration. International Students have brought forward allegations of employers demanding tens of thousands of dollars to provide jobs with senior titles and show a wage of \$24/hour or above in their records. In some cases, these students work as bonded labour because of the fear of losing their employment as well as the prospect of securing permanent residency. To make matters worse, these



students pay income tax assessed on the basis of a wage of \$24 or more per hour. It is also not uncommon for employers to withhold payment for a month of work under the guise of “internship” and “training”. Employers are also underpaying students knowing there are often limited employment opportunities or taking advantage of students forced to work for more than the legal 20 hours due to financial constraints. It is also alleged that there exists a nexus among employers and immigration consultants to drive this illegal and exploitative system.

International students are protesting against visa processing delays. The processing of international student applications was suspended late in 2020 at 10 institutions in Quebec due to “dubious” international student recruitment practices. A number of these students

have deposited their money in their accepted colleges, with many attending classes since fall 2020. It is unacceptable, frustrating and depressing that students are uncertain about whether they will receive their visa. From a small data set collected by the Pie News, 486 students across Canada who have applied for study permits in 2019 or 2020, are still waiting for PPR. Immigration, Refugees and Citizenship Canada (IRCC) has not responded to concerns about the current backlog in visa processing that is causing serious mental health issues for students.

Federal parties must lay out and commit to concrete action to improve the situation for International Students.





WORKPLACES

Addressing the Impact of COVID-19 on Canadian Sikhs

The federal government must lead the initiative for innovative Personal Protective Equipment (PPE) solutions to provide Sikhs with appropriate accommodation.

Key Objectives:

- With the ongoing COVID-19 pandemic, it is essential that alternative PPE options be readily available for practicing Sikhs for any number of workplaces across the country.
- Sikh front-line workers should openly air their concerns and grievances from the COVID-19 pandemic to local politicians and the political parties in power.
- Procurement practices must be updated by the federal government.
- Independent studies, research and innovation in alternative PPE solutions to appropriately accommodate Sikhs.



BACKGROUND

The COVID-19 pandemic has changed the way health care workers (HCW) provide treatment and protect themselves. During this time, many Sikh HCWs who maintain uncut hair as a tenet of their faith, have been asked to remove their facial hair in order to be fitted with N95 respirators and to comply with workplace regulations. This is because N95 respirators cannot form a seal when the wearer has facial hair.

In some cases, there has been a lack of clarity or misunderstanding in the interpretation of PPE policy guidance, as N95 with seal is only required for Aerosol Generating Medical Procedures (AGMP). Where HCW do require a complete seal, there are alternative options available for practicing Sikhs. However, there have been issues with availability and cost in procuring these alternative devices.

The WSO also advocated for Sikh RCMP officers who had been removed from frontline policing duties on March 31 2020, due to their religiously mandated facial hair. The rationale provided was that the N95 and N100 masks provided to officers would not seal with facial hair.

Sikh officers serving in other police forces across Canada continued to serve on the frontlines and were not removed from their duties. In situations where alternatives such as the Power Air Purifying Respirators (PAPRs) are available and no attempt was made to acquire them in order to

accommodate Sikh officers, taking Sikh officers off the front-line appeared inappropriate and constituted discrimination.

The WSO wrote to Minister Anita Anand and then-Minister Navdeep Bains in August 2020, requesting that procurement practices be updated to ensure PPE, including alternative devices such as PAPRs are secured when ordering so that Sikh workers can be accommodated and that the Canadian government look into innovative PPE solutions that can accommodate Sikhs with facial hair so that they can continue to serve in their important roles.

No reply was received to this correspondence.

The WSO had been advocating on behalf of the affected RCMP officers since April 2020. The issue was finally resolved in October 2020, after it became public in the media.

With respect to self-contained breathing apparatuses (SCBAs), a UK company, Cam Lock, has developed advanced technology offering a line of breathing air equipment that would allow Sikhs, Muslims, and others who, for religious, cultural or medical reasons, could not otherwise be employed in jobs requiring respiratory protection equipment (RPE).

Cam Lock has tried, without success, to work this issue through Labour Canada Occupational Health and Safety officials. Cam Lock, has full NIOSH certification and this equipment



fully complies with the requirements of Canadian Standards Association CAN/CA-Z94.4-18.

Sikh front-line workers must be accommodated. This will require governments to revise PPE policy from an equity, diversity and inclusion lens. Procurement practices must be updated to ensure PPE, including alternative devices such as PAPRs are secured when ordering. Lastly, innovative PPE solutions are needed so that Sikhs are provided

appropriate accommodation and can continue to serve in their important roles. We must continue pushing the federal government to lead these initiatives.





