

May 2020

How are Asian and migrant workers in spas, holistic centres, massage parlours and the sex industry affected by the COVID-19 pandemic?

Butterfly (Asian and Migrant Sex Workers Support Network)



In April 2020, Butterfly carried out a survey to understand the impacts of COVID-19 on migrant and Asian workers working in massage parlours, spas, holistic centers, apartments, hotels, and other parts of the sex industry. We sent the survey to 500 workers and we received 106 responses within just one week.*

Who is Butterfly?

Butterfly (Asian and Migrant Sex workers support network) is a grassroots organization formed by sex workers, social workers, legal and health professionals and founded upon the belief that migrant and sex workers are entitled to respect for their human rights, regardless of their immigration status. Asian and migrant sex workers are self-organized to fight for justice and dignity.

Butterfly has reached out to more than 2,000 Asian and Migrant workers in massage parlour and sex industry. We provide a hotline, trainings, leadership building, health and legal information, and support. We also provide crisis and emergency support (e.g. when migrant sex workers are arrested or detained). We have received more than 1,000 phone calls and text message in the last two months from workers in our community.

Acknowledgements

This report is the **collective efforts** of the Asian and migrant workers who work in massage parlours and the sex industry, Butterfly team members, members of Scarborough Youth United, Jenn Clamen, Jaden Peng, and Syed Hussan (Migrant Workers Alliance for Change).

Thanks to all of the workers who participated in the survey from which this report is based.

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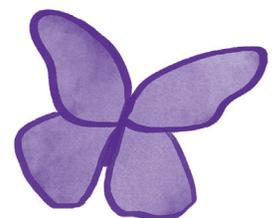
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Butterfly is a member of Canadian Alliance for Sex Work Law Reform, Migrant Rights Network and Migrant Workers Alliance for Change.



* We use migrant as a term to express the experiences of migration to Canada.

Introduction

The COVID-19 pandemic has affected people all over the world. Communities that are disproportionately impacted include those who are undocumented, precarious, racialized, and criminalized. As precarious, often undocumented, and criminalized workers, Asian and migrant workers in spas, holistic centers, apartments, hotels and other parts of the sex industry often lack access to labour protections and government financial relief. Inequalities, discrimination, heavy policing and oversurveillance of marginalized communities are exacerbated by the COVID-19 pandemic. Marginalization and vulnerability have increased risk of exposure to COVID-19 because some are not able to stay home, physically distance, or stop working altogether.

When COVID-19 was first announced in January 2020, Asian workers received the brunt of discrimination and rampant racism. Asian and migrant women working in massage parlours* and the sex industry also faced increased racism and discrimination, and Asian communities are often blamed for the virus itself. Despite sex workers being experts of addressing the pandemic in its early days, they have been left out of emergency responses and government aid.

Asian and migrant workers' labour and immigration status is often undocumented and precarious, making it especially difficult for them to access financial and social supports. In March 2020, most workers were forced to stop working after emergency measures ordered businesses to close. This resulted in an abrupt loss of income for many. In the one week that followed, Butterfly received more than 500 calls and text messages from workers worried about their health and safety, and their loss of income – they voiced concerns about their inability to pay for food and rent. Most were also seeking more information about COVID-19 government policies and financial relief plans.

It became clear that Asian and migrant workers in massage parlours and the sex industry were having a difficult time accessing financial supports, health care, and other supports. As a response to this in April 2020, Butterfly conducted a survey to assess the accessibility of government financial relief for these workers.

This report provides a summary of the results from the 106 participants who responded to the survey, detailing how they are affected by COVID-19 and their challenges with accessing government financial supports. Respondents are based in the Greater Toronto Area and surrounding areas.

The report concludes with a series of recommendations that would respect and promote the health, safety, and dignity of people who are migrant and sex workers. Excerpts from respondent surveys are also included at the end of the report.

