



To All News Editors
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GOLDEN EAGLES FARMS MIGRANT WORKER THREATENED WITH FORCED REPATRIATION TO MEXICO FOR VOICING CONCERNS ABOUT WORKPLACE AND LIVING CONDITIONS

Human rights organizations urge federal and provincial governments and Francesco Aquilini, Co-owner of the Vancouver Canucks and Managing Director of Aquilini Investment Group with holdings in Golden Eagle Group, to rectify situation.

PRESS CONFERENCE: WEDNESDAY MAY 24 AT 10 AM
BC FEDERATION OF LABOUR OFFICES, #200 - 5118 Joyce Street

(VANCOUVER)—Marcos Baac, a Mexican migrant farm worker who was employed by Golden Eagle Farms in Pitt Meadows through a contract under the Seasonal Agricultural Workers Program, received notice on May 9th that he would be sent back to Mexico immediately.

Baac believes that this forced repatriation is a reprisal for being vocal in raising concerns about the farm's poor working and living conditions. In April 2006, after failed attempts to bring their concerns directly to the employer and the Mexican consulate, Baac, along with 31 other workers at the farm, wrote a public letter outlining several workplace and living condition grievances.

The manager of Golden Eagle Farms has provided no reasons to Baac for the contract termination but has hinted that it is related to the public letter. **Marcos Baac** says "All I did was write, along with other workers, a simple and legitimate letter. I am now living in fear, stress, and great anxiety." Vancouver Canucks co-owner Francesco Aquilini has holdings in the farm.

Organizations and unions are deeply concerned with the situation of agricultural migrant workers like Marcos and the severe consequences he is being punished with. **Jim Sinclair, President of the BC Federation of Labour**, states: "Migrant workers in Canada have all the same rights as any other worker, as far as the labour movement is concerned, and deserve the full protection of the law. We are calling on Labour Minister Mike de Jong to restore the government's ability to enforce labour standards so no worker -- citizen or migrant -- is subject to the exploitation we see in this case."

Migrant farm workers are in a particularly precarious position due to lack of labour protection and lack of permanent residency status. **MP Bill Siksay, NDP Citizenship and Immigration Critic**, states "Canada's policies on temporary workers demand our attention. We know that temporary workers are among the most exploited workers in Canada. Their access to labour standards protection falls far short of justice and fairness, health and safety issues dominate their workplace, and access to programmes such as EI, CPP and language training are limited. Even though their labour is crucial to the Canadian economy, they are not afforded the possibility of permanent residence."

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APRIL 7 2006: LETTER OF PROTEST BY MIGRANT WORKERS IN BC

This accompanying letter of complaint was written by the Mexican agricultural workers from the Golden Eagle Group farm in Pitt Meadows, BC, in response to the fact that a series of grave concerns have not been addressed by their employer nor by Mexican consular authorities. This in spite of repeated attempts by the workers to find a solution to their legitimate demands for:

1. Bathrooms, drinking water and a place where they can find cover from the rain while they eat during working days in the fields.
2. More working hours. Currently the workers are being given insufficient working hours that rarely cover the minimum living expenses in Canada, and leave little or nothing to send back to their families in Mexico, which is the main reason why the workers come here in the first place.
3. Fair and respectful treatment by the supervisors and employers.
4. A response to their demands for medical attention without having to pay for it as they are not covered by B.C.'s Medical Services Plan but by RBC Insurance that is limited and insufficient.
5. Compliance with their written work contract which says that they were to work in a greenhouse and not in outdoor blueberry and cranberry farms.

The Mexican workers are employed under Seasonal Agricultural Workers Program (SAWP) negotiated between the governments of Canada and Mexico. Each worker has a contract and is in Canada on a temporary working visa. The migrant Mexican workers are compelled to come to work in Canada as a result of the devastating impact of economic agreements such as the North American Free Trade Agreement (NAFTA) on the Mexican countryside. Upon arrival in Canada the workers often find themselves in precarious working, living and health situations and routinely face abuse and mistreatment from their employers, who appear to almost completely forget to respect the workers' fundamental labour, economic and human rights such as the access to healthcare. The workers' complaints are rarely heard or addressed by either their employers or the Mexican consulate.

LETTER OF CONCERN FROM THE MEXICAN AGRICULTURAL WORKERS OF THE GOLDEN EAGLE GROUP FARM, PITT MEADOWS

Through this letter we are asking for the prompt intervention of the relevant authorities given that many problems exist for us, the Mexican agricultural workers of the Golden Eagle Group farm, who feel disappointed and harmed, both morally and economically, with regards to the Seasonal Agricultural worker Program between Mexico and Canada. This is due to the fact that many irregularities exist at the job, some of which are for example in the economic aspect given that many of us had to get into debt to leave a little money for our families while we were beginning to make money to send them here in Canada.

