

Housing Conditions for Temporary Migrant Agricultural Workers in B.C.

October 2007



1) Introduction

Justicia for Migrant Workers (J4MW) is a volunteer driven non-profit collective that strives to promote the rights of seasonal Caribbean, Guatemalan and Mexican migrant workers. J4MW is motivated by experiences shared and lessons learned from migrant farm workers over the course of more than six years of community outreach in rural Ontario, and three years in BC. As allies, organizers and friends we believe migrant workers deserve work and housing with dignity and respect.

This document is not intended as formal research or study, but is a summary of what we have seen, and what we have been told by workers and contacts in the field. It presents a brief context for our analysis of the general situation of housing for workers who come to BC under the federal Seasonal Agricultural Workers Program (SAWP), and provides a basis for our strategic objectives in this regard.

2) Migrant Worker Housing - what we've seen

For the past three years (almost as long as the SAWP has been in effect in B.C.) we have been visiting on a regular basis the places where SAWP workers live in the Fraser Valley, Delta and Vancouver. The types of housing we have seen include trailers, new and converted housing on farm property, motels and apartments. Through our contacts, including returning migrant workers, we have also been informed of housing conditions in other areas of the Fraser Valley, the Okanagan Valley (where we were able to visit last year) and other parts of the province.

The housing conditions that we've seen range from the modestly adequate that is at least nominally meeting the housing guidelines as stipulated in a document circulated in industry web sites titled ***Guidelines For The Provision Of Seasonal Housing For Migrant Farm Workers In BC*** (attached), to grossly unsuitable conditions that violate the most basic acceptable conditions and guidelines, and thus place the health of the workers at risk.

Example 1:

Purewal Blueberry Farms, Pitt Meadows BC, 2005.

Housing type: multi bedroom converted house on farm property, as well as temporary housing trailers.

Number of Workers housed: approximately 50

Concerns: unheated trailers, outside open air cooking facilities, enough hot water for only 2 people to have a shower at a time, up to 6 workers in bunks per bedroom, only 1 washing machine, no working clothes dryer (clothes had to be hung up to dry on bunk beds or outside due to lack of space), garbage and wrecked cars dumped around house, one working bathroom for the entire house and trailers, un-maintained and unusable portable bathrooms outside, and extremely run down and dingy condition in general.

Results: workers organized a work stoppage, and the story was exposed in the local and national media. Most workers returned to Mexico before the end of their work term and a small number remained behind until the end of their contract.

Example 2:

Golden Eagle Group Farms, Pitt Meadows BC, 2005.

Housing type: multi bedroom converted houses on farm property.

Number of workers involved: Approximately 30

Concerns: crammed housing, no kitchen ventilation system and unsuitable supply of kitchen utensils.

Results: the housing situation was part of a larger set of grievances which included unacceptable working conditions and mistreatment from managers. Workers went public with their concerns and had to endure reprisals from the employer and Mexican consular officials. One worker left for Mexico voluntarily, another was fired and threatened with deportation. The employer quickly built upgraded on site housing for workers.

Example 3:

Houwelling's Nurseries, Delta, BC – 2005 to present.

Housing type: low income type apartments in Vancouver.

Number of workers housed: between 70 and 120.

Concerns: run down and dilapidated building. Up to 4 workers housed per bachelor style apartment. Constant flow of prostitutes and drug dealers. At one point we were informed by the workers that a murder took place in the building. Problems with flees and vermin.

Updates: Delta recently approved construction of on site housing, so the number of workers at this apartment building will likely fall in the next year or so.

As recently as August 2007 we visited a farm in Aldergrove that was in violation of several housing guidelines. Also this past summer a SAWP worker in Abbotsford complained anonymously of unacceptable and completely unsanitary housing, including two outside portable bathrooms, which were un-maintained and unusable, instead of proper washrooms (in response, the employer told the workers “go to the bathroom in the bushes - you’re used to it in Mexico.”) The housing also lacked running water, leaving workers to depend on soft drinks and milk for their drinking needs. These examples, together with what other workers and contacts have shared with us, lead us to believe that this is part of a widespread problem in the province. In our opinion this points to a deep flaw in the implementation of the SAWP in which housing conditions are left largely to the discretion of employers and inspections are rare or non existent.

Furthermore we are well aware of barriers SAWP workers face in taking action to improve their housing. It is common in the SAWP for employers to take retaliatory action, in the form of arbitrary terminations and repatriations, against workers they consider to be “troublemakers”. It is for this reason that many workers silently endure what they consider shameful and degrading living conditions.