* *Massage parlours is a broad term which includes workers who work in spa, holistic and massage parlours.*

Summary of findings

1. The most pressing concern for Asian and migrant workers is the loss of income (81%), and the inability to pay for personal living expenses (64%) and rent (49%).
2. Less than half of the respondents (44%) applied for the Canadian Emergency Response Benefit (CERB); 40% of respondents said they were either not eligible to apply because of undocumented work status, or were afraid to apply because of criminalized or undocumented work and immigration status. Approximately 10% are claiming other social assistance (e.g., Ontario Works or Ontario Disability Support Program) that excludes them from applying for CERB.
3. Most respondents require income support (71%), and about 40% are in need of assistance to access food and health supports. In addition, more than 30% of our respondents need support for rent (31%) and their small business (27%).
4. Panic and stress have increased dramatically because of a lack of income; respondents' physical health is affected due to this stress, as well as physical and social isolation.
5. While most respondents stopped working when the COVID-19 lockdown was announced, some sex workers have continued out of necessity to support themselves and their families, and because they are not able to access any government support.
6. Many do not have access to protective supplies such as masks (45%).
7. Many Asian workers are reporting heightened experiences of discrimination and racism (42%). About 40% of respondents expressed challenges they are experiencing with racial discrimination.
8. Most respondents receive their knowledge about COVID-19 and associated policies from the news (78.7%) and from Butterfly (65.7%).
9. Language barriers prevent access to knowledge for many migrant women; more than 60% of respondents find it helpful that Butterfly has translated information on government policies (64%) and social benefits (53%), and have assisted them in applying for CERB and other benefits (54%), answered questions, and provide help on phone and WeChat (64%). They also hope that Butterfly will continue this work.
10. 60% of respondents highlighted the importance that Butterfly, beyond providing services, continues to advocate for their rights, including advocating for a universal income for all, an end to arrests, and the provision of rent support and financial relief for businesses, etc.

Research methods

This community-based research was carried out by Toronto's rights-based organization, Butterfly (Asian and Migrant Sex Workers Support Network). Our survey questions were developed in consultation with a steering committee of members involved with Butterfly. Participants were recruited through social media, text and phone contacts, and by word of mouth. 106 participants completed the survey. Some respondents also accompanied their survey with a letter to government to express their concerns. Most of the participants completed the survey by themselves, in other cases Butterfly outreach workers interviewed participants who were not able to access internet or for those who have difficulties using technology.

Research Results

The following section presents findings from the 106 surveys.

Demographics

Over 70% (n=59) of respondents work in spas, holistic centres or massage parlours. 15% (n=14) work in private apartments. Over one third are employees (n=35) and over 40% are self-employed (n=39) who run the small business, e.g. spa, holistic centre or massage parlours. Almost half of the respondents have precarious immigration status, including refugee claimants, those applying for sponsorship, on humanitarian and compassionate grounds, tourist visas and those who are undocumented. Around 30% are permanent residents and Canadian citizens. 40% (N=41) of respondents live in Toronto and 25% (n=25) live in Scarborough. Other respondents live in Markham, Richmond Hill, Mississauga, North York and Hamilton etc.

Loss of income and inability to access government financial relief

In response to COVID-19, provincial and municipal governments have passed emergency orders to shut down businesses and workplaces. Some workers had no choice but to continue to work because of a lack of financial options, and the closure of many work places resulted in a loss of income and clients. Over 80% (n=83) of workers expressed that they are not able to pay their rent and personal expenses. Due to stigma, criminalization and precarious employment conditions, however, almost all the workers in massage parlours and sex industry are not able to enjoy labour protections, which include financial relief. Among 106 workers, only one worker (less than 1%) is able to access Employment Insurance (EI). Despite the fact that the government has provided financial relief to individuals and businesses, more than 40% of respondents are not able to access this relief; over 30% of them are not eligible (n=31) due to undocumented work or precarious immigration status, and over 10% (n=12) are not able to apply

Please help us immediately! We need to live! We need to survive! Being a sex worker is hard. We do not only face discrimination and isolation. Please provide income support to us! – Lin

for emergency relief because they are receiving social assistance which disqualifies them from this support. Asian and migrant workers' labour and immigration status is often undocumented and precarious, making it especially difficult for them to access financial and social supports. Marginalization and vulnerability have increased risk of exposure to COVID-19 because some are not able to stay home, physically distance, or stop working altogether.