Nevertheless, after living through the experience in this farm we realize that we are never going to prosper economically since they only give us a few hours of work because the company does not authorize more than 8 hours a day of work; but the worst problem is that in this region it rains a lot and sometimes there is snow and a lot of cold and as a result we often can't work more than 2 or 4 hours a day and sometimes none. On the other hand the work days are very difficult and the salary of \$8.60 an hour does not compensate for the effort and the risk of illness to which we are exposed.

As a consequence of the weather some workers get sick with a cold or cough because we did not bring adequate clothing to work in this weather, and the company did not give us raincoats to work, they just lent us money to buy them. In Mexico we were informed in writing that we were coming to tomato and vegetable greenhouses, and this was a lie because in the work contract it says "greenhouse" called Geri

Partnership and here we are in a blueberry and cranberry Golden Eagle Group farm, in other words it was all a sham since we left Mexico. Because of the weather since we got here we have not been able to work many hours but, as if the far, supervisors were making fun of us, when there is good weather and sun, they don't give us more hours to compensate for the days with no work; and sometimes they remove us from our work without apparent motive before we have completed the 8 hours of work.

In the fields we do not have proper places to eat; we eat on the ground and under the rain because they forbid us to get on the bus. Also there are not enough bathrooms in the blueberry area; there is only one bathroom which is full of excrement, in other words when we have to do our physiological necessities (i.e.: got to the bathroom) we have to go in the open. This is an embarrassing situation and risky for us. For this reason some of the workers are sick with diarrhea, nevertheless the worst part is that they do not give us medicine and they don't take us to the doctor because the supervisors say that we do not have the right to medical service, in spite of having a social insurance card that it seems is only valid if we are in grave condition or dying. There was a worker who became gravely ill from a cold, had a temperature for various days, swollen throat, body aches, and the worst is that he almost couldn't breathe, as if he had asthma. Even so he worked as long as his strength allowed him to and all his illness could have been avoided; but because we feel intimidated by the supervisors who tell us that if we get sick and don't work, then they won't pay us and that also medical attention costs us approximately \$80 plus medicine and the taxi from the farm to the medical clinic.

That was the case of the worker Audy Vega Rovira, who when being very ill asked to be taken to the doctor, and then the doctor did not give him an adequate checkup and told him that he only had an enflamed throat; this was a lie because this worker was having a very difficult time breathing and was very agitated. This worker was told by one of the managers that all the expenses were to be deducted from his pay cheque, so the worker called the Mexican consulate to express his disagreement and to ask for their intervention. The same manager found out about this and the next day asked for the worker and interrogated him about what he had told the consulate. He was informed about the disagreement and was told that the medical service was not going to be deducted from his pay, but that he should not call the consulate again, that when he had a problem he should first speak to him.

Another subject is that the houses are very small for the number of workers in each one, in one of the houses the kitchen is very small and there are only two refrigerators for 10 people and the fan in the kitchen doesn't work, because it doesn't have the necessary tubing to remove the smoke and as a result the house fills with heavy smoke and the fire alarms go off a lot. In the transport that takes the workers to the cranberry fields, a van often takes 10 workers crammed inside, and after we finish work and are about to go the order us to remove our rain clothes outside in the open so as not to dirty the inside of the van, and in that way exposing us to getting pneumonia because our bodies are hot and we remove our clothes under the rain and cold under the threat that if don't do it, we will have to go to work in bicycles. These managers from the beginning have treated us with scream, humiliations, intimidations; they also forbid us to talk, sing, or whistle and have even pushed a worker, who for fear and ignorance of his rights did not want to report the incident. What makes our situation more humiliating is that the managers who are originally from India, to their co nationals who work near us, they allow them what they forbid us, they don't rush them and they even play and laugh with them.

For these and other motives, we beg the authorities to find a solution to these problems and that the contract to work in greenhouses is carried out and in that way we can work more hours like other workers and recover the time lost in this farm.

THE AFFECTED WORKERS OF THE GOLDEN EAGLE GROUP FARM, PITT MEADOWS, BC.



The Seasonal Agricultural Workers Program

The Seasonal Agricultural Workers Program (SAWP) is a guest worker program that attempts to respond to the labour shortage in the Canadian agricultural sector. This program is authorized by the federal government through the Department of Human Resources and Skills Development (HRSDC) and administered by privately run user-fee agencies. In Ontario and Nova Scotia the Foreign Agricultural Resource Management Services (F.A.R.M.S) administers the program and F.E.R.M.E. functions in the same capacity for Quebec, New Brunswick and Prince Edward Island.

Jamaican workers started to migrate to Canada in 1966 under the SAWP. The SAWP operates in Alberta, Quebec, Manitoba, Nova Scotia, New Brunswick, Prince Edward Island and Ontario which receives 90% of workers. British Columbia was incorporated to the program for the first time in 2004.