WORKPLACES

Addressing the Exclusion of Canadian Sikhs from Workplaces



Key Objectives:

- Remove blanket hardhat requirement at worksites and ensure turbaned Sikhs are accommodated.
- Pressure the federal government to provide accommodations and assistance to Sikh workers facing difficulty in their workplaces.
- Implement structures to appropriately address the grievances of workers facing difficulty to secure accommodations, and appropriate actions to address employers who fail to follow the due process.



BACKGROUND

Sikhs across Canada are heavily involved in every industry, including timber, trucking, construction and manufacturing. **An issue that arises regularly for Dastaar-wearing (Sikh Turban) Sikhs is the worksite requirement to wear hard hats and helmets.**

While the WSO has regularly called on the Canadian Government to regulate or legislate the accommodation of the Dastaar on worksites since 2015, it is not clear that any action has been taken to address this issue. In fact, the exclusion of turbaned Sikhs on worksites has progressively exacerbated with time.

The Sikh community is mindful of balancing the safety concerns associated with worksites; however, employers across many sectors are developing broad-sweeping blanket policies that mandate hardhat use, thereby excluding and discriminating against turbaned Sikhs. In many cases, these aggressive and generalized policies are not based on evidence or actual risk assessments, and even where reasonable accommodation is possible, it is not seriously considered. Blanket hardhat policies have become an easy default that result in the unnecessary exclusion of turbaned Sikh workers from worksites.

In 2019, the Quebec Court of Appeal ruled that Sikh truck drivers do not need to be accommodated at the Montreal ports. This is despite the fact that accommodations are provided at the ports in Vancouver and also in Hamilton without any issue.

The current approach of instituting blanket hardhat requirements on entire worksites is

an easy default but does not result in the best outcome with respect to safety or accommodation. Requiring employers to aim to eliminate or mitigate hazards instead of simply minimizing injury through the use of personal protective equipment would be an approach that accommodates Sikh workers but would also be beneficial for all workers. The best protection that can be provided to workers is the elimination of hazards and not the minimizing of injury.

The WSO has repeatedly called on the Federal Government to create an accommodation for Sikh workers similar to the accommodation that has been legislated in the UK. This would help clarify the duty to accommodate turbaned Sikhs on worksites. Where there are large populations of Sikhs, worksites in most cases do provide accommodations. However, where Sikhs are in smaller numbers, they struggle to explain the significance of the Dastaar and worksites are unwilling to alter blanket hardhat requirements, even where such an accommodation would not affect operations or safety.

A letter was written by the WSO to Labour Minister Tassi last year on June 3, 2020 and a follow up on August 5, 2020 on the issue of the accommodation of the Dastaar. The WSO received a reply on April 6, 2021 (stamp dated October 23, 2020) which advised that Sikhs who face accommodation issues may “forward a complaint to the Canadian Human Rights Commission (CHRC)”. The WSO has assisted numerous Sikhs in filing complaints with the CHRC on various issues and from extensive experience, it is a lengthy and cumbersome process that takes several years to achieve a resolution. The CHRC process is not



appropriate or useful in addressing what is a systemic issue.

More specific to federal public service employers, the WSO has been contacted by several Sikh Canada Post workers who have been ordered to tie their beards at Canada Post worksites despite the absence of any actual risk posed by their beards as established by third-party risk assessments. The WSO has been told that this order has directly come from 'national' in Ottawa.

Sikh members of the Canadian Armed Forces have also expressed concern that the accommodation of the beard with respect to the gas masks is haphazard and inconsistent, resulting in widely differing

outcomes for Sikh members of the CAF. This is particularly ironic, given that the current Canadian Minister of Defence is a bearded Sikh who himself served in the CAF and dealt first hand with this challenge. Notwithstanding, no consistent resolution has been found for Sikh CAF members.

The accommodation of Sikh workers on Canadian worksites is important and very possible, however, requires motivation and political will to bring to fruition. The WSO has tried now, for several years, to advocate for solutions but requires the assistance of the government in addressing these ongoing challenges. We must continue to advocate for Sikhs at the workplace through policy changes.





CONCLUSION

Our recommendations are clear and consistent with Canadian and Sikh values, and we urge all parties to adopt these recommendations to address the issues at hand.

If you have any questions or concerns about this report, please email info@worldsikh.org or call (+1) 416-904-9110.

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