Despite stay-at-home orders to control the spread of the COVID-19, some workers are not able to stay at home and away from work. They continue working to pay for food and rent. Systemic oppression and inequality experienced by migrant sex workers is reflected in the lack of financial support that they are able to access during this pandemic. This inequality and marginalization are exacerbated by government responses to the pandemic.

Recommendation

- **INCOME FOR ALL:** Governments should make income assistance available to people regardless of immigration status or receipt of other benefits. CERB needs to be made available to those who do not have a SIN number through the expedited provision of Individual Tax Numbers.
- **CONFIDENTIALITY:** Information sharing firewalls need to exist so that information about CERB applicants is not shared with federal immigration enforcement and application procedures are modified to allay fears for migrant workers applying to government financial relief.
- **STATUS FOR ALL:** all non-permanent residents currently in Canada must be given permanent resident status immediately.

For a single mom with two young children, it's too hard for me. I am depressed. I am afraid if I die. Who's going to take care of my children? – Mimi

Some respondents who receive social assistance expressed they usually work in massage parlours or the sex industry because their current social assistance is so low and does not cover their expenses. For example, a refugee claimant is only provided with \$733 per month in Ontario which more than 40% lower than the poverty line. Social assistance is not enough to cover expenses and survive. Most are forced to work part-time for extra income to pay rent and personal expenses. However, COVID-19 measures have shut down many businesses which has meant that many are unable to access any extra income.

Recommendation

- **INCREASE RATES OF SOCIAL ASSISTANCE** and ensure the total amount of support people are receiving for under social assistance programs (e.g. OW, ODSP) are at least equivalent to CERB.

Ineligibility and lack of access for small business relief

Some workers are also small business owners. The criminalization of sex work and repressive policies against massage parlours also discourage businesses from applying for relief. Despite many of these small businesses operating legitimately, spas, holistic centres, and massage parlours are regularly targeted by municipal, provincial and federal authorities, including Canadian Border Services Agency (CBSA), and most of the respondents fear discriminatory treatment from government institutions. In addition, many of these small businesses are not eligible to apply for financial relief because they do not meet the criteria of having a payroll of \$20,000 – some are self-employed, and their income is unstable and below the \$20,000 threshold. Much of the work of migrant and undocumented workers is often informal and criminalized, and therefore lacks a paper trail to avoid a criminal record or negative impacts on their immigration status.

Recommendation

- **SUPPORT SMALL BUSINESSES:** Lower the threshold for financial supports for small business owners who do not currently qualify for subsidies and need assistance to maintain their businesses. For the Emergency Rental Assistance for small business, rental subsidies should be applied by and paid to the tenants directly and tenants who are affected by the epidemic should receive direct support.

The criminalization of sex work is a huge barrier for migrant sex workers to apply for government financial relief; many workers are hesitant to come into contact with government institutions and risk a criminal or immigration investigation. Sex workers are historically and currently targeted by public and law enforcement and many workers legitimately fear profiling and discrimination, and therefore avoid

... the \$700 assistance is far below the minimum living standard in Toronto. Especially during this challenging time with rising rent and cost of living, I cannot afford basic necessities while being on social assistance; I cannot even pay my phone and internet bills. I have lost other forms of social support because of the epidemic. –Yuki

contact with government institutions. The intersection of criminal laws, immigration laws, and municipal bylaws are used against migrant sex workers. Over 60% of Asian and migrant sex workers report that they have been harassed or abused by law enforcement. The criminalization of sex work means that sex workers, their friends, co-workers, and even family members can be charged under the Protection of Communities and Exploited Persons Act (PCEPA). Immigration laws and regulations such as the Immigration and Refugee Protection Regulation (IRPR) s. 183 (1)(b) prohibits any migrant from working in the sex industry. Even though some may be eligible to apply for government funding they avoid doing so for fear of interacting with government institutions, and because they do not feel safe providing governments with banking and employment information, because of historical discrimination.

