



JOB POSTING: Staff Lawyer, Okanagan Legal Clinic Project

ABOUT MIGRANT WORKERS CENTRE (MWC)

Founded in 1986, MWC is a non-profit organization that works to promote and advance access to justice for migrant workers by providing legal services, advocacy, research, public education, and engaging in law and policy reform initiatives. Our members include migrant workers working in low-wage jobs in the care work, agriculture, food processing, retail, and hospitality sectors, including migrant workers who have lost legal status in Canada. MWC envisions a society in which all workers are entitled to secure immigration status and access to fair, safe employment. We strive to advance the rights of migrant workers to equally participate in Canadian society and the Canadian economy.

PROJECT SUMMARY

Funded by the Law Foundation of British Columbia's *Racial Justice Grants*, the Okanagan Legal Clinic Project aims to address systemic racism in Canada's immigration system, particularly in the context of the Primary Agricultural Stream of the Temporary Foreign Worker Program (TFWP), including the Seasonal Agricultural Worker Program (SAWP). The project will address racial justice for migrant agricultural workers through test case litigation and systemic advocacy for law and policy reform. This project will employ a critical race theory lens in addressing the rights of workers in this stream.

The harvesting economy of British Columbia's Okanagan region depends on migrant agricultural workers; however, these workers are uniquely vulnerable to exploitation and abuse in the sector. Many are routinely subject to employment standards violations, forced to live in substandard conditions, and denied proper medical care or compensation for workplace injuries. Migrant workers are tied to the employers who hire them. If they complain about abuses, they may face threats of deportation, blacklisting or other retaliation. Despite their essential labour, they are largely excluded from Canadian citizenship.

Test case litigation involves cases whose outcome will affect a large number of migrant agricultural workers or will significantly affect the law as it relates to their rights in BC. The impacts of engaging in test case litigation have the potential to reverberate across the agricultural industry by leveling the playing field and ultimately raising the floor of protections for all migrant agricultural workers. The project's law and policy reform work will be conducted in partnership with stakeholders across the province of BC, including labour unions, advocacy groups, government, legal experts, and academics. Migrant worker participation will be core to this work.

JOB SUMMARY

This is a full-time (Tuesday – Saturday) position. MWC's Okanagan Legal Clinic is currently being funded by a Racial Justice Grant from the Law Foundation for a period of 3 years (until May 2026). We hope to be able to continue the Clinic beyond this time period.

The Staff Lawyer position is an exciting opportunity to engage in test case litigation and systemic law and policy reform work to address longstanding inequities within the Primary Agricultural Stream of Canada's TFWP.

The Staff Lawyer will provide pro bono legal advice; engage in test case litigation; organize roundtable meetings with key stakeholders to discuss issues, trends and legislative and policy solutions; and develop evidence-based policy proposals and engage with law and policy makers. The Staff Lawyer will be responsible for managing the delivery of these project activities in accordance with the project plan and budget.

The Staff Lawyer will report to the Legal Director and will work collaboratively as part of an interdisciplinary team that includes MWC's Okanagan-based Community Legal Worker and Intake Manager.

DUTIES AND RESPONSIBILITIES:

- Provide legal information, advice, and full representation, with a particular focus on immigration law and employment law (including civil, employment standards, human rights, and WorkSafeBC)
- Lead test-case litigation to advance the rights of migrant agricultural workers
- Engage in systemic advocacy for law and policy reform
 - Organize three roundtable meetings per year to discuss issues, trends, and legislative and policy solutions
 - Develop evidence-based policy proposals and engage with law and policy makers
- Build and maintain relationships with non-profit organizations and other key stakeholders to ensure effective planning and delivery of project activities
- Provide referrals to other services in the community, as appropriate
- Provide activity reports and statistical information for the purposes of reporting to the funder

SKILLS AND KNOWLEDGE REQUIRED:

MWC staff come from a variety of backgrounds and we are eager to find people that bring lived experience in addition to formal qualifications to the role.

- Current member or eligible for membership of the Law Society of British Columbia
- At least two years of experience practicing immigration and/or employment law
- Understanding of the issues and barriers faced by migrant agricultural workers in regards to the legal system
- Experience in policy analysis
- Excellent communication skills, both oral and written, and ability to communicate complex ideas effectively to a variety of audiences
- Strong understanding of trauma-informed practice
- Cultural awareness and ability to work with newcomers from various cultural communities
- Experience establishing and maintaining working relationships with community partners
- Ability to communicate orally in Spanish
- Driver's license and access to a vehicle
- Assets in the role include:

- Experience conducting test case litigation
- Experience working in the non-profit sector
- Ability to speak other languages in addition to English and Spanish

WHAT WE OFFER:

- Salary is between \$70,560 - \$93,691 per year, commensurate with experience and year of call
- Coverage of Law Society of BC practice fees
- A defined benefit pension plan
- Professional development and training opportunities
- 20 days' vacation leave per year
- A paid winter holiday office closure in addition to vacation leave
- All provincial and federal statutory holidays
- Time off in lieu arrangements
- Up to 15 days paid sick leave and up to 5 days of paid bereavement leave per year
- An extended benefits package, which includes dental and extended health benefits
- A staff team of diverse backgrounds who are committed to the rights of migrant workers and passionate about immigration/employment law reform

We anticipate that the Staff Lawyer will do a combination of remote-based and in-person work, subject to public health orders and guidance, MWC's own policies, and individual health needs.

HOW TO APPLY:

Please submit your resume and cover letter by email only, no later than Thursday, June 1, 2023 at 11:59 pm to jon@mwcbc.ca, Attn: Legal Director.

Applicants are encouraged to submit applications early, as interviews will be conducted on a rolling basis for the position.

While all applications are considered, only those applicants selected to be interviewed will be contacted.

MWC is an equal opportunity employer and encourages candidates with lived experience and/or those from equity-seeking groups to apply. We invite you to mention these factors in your cover letter.