

Harvest of Injustice: The Oppression of Migrant Workers on Canadian Farms

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Some say that nothing happens by chance. At the very least, it was a fortunate accident that my first job, when I arrived in Canada from Bolivia three years ago, was in a tomato greenhouse in South Delta, British Columbia — one of the first in the province to request migrant farm workers from Mexico under the federal Seasonal Agricultural Workers Program (SAWP). My job was to run from the office managers' office to the greenhouse and back relaying information on workers' productivity levels.

My first observation was that brown bodies are the pickers and white bodies are the managers. I naively asked my boss why there are no Canadians picking tomatoes. He answered me simply, "Because this is not a job for them."

That was my first lesson in Canadian social history. In B.C., most farm workers are and have long been immigrants of colour, including recently a growing number of seasonal migrants under SAWP and a related federal scheme, the Temporary Foreign Workers Program. Battered by the whims of global capital and local government policy, farm workers are the most vulnerable part of the work force, facing extreme job and economic insecurity.

According to the Canadian Centre for Policy Alternatives BC, most farm workers in the province are immigrants from India, chiefly women in their 50s and 60s who came to Canada under the family reunification program. Lack of language skills and the obligation to their families to repay money advanced for their immigration and settlement pressure them to accept working conditions that Canadian workers find unacceptable.

Their plight is worsened by the Farm Labour Contractor (FLC) system, unique to the agricultural sector. The FLCs act as coyotes or intermediaries between

farm workers and greenhouses/farms, determining how workers will get to the job, how long they will work, what they will earn, and so on. Obviously the FLCs do nothing to ensure respect for employment standards and safety regulations, leading to all sort of violations while the provincial authorities close their eyes.

For generations, South Asians have toiled in the fields of British Columbia under unsafe and exploitative conditions, enduring low wages and long hours of hard work while creating massive profits for agrobusiness.

Although fully informed about the corrupt FLCs and their blatant violations of employment and safety regulations, the provincial government decided in 2001/2002 to reduce enforcement. Then in 2003/2004 they excluded farm workers from various provisions of the Employment Standards Act, leaving this group of racialized labour even more vulnerable to hyperexploitation.

How to create a labour shortage

Since 2000, farm operators in B.C. have been complaining of a shortage of labour to harvest their crops. Little science is needed find the cause. When wages are low, often less than the legal minimum, and working conditions are substandard, workers are unwilling to work in agriculture if they have a choice.

The farm operators are of course passing on downwards the immense pressures they face from the forces of globalization and the power of agribusiness monopolies. Far from providing protection against these profiteers, the government, urged on by the farm/greenhouse operators, has adopted policies that have worsened the "labour shortage."

Nothing was done to raise farm labour wages or to increase the supply of immigrant labour. On the contrary, their measures serve to make agricultural labour not only unattractive but unlivable. To make matters worse, Citizenship and Immigration Canada in 2003 restricted the family reunification program, reducing the traditional South Asian labour source of those utilizing this program to immigrate to Canada.

Meanwhile the federal government is closing the door to permanent immigration of farm workers while steadily moving towards a U.S-style policy based on temporary migration.

All this is of course the total opposite of the "free market" policies that the government claims to support. In a free market, when demand for something goes up, so should its price. If there's a labour shortage in Canadian agriculture, wages should tend upwards until the supply of labour increases. By aggressively expanding Temporary Worker Programs, the government is

manipulating market conditions to keep wages and working conditions low in order to increase corporate profits.

Government-imposed servitude

Ottawa's seasonal agricultural workers program (SAWP) is an old federal initiative that started in 1966 with Caribbean countries. Mexico and Guatemala were incorporated in the seventies. SAWP operates in Alberta, Quebec, Manitoba, Ontario, Nova Scotia, New Brunswick, and Prince Edward Island, supplying 20% of seasonal farm jobs on vegetable, fruit, and tobacco farms and greenhouses. B.C. was incorporated in 2004.