Recommendation

- **PROVIDE INCOME AND SOCIAL SUPPORTS** to migrants and sex workers who are not eligible or fear to apply government financial relief, e.g. CERB. This transfer of financial aid in the form of cash or cash equivalencies can be coordinated with local sex work and migrant organizations who are connected to community members.

Health and social impacts

Language barriers and contradictory information from the government about COVID-19 has created difficulties for communities to learn about COVID-19 and accompanying government policies. A majority of respondents (85%) were worried they may be infected by COVID-19. The COVID-19 pandemic has highlighted long-standing gaps in the Canadian healthcare system that continue to disproportionately and negatively impact vulnerable communities,

particular those have precarious immigration status. Many are also worried that they may not be able to access health services, testing and supplies, and many undocumented workers have little to no access to medical supports. The Ontario government also passed an emergency order to share COVID-19 data with the police and other government officials, which not only violates individual privacy but has also created a barrier and prevented people from accessing health services or testing.

Recommendation

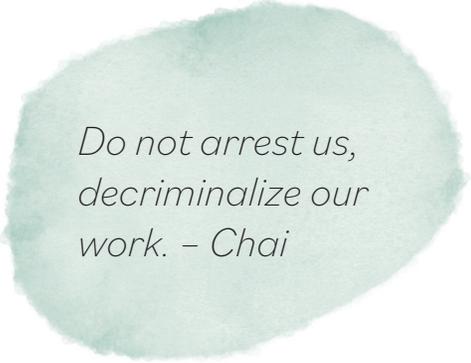
- **HEALTH CARE FOR ALL:** The federal and provincial government should ensure and support access to health for all people, regardless of immigration and citizenship (including providing interpretation services and free medication, etc.). All medical information, including COVID-19 test data should be confidential and not shared with police, Canadian Border Services Agency (CBSA), and other law enforcement. Provide effective public health education and PPE to workers like sex workers who are in direct contact with people, including masks, gloves, and condoms.

Some workers who both live and work in their work place have also lost housing because their work place has been shut down, and as a result, some of them are struggling to find a place to live; some are staying with their clients, others are moving cities, others still are staying with friends. Most are not able to access the shelter system because of language barriers, systemic racism and bullying, and over-crowding.

Discrimination against sex workers, massage parlours and pervasive surveillance from anti-trafficking initiatives that do not recognize the agency of Asian workers, has caused a context of insecurity and isolation for many workers. Most do not feel safe contacting social services organizations, and some workers expressed that Butterfly is the only organization they feel safe contacting.

Based on misunderstanding facts and science, layered and fueled by xenophobia and racism anti-Asian racist incidents are intensifying in disturbing rates*. Many Asian workers are reporting heightened experiences of discrimination and racism (42%). Some of them worried that they would be bullied or attacked when they wear a mask. Many Asian and migrant workers experience about pervasive racism resulting from myths promoted about COVID-19 as an “Asian and Chinese disease”. Asian workers are facing oppression and inequality: racism, gender inequality, whorephobia and xenophobia.

* CCNCTO (May, 28 2019) Reports of Anti-Asian Racism in Canada sharp spike in May.



