



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 a 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.