Under the SAWP a farm worker comes under a temporary work permit visa tied to one single employer for periods of up to eight months. Before leaving the home country, the worker must sign a contract with the employer specifying wages and terms of employment — in other words, sign away the right while in Canada to seek better conditions. Those seeking permits are not allowed to bargain collectively with their prospective employer. Impoverished and dispossessed workers abroad stand alone against the power of employer and government. The employer is able to dictate contract terms.

Justicia/Justice for Migrant Workers-BC calls on Ottawa to offer the migrant workers permanent status - for them and their families - upon arrival [1]. In fact, as things stand, workers have no option to apply for permanent status. They are sent home as soon as their contracts expire — or sooner, if they complain or raise concerns about poor working or living conditions..

They take with them an evaluation form from their employer, which must be given to the home government. At the end of the season, employers fill an evaluation report indicating if they would recall the workers for next season. A negative report can result in suspension from the program. Workers also report on their treatment by Canadian employers, but most of them avoid complaints for fear that this would be held against them in reapplying for work in Canada.

In the Mexican case, the government requires that applicants have less than grade three education, a farm-worker background, and strong family ties — factors believed likely to prevent them from establishing themselves in Canada as undocumented workers.

Workers get little information on what to expect in Canada. Once here, they start at or near minimum wage, exposed to long shifts of hard labour (up to 12-16 hour days in peak season). They receive no overtime pay, no paid holidays, sometimes no weekends, and no vacation pay. They are also subjected to unfair paycheck deductions for social benefits such as Unemployment Insurance and Canadian Pension Plan that they can never receive because of their "temporary" status.

The SAWP program does not provide a path to regularization of status. Migrant labourers work here for years as migrants, coming and going yearly, sometimes for their entire work life. They develop ties here and establish themselves up to a certain point, but are never able to settle with their families. This creates a pattern of extended and painful family separation. Children grow up without fathers, while men here establish separate lives, and the fabrics of relationships and communities are strained.

Immigrant-based community grassroots organizations, progressive faith groups, and the labour movement point out that such temporary worker programs depress standards for all workers in Canada. The migrant-worker programs are yet another tactic of the "divide and conquer" strategy that aims to divide and fracture the working class. It encourages a perception that migrant workers threaten the jobs and employment standards of the local population, when in fact it is the migrant-labour programs — not the workers — that threaten us all.

How to create a labour surplus

The rural economy of Mexico has been devastated in recent years by the provisions of the North American Free Trade Agreement. This is entirely intentional, reflecting NAFTA's goal of reshaping Mexico's economy in line with the needs of mainly U.S. corporate interests, while enriching the notoriously corrupt Mexican ruling class.

NAFTA and related policies deepen economic distress in Mexico where, according to the World Bank, 50% live in poverty and 15% in extreme poverty — about 15 million Mexicans struggling to fend off starvation. Meanwhile, Mexico, one of the world's most unequal and unjust countries, boasts more new billionaires than Canada, including the richest man on earth, Carlos Slim.

The economic collapse of the Mexican countryside has created waves of migrants seeking a future in Mexico's large cities and in the U.S. It is estimated there could be as many as 12 million undocumented Mexicans in the U.S. Half a million brave the dangerous journey north every year. About 3,000 die each year in the attempt, mostly from exposure while crossing the unforgiving deserts of the U.S. Southwest. The migrants' remittances back home are now Mexico's largest source of foreign revenue, about \$25 billion annually.

SAWP and other temporary worker programs take advantage of the huge surplus of cheap labour in Mexico that NAFTA helped to create. Through temporary worker programs, governments of both Mexico and Canada aim to manage the flow of migrants to the North for the benefit of local business elites, while stripping workers of rights and liberties.

The result is to create in this country an underclass of workers, an underclass of human beings stamped with the labels of "foreign," "undocumented," "unskilled," and "temporary." Meanwhile it relieves the Mexican government of responsibility to ensure healthy rural and urban development throughout the country.

The need to organize

The creation of this oppressed migrant workforce must be answered by a migrant labour movement with its feet and heart in the countries of both origin and destination, one that seeks real and lasting solutions to the migrant workers' problems. This movement must be based on grassroots organizing initiatives that empower workers to lead their own struggle. Real changes happen only when those most affected, those who suffer the most, are at the forefront of the struggle. If this is not the case, changes if any will be superficial and short-lived.