*Do not arrest us,
decriminalize our
work. – Chai*

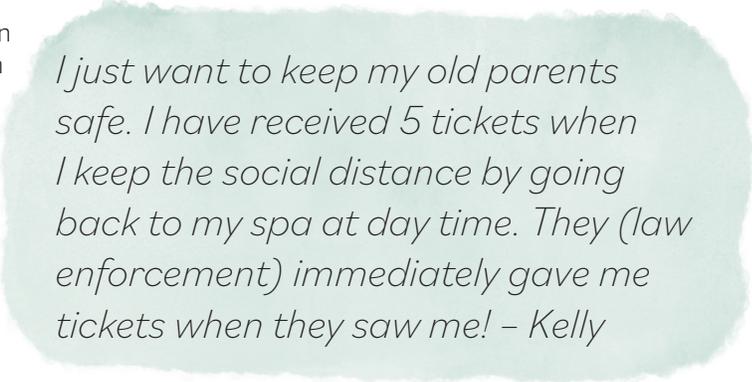
Recommendation

- **ANTI-RACISM POLICY:** Create education campaigns to dispel of the racist myths around COVID-19 which lead to profiling and discrimination. Adopt an intersectional equity lens towards all law and policy making: addressing inequality and structural oppression, including racism, xenophobia, whorephobia, sexism, and classism.

Criminalization and Policing

The criminalization and overpolicing of many workplaces has also discouraged migrant sex workers from accessing health and social supports during COVID-19. Migrant and sex workers are often targeted by law enforcement and it is not uncommon to hear that government officials or service providers report sex workers or migrants or share information with law enforcement. As a result, workers live and work in a state of fear of being arrested, detained and deported, and are less likely to contact government institutions for financial supports, and often avoid doing so.

Criminal laws, immigration laws, and municipal bylaws are used together against workers in massage parlours and the sex industry. The state of emergency announced by provinces across the country has allowed governments to introduce extraordinary new powers for police and law enforcement. Part of this has involved their ability to charge and fine people suspected of violating emergency orders, and in Ontario specifically this has meant imposing regulations on social distancing and ID requirements.



I just want to keep my old parents safe. I have received 5 tickets when I keep the social distance by going back to my spa at day time. They (law enforcement) immediately gave me tickets when they saw me! – Kelly

In addition to not being able to access government supports, sex workers continue to be targeted in the name of public safety. One respondent has received 5 tickets while staying at her work place, which she was doing to distance herself from her parents when she found out that she had COVID-19 symptoms. Increased policing and law enforcement create new forms of distress, pain, and hardship for marginalized communities, such as racialized, homeless and people who occupy public space, drug users, migrants, and sex workers. The long history of over-surveillance, racial profiling, carding, criminalization, and harassment of sex workers by law enforcement has been exacerbated by COVID-19 measures.

Public health issues are not best addressed through policing and criminalization.

Recommendation

- **RIGHTS NOT POLICING:** Immediately cease punitive ticket, arresting, and surveillance measures and issue clear and specific guidelines to law enforcement on COVID-related laws so as to minimize arbitrary and unreasonable use of discretion. Repeal punitive COVID-related laws that have no strong rational connection to public health objectives (e.g. ID requirements, sharing of personal health data with police). End repressive regulations, enforcement, and over surveillance of spas, holistic centres, and massage parlours.
- **SEX WORK IS WORK:** Decriminalize sex work and remove the immigration prohibition that prevents people from working in sex industry (including the IRPR 183 (1)(b) and remove conditions from all work permits.

Allow everyone to receive the CERB subsidy, regardless of status. Didn't you say we should treat everyone equally? – Eva

Hope the government will give permanent residences status to all people who jointly fight the epidemic in Canada. – Sophie

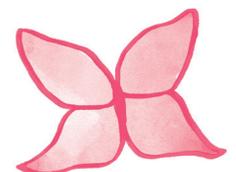


Recommendations to Federal and Provincial Governments

No one should be left behind

Asian and migrant workers who work in massage parlours and the sex industry are being excluded from government financial relief and other crucial social supports. COVID-19 has heightened inequalities and cracks in the social system. In addition to addressing the crisis and immediate needs of communities, further action needs to be taken to address the inequalities and injustices inherent in the current social structure, including poverty, inadequate social assistance, racism, xenophobia, discrimination, and criminalization of sex work.

