

bc civil liberties association



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Honourable George Abbott
Minister of Health
Room 337
Parliament Buildings
Victoria, BC
V8V 1X4

June 14, 2006

Minister Abbott

I write today on behalf of the BC Civil Liberties Association. The BCCLA is, as you no doubt know, Canada's oldest organization defending civil liberties and free speech. For well over forty years now the BCCLA has played a role in public discourse and civil society monitoring abuses of civil liberties and lobbying for change when such abuses occur.

Today, I write to express the Association's deep concern about the decision made by your ministry to exclude agricultural workers brought to BC under the Federal Seasonal Agricultural Workers Program from Medical Services Plan coverage.

We have been advised by a spokeswoman for your ministry that these workers are eligible to receive MSP coverage after a three-month waiting period. However, these are workers who are brought to Canada to perform seasonal work, and a three-month wait period denies them medical insurance for a significant part of the time they are in Canada working.

Further, advocates for these workers have informed us that workers in BC under the SAWP are often told by employers that they do not qualify for MSP at all, and are directed instead to rely upon private insurance from the Royal Bank of Canada.

Still further, we note that workers in both Quebec and Ontario under this same Federal program are immediately placed on provincial medical insurance when they arrive and begin farm work, with no wait period required.

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To: Honourable George Abbott

From: Jason Gratl

Date: June 14, 2006

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This disparity between BC and other provinces in providing medical insurance for these farm to be a breach of the Canada Health Act principles of universality, portability workers appears and accessibility. This BC policy represents a possible breach of sections 7 and 15 of the Canadian Charter of Rights and Freedoms, in our view. It may well, in addition, represent a breach of Canada's obligations under the United Nations Universal Declaration of Human Rights, 25(1).

We urge your ministry to take prompt action to remedy this perceived injustice and potential breach of the Canada Health Act, the Charter and our United Nations commitments by directing the Medical Services Program to institute new policy that would allow workers brought to BC under the SAWP immediate MSP coverage without the currently required wait period.

The BCCLA would like to request an opportunity to meet with you at your earliest convenience to discuss this matter. We look forward to a prompt reply to this letter.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Gratl', written in a cursive style.

Jason Gratl
President,
BCCLA