The Justicia/Justice for Migrant Workers collective sees its mandate as assisting those most affected — the migrant workers — in stepping to the fore and consolidating their position and participation in the movement. We help workers organize in an effective manner, avoiding possible risk of repatriation and seeking to meet their immediate and long-term needs.

We expose migrant workers' conditions and apply pressure through the media, while accompanying the workers' process of raising consciousness, and developing skills and tools drawn from their own analysis of their condition and situation. We seek to help create different types of support systems — legal, political, and moral — within the community to overcome the numerous barriers that silence migrant workers.

In B.C., unlike other provinces in the east, migrant farm workers are allowed to unionize. In some cases, unions have sought to respond to their plight, as with regard to the temporary workers employed in B.C. on the Richmond-Vancouver rapid transit line and the Golden Ears Bridge over the Fraser River. The United Food and Commercial Workers operate Migrant Support Centers in Ontario, Manitoba, Quebec, and recently B.C. Currently it is fighting for the right to represent these workers in Manitoba and Quebec.

On the whole, however, efforts by the trade union movement to defend these workers have been sporadic, and their character raises legitimate concerns.

In addition, it must be asked whether Canada's unions, with their present hierarchical and primarily white leadership structures, can effectively represent migrant workers and serve their interests. Are unions long-term allies of migrant workers, supporting their struggle not only here but in their country of

origin, where the root causes are found that forced them to migrate? Should an independent migrant workers union be formed to better represent their interests by exercising their skills and building on their organizing culture and historical backgrounds?

What is certain is that regardless of the structure or model, the most affected ones — migrant workers and migrants of colour — should represent themselves. Only this will counteract their historical background of marginalization. Otherwise systemic patterns of charity and paternalism will be perpetuated, making token gestures to those most affected — the migrant workers — without changing the structures that determine their fate.

Alliances of migrant workers with other sectors, inside and outside the labour movement, should address systemic issues, such as the root causes of migration, structural and systemic racism in immigration policies and hiring systems, and so on. There are ways unions can support migrant workers other than merely "representing" or "leading" their struggle.

Support and solidarity can be expressed through respecting, facilitating, and encouraging migrant workers' self-organization instead of speaking for them and having others doing the work for them. Respect and support is also needed for grassroots organizing efforts to develop leadership and capacity within community-based organizations. This can help grassroots organizers and migrant workers develop the tools needed for their struggle for justice and dignity.

After my first "Canadian social history lesson" in the tomato greenhouse three years ago, many more followed. Undoubtedly, the most powerful and hopeful lessons came from the migrant farm workers themselves, who through the years have been resisting with admirable courage and dignity their "patrones" (bosses), both in their farms and the consular offices, where officials are often from the employer's side. They do this sometimes silently and sometimes loudly, accompanied by external supporters or just by themselves. They demand the right to be human beings, not just the "economic units" that global capital needs them to be.

For more information on this subject, see *Cultivating Farmworker Rights: Ending the Exploitation of Immigrant and Migrant Farmworkers in BC*. Published on June 18, 2008 by the Canadian Centre for Policy Alternatives: <http://www.policyalternatives.ca/News/2008/06/farmworkers>



Adriana Paz is a co-founder and organizer of Justicia/Justice for Migrant Workers-BC (J4MW), a volunteer collective based in Toronto and Vancouver that strives to promote the rights of Mexican, Caribbean, and Guatemalan workers who annually participate in the Seasonal Agricultural Workers Program (SAWP).

<http://www.justicia4migrantworkers.org>

FE DE ERRATUM/ Correction of Error

[1] In the online version of the article it says: "Justicia/Justice for Migrant Workers-BC calls on Ottawa to offer the migrant workers permanent status - for them and their families - at the end of their first season."

The author, Adriana Paz, wishes it to be corrected to: "Justicia/Justice for Migrant Workers-BC calls on Ottawa to offer the migrant workers permanent status - for them and their families - **upon arrival.**"