Employers request workers through F.A.R.M.S./F.E.R.M.E. with the approval of HRSDC. Migrant sending countries select and screen workers. Workers and employers sign a contract that outlines respective rights and obligations and length of employment that generally ranges between 3 to 8 months. Workers that win the approval of employers are "named" and requested back on the farms. A "named" worker is entitled to additional rights that are not granted to "unnamed" or new workers to the program. New SAWP participants are sent to the same farm for the first 2 years. Thereafter, s/he may be relocated to another farm if they are not requested by their original employer.

Workers are sent home as soon as their contracts expire. They have to report back to their home countries with evaluation forms from their employers. A negative report can result in suspension from the program. Workers also have to report the treatment of they received from their Canadian employers. Most migrant farmworkers prefer to provide a neutral report to avoid delays in being processed to return to work in Canada.

Approximately 18,000 migrant farm workers from the Caribbean and Mexico arrive in Canada to work in our fields, orchards and greenhouses every year. Most workers are men but women also participate. Married men and single mothers are usually recruited into the program. Commodities that workers engage in include: Apiary, Tobacco Flue, Tobacco Black, Canning/Food Processing (fruit and vegetables), Nurseries, Vegetables, Greenhouse Vegetables, Fruit (including apples), Flowers and Sod. The hourly wage increased to \$8 /hr in all of these commodities with minor exceptions.

The Issues

The Canadian government insists that foreign agricultural workers are treated the same as Canadian workers but nothing can be further from the truth. Migrant workers face an array of issues that the SAWP, Canadian government and participating governments fail to address. First of all, migrant workers are painfully separated from their families and communities to make a living. They are often isolated in rural communities where life revolves solely around the farm. Language barriers, mobility problems and cultural differences manifesting themselves in outright racism segregates and excludes migrant workers from the rest of their host rural communities. Migrant workers perform rigorous and often dangerous rural labour that few Canadians choose to do. Many workers are reluctant to stand up for their rights since employers find it easier to send workers home (at their own expense) instead of dealing with their serious concerns. Fear and the structure of the SAWP (i.e. lack of appeal mechanisms, high turn over rate of migrant workers and lack of monitoring) silences the struggles of migrant workers. Some workers never return to the program due to mistreatment. Others attempt to

relocate to other farms. But most of the time workers are not granted transfers because it requires approval from the employer in question and consulate liaison officers. Many workers remain silent out of fear from being expelled from the program.

It is also important to note that some migrant workers claim to have positive work experiences in Canada. However, in our numerous visits and outreach in migrant communities we repeatedly heard forceful phrases such as, "they treat us worse than animals!" Migrant workers, mostly from the Caribbean, make references to slavery in explaining their situation in Canada. Other prominent concerns we have heard from migrant workers include:

- Working 12-15 hours without overtime or holiday pay
- Denied necessary breaks
- Use of dangerous chemicals/pesticides with no safety equipment/protection or training
- Being crammed into substandard housing with leaking sewage and inadequate washrooms
- Overt racism from townspeople sometimes resulting in physical altercations
- Acute pay discrimination between migrant and non-migrant workforce
- Unfair paycheck deductions such as EI and other services which they have little or no access to
- Inadequate health attention and services
- Exclusion from basic human rights legislation such as Health and Safety Legislation and most aspects of the Employment Standards Act
- Prohibited from collective bargaining and joining unions
- Inadequate representation in policy making and contract disputes
- Unavailable to claim residency or obtain educational opportunities for children despite extensive years of work in Canada
- Lack of appeal process when employers repatriate workers to home country
- Depression
- Barriers to essential services due to language and location
- Lack of basic ESL training
- Gender discrimination (ie few opportunities for female workers and women are heavily controlled and disciplined in various ways by employers)

Global restructuring through Structural Adjustment Programs ordered by International Financial Institutions such as the International Monetary Fund and the World Bank and free trade agreements such as NAFTA have devastated the economies of the Global South. National industries, particularly agriculture, have been destroyed. Most of the workers that participate in the SAWP are dispossessed or struggling small farmers from poor rural regions that are forced to migrate for a living wage. Sending countries have more often than not easily complied with neoliberal restructuring despite its disastrous effects. For instance reform of Article 27 in the Mexican Constitution privatized ejidal land that was protected as commonly held land among small farmers.

Canada has historically relied on migrant labour to literally build the nation. Chinese migrant workers made the federalist dream of a national railroad possible. South Asian migrant workers tamed the fields in Western Canada. Today migrant workers are indispensable in domestic work, construction and agriculture. Regardless of the importance of migrant workers to Canada's past and present they have been constantly denied basic human rights and citizenship. Canada has profited immensely from the plight of migrants of the south. The low wages of migrant workers have proliferated a multi-million agricultural industry in Canada. Justicia for Migrant Workers urges Canadians to rethink the SAWP and to extend the rights of citizenship and STATUS to migrant workers and their families. Justicia also advocates for a more egalitarian world, where economic policies are framed around sustainable communities that do not displace workers from their communities and livelihoods.