- 1. INCOME FOR ALL:** Governments should make income assistance available to people regardless of immigration status or receipt of other benefits. CERB needs to be made available to those who do not have a SIN number through the expedited provision of Individual Tax Numbers. Ensure that information sharing firewalls exist such that information about CERB applicants is not shared with federal immigration enforcement and application procedures are modified to allay or those who fears for migrant workers applying to government financial relief.
- 2. PROVIDE INCOME AND SOCIAL SUPPORTS** to migrants and sex workers who are not eligible or fear to apply government financial relief, e.g. CERB. This transfer of financial aid in the form of cash or cash equivalencies can be coordinated with local sex work and migrant organizations who are connected to community members. Increase the rate of social assistance and ensure the total amount of support people are receiving for under social assistance programs (e.g. Ontario Work, Ontario Disability Support Program) are at least equivalent to CERB.
- 3. HEALTH CARE FOR ALL:** Federal and provincial governments should ensure and support access to health for all people, regardless of immigration and citizenship (including providing interpretation services and free mediation, etc.). All medical information, including COVID-19 test data should be confidential and not shared with police, Canadian Boarder Services Agency (CBSA), and other law enforcement. Provide effective public health education and PPE to workers like sex workers who are in direct contact with people, including masks, gloves, and condoms.
- 4. SUPPORT SMALL BUSINESSES:** Lower the threshold for financial supports for small business owners who do not currently qualify for subsidies and need assistance to maintain their businesses. For the Emergency Rental Assistance for small business, rental subsidies should be applied by and paid to the tenants directly and tenants who are affected by the epidemic should receive direct support.
- 5. RIGHTS NOT POLICING:** Immediately cease punitive ticketing, arrests, and surveillance measures and issue clear and specific guidelines to law enforcement on COVID-related laws so as to minimize arbitrary and unreasonable use of discretion. Repeal punitive COVID-related laws that have no strong rational connection to public health objectives (e.g. ID requirements, sharing of personal health data with police). End repressive regulations, enforcement, and over surveillance of spas, holistic centres, and massage parlours.
- 6. SEX WORK IS WORK:** Decriminalize sex work and remove the immigration prohibition that prevents people from working in sex industry (including the IRPR 183 (1)(b) and remove conditions from all work permits.
- 7. STATUS FOR ALL:** All non-permanent residents currently in Canada must be given permanent resident status immediately.
- 8. ANTI-RACISM POLICY:** Create education campaigns to dispel of the racist myths around COVID-19 which lead to profiling and discrimination. Adopt an intersectional equity lens towards all law and policy making: addressing inequality and structural oppression, including racism, xenophobia, whorephobia, sexism, and classism.



People lost their jobs, and life is much tougher without any income. And not only that, our living expenses have increased too, we also have to spend money on masks, gloves, and disinfectants. My only request is that I hope the government to give income support to everyone regardless their immigration status, or whether they are receiving social assistance... I also hope that government would grant permanent residency status to people without status. Let's work together to build up a beautiful Canada and create a better tomorrow. – Lisa

As workers that are marginalized, criminalized, and stigmatized, sex workers are resilient and resourceful and quick to create community. In light of the exclusion of sex workers from government financial responses, sex workers across the country have created emergency funds to help pay for rent, food, families, and other basic and essential needs. These funds, often raised from other sex workers in the community and allies, while helpful, pale in comparison to the support that is offered through CERB and other benefits. Sex workers need to be included in responses to COVID-19. Butterfly also works with the Migrant Rights Network and the Canadian Alliance of Sex Work Law Reform to advocate income supports for the community.



*We hope to be treated equally!
– Crystal*



Health, Safety and Dignity

Butterfly (Asian and Migrant Sex Workers Support Network)