Agricultural labour in BC is historically one of the most vulnerable sectors of the workforce, where exploitation and abuse by employers and subcontractors are more common than in other industries. This was recently highlighted when three agricultural labourers were killed in a highway accident in March of this year, and it was latter found they were passengers in a overcrowded vehicle in which the seatbelts had been modified. At that time the government of BC promised to take action to stop such abuses. We believe similar action has to be taken to ensure workers who come here under the SAWP, together with their fellow labourers who reside in Canada, live under minimum acceptable conditions.

3) Recommendations

In order to ensure acceptable housing we put forth the following recommendations:

1. Legally binding and enforced housing guidelines, drafted in consultation with employers, city engineers, as well as farm labourers themselves and organizations that work with them. Copies of these guidelines should be made available to temporary foreign workers at the time of their arrival in Canada, and in their native languages.
2. Mandatory pre arrival housing inspections and certification of potential employers, together with ongoing random inspections of worker housing.
3. Serious penalties for employers found violating housing guidelines, including making them ineligible to receive temporary foreign workers in the future.
4. An anonymous hotline, accessible in Spanish (and other languages spoken by farm labourers), where workers can report abuses in housing conditions without fear of retaliation.

We thank the representative of the government for allowing us to voice our concerns and express our heartfelt wish that action be taken in this regard. We believe it is in the government's interest to ensure housing conditions for all farm labourers, and SAWP workers in particular, meet adequate standards. As the number of temporary agricultural workers grow, it is essential they be treated with the dignity and respect that is their right, especially considering the sacrifices they make in contributing to the economy of the province. It is completely unacceptable that in a country such as Canada, honest, hardworking people be forced to live in conditions approaching those of third world slums.

GUIDELINES FOR THE PROVISION OF SEASONAL HOUSING FOR MIGRANT FARM WORKERS IN BC

This document is intended to assist local municipalities and /or regional districts in assessing the suitability of housing intended for both domestic and migrant farm workers in BC.

These guidelines are adapted from recommendations developed through consultation among federal agencies, Ontario provincial ministries and industry representatives involved in the Seasonal Agricultural Worker Program (SAWP).

These guidelines are designed to assist in meeting legislative and regulatory requirements and are not to be used as a replacement for specific legislative or regulatory requirements.

A: Structure

1. General

- Buildings to be used as housing for migrant workers should be located in well drained ground at least 100 feet (30.48m) from any building used or intended to be used for sheltering animals or for poultry husbandry likely to cause offensive environmental conditions or other environmental conditions that may be hazardous to health.

2. Construction

Buildings to be used as housing for migrant farm workers should be weather proof and so constructed that:

- Floors are tight fitting, smooth-surfaced, impervious to moisture and readily cleanable.
- Walls extend at least 7 feet (2.13m) to a maximum of 2.44 m (8 ft.) above floor level, are tight fitting and the interior is lined with a smooth painted or treated surface material. Walls may be higher, but 2.44 m (8 ft.) will be used for calculation of airspace in the sleeping areas.
- Roofs are tight-fitting and waterproof.
- Adequate lighting and ventilation are provided at all times by either natural or artificial means or a combination of these.
- Where insect populations are a concern, screens on all openings to the outside are provided from the first day of May through to the first day of November.
- Total useable floor area of at least 7.44 m² (80 sq.ft.) per person with a minimum of 8.5 m³ (300 cu.ft.) of air space per person in the sleeping area. The floor area in the washrooms is not considered useable living area and will not be included in the calculation of useable floor area.
- A minimum temperature of 20oC (68oF) can be maintained.
- Safety hazards are eliminated and housing is detached from any building where highly inflammable materials are used or stored.
- Where combustion-type stoves or heaters are used, they should be connected to exhaust flues of an approved design.
- Mobile homes should have skirting (rodent control).
- Industrial camp trailers should be CSA approved.
- The current British Columbia Building Code, a regulation made under the Province of British Columbia, applies to all new construction and renovations or additions to existing buildings. It is the owner's responsibility to ensure that such construction is in compliance with the Code. This document does not identify all applicable provisions of the British Columbia Building Code. Contact the municipal building department in your area for additional information.

B: Sleeping Facilities

1. Bunkhouses

When a building to be used as housing for migrant farm workers is in the form of a bunkhouse:

Each bunk should be:

- Separate and sleep only one person.
- At least 30.28cm (12 inches) above the floor.

- Provided with a clean mattress and pillow of sound construction.
- At least 46 cm (18 inches) apart from the next bunk when not lying lengthwise along the walls.
- Provided with one storage unit for personal items (i.e. dresser drawers, locker and/or shelf for each bunk, or the equivalent).
- Provided with a minimum of 8.5 m³ (300 cu. ft.) of airspace per person.
- A supply of clean blankets, sheets and pillowcases must be provided upon arrival

2. Family Housing When a building's intended use as housing for migrant workers is in the form of family housing, there should be:

- A maximum occupancy rate of one person per 7.44 m² (80 sq.ft.) of total useable floor area.
- At least 8.5 m³ (300 cu.ft.) of airspace per person in sleeping rooms.
- A kitchen with food storing, preparing and cooking facilities should be provided and this space should not be used as a sleeping room.
- Basic furnishing such as tables, chairs and beds compatible with the maximum occupancy.
- Sleeping areas should be partitioned from other living areas.

C: Washroom Facilities and Sewage Disposal

- Fly-tight, weatherproof, well-ventilated toilet accommodation should be provided for every 10 occupants, or part thereof.
- Constant supply of hot and cold potable water.
- One sink or washbasin for every seven occupants.
- One shower for every ten occupants.
- Toilet facilities must have suitable privacy barriers.
- A supply of toilet tissues should be provided upon arrival.
- Flush toilets are to be kept in good repair and operate efficiently.
- Portable privies should be under a service contract and must be equipped with hand sanitation facilities such as wet wipe/alcohol solution.
- All sewage is to be disposed of according to the provisions of the appropriate regulatory agency.

D: Occupancy Calculation

Occupancy of a facility is to be calculated on the lesser number of:

- 8.5 m³ (300 cu.ft.) per person in a sleeping area.
- 7.44 m² (80 sq.ft.) per person of total useable floor area which includes living and sleeping areas but does not include washrooms.
- 1 washbasin for every 7 occupants
- 1 shower for every 10 occupants
- 1 toilet facility for every 10 occupants

Note: Living, sleeping, kitchen and washroom facilities can be located in separate buildings but need to be conveniently located for easy access.

E: Laundry Facilities

- At least one laundering machine in good working order for every fifteen bunks or the equivalent
- Drying facilities for laundry
- Or, access to a Laundromat once per week

F: Water Supply

- Housing for migrant farm workers shall be provided with a readily available supply of hot and cold water that is bacteriologically safe, under pressure and in sufficient quantity to provide for drinking, washing, food preparation and laundering. Water supplies that are bacteriologically unsatisfactory are to be equipped with a mechanical disinfection device, i.e. chlorinator, UV light.

- When drinking water is provided in a container, it should be bacteriologically safe, the container should be clean, sanitary, covered and equipped with a sanitary dispensing device.
- No person should use a drinking vessel in common with others.

G: Food

- Food should be stored so that it is protected from contamination.
- All perishable foods are to be stored in adequate refrigeration to maintain a temperature not exceeding 4oC (40oF).

1. Meals Provided

- No cups, glasses or dishes that are chipped or cracked should be supplied/used in the preparation, service or storage of food.
- Facilities to be supplied for washing dishes/utensils in water at a temperature of not less than 43oC (110o F) containing a detergent solution capable of removing all grease and food particles, etc.
- Dishes/utensils to be sanitized by an acceptable method and dried by exposure to air.
- Equipment and appliances in the food preparation and dining areas should be constructed as to permit the maintenance of these areas in a clean and sanitary condition.
- Kitchen and dining areas should be kept free from material and equipment that are not regularly used in a kitchen or a dining area.

2. Meals not provided

- Food storage and refrigeration facilities shall be provided.
- Provide an adequate:
 - Amount of kitchenware (plates, cups, bowls, knives, forks, spoons, etc.)
 - Number of pots and pans
 - Stoves / 2 burner hotplates: 1 unit (2 burners)/ 4-5 workers
 - Refrigerators: 1 unit / 6 workers
 - Amount of cupboard and food storage space
 - Number of kitchen tables(s) and chairs and,
 - Number of utensils for cooking and serving food for the number of people being housed.

H: Garbage Control

- Rodent and insect proof garbage containers that can readily be cleaned and sanitized should be provided for all buildings used for housing migrant farm workers and in sufficient quantity to store all garbage accumulated between collections.
- Containers should be clearly labeled in English and the language of the workers.
- Garbage should be collected and removed for sanitary disposal at least once every week.

I: Safety

- Buildings used for housing migrant farm workers should have fire protection facilities compatible with the provisions of the BC Building Code & Fire Code.
- Buildings used for housing migrant farm workers and their surroundings should be free from any chemical substance or condition that may become hazardous to the occupants.
- Fire extinguisher to be fully charged and have a recent certificate that they have been recharged, properly located, securely mounted. Minimum requirement is ABC rating. (Note: This is a safety protocol and not necessarily an issue for compliance with the Fire Code).
- Smoke alarm(s) are to be provided, properly located, operational and securely mounted. (Note: This is a safety protocol and not necessarily an issue for compliance with the Fire Code).

Housing for temporary migrant workers
Purewal Blueberry Farms, Pitt Meadows BC, 2005



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Housing for temporary migrant workers
Purewal Blueberry Farms, Pitt Meadows BC, 2005



Housing for temporary migrant workers
Unnamed Farm, Aldergrove, BC, 2007

