



Canadian Centre for  
Policy Alternatives  
Manitoba Office

# work life

## Migrant Voices: Stories of Agricultural Migrant Workers in Manitoba

by Jodi Read, Sarah Zell and Lynne Fernandez

**E**ach year up to 400 Mexican men - migrant workers under the Seasonal Agricultural Workers Program<sup>1</sup> (SAWP) - work on farms in Manitoba. These labourers perform physically strenuous work on vegetable farms and in greenhouses for up to eight months, year after year. They live and work under difficult conditions and are often denied the human rights protections provided in the Canadian Charter of Rights and Freedoms. Workers regularly toil twelve hours per day, six to seven days a week, and they live socially isolated from Canadian society.

The Migrant Worker's Solidarity Network (MWSN), a group that interacts with and advocates for these workers, undertook a research project which informed the report *Migrant Voices: Stories of Agricultural Migrant Workers in Manitoba*. This report combines the voices of the men with whom the MWSN interacts, with background information about the SAWP and a review of literature from across Canada concerning migrant workers. *Migrant Voices* explains how globalization and free trade agreements end up producing a two-tiered labour force in Canada and how these migrant workers fare in that system. It also gives us a comprehensive overview of the Mexican/Canadian agreement and federal and provincial regulatory frameworks that underpin the SAWP. An overview of the key findings is presented here.

*More than anything it is pretty much a struggle to be here. Mateo - migrant worker*

The struggle Mateo refers to is multi-layered; it includes the pain and loneliness of being separated from family for almost half the year

with being in a foreign land where he doesn't understand the language or even the terms of the contract under which he is working. It also has to do with the daily grind of hard physical work with almost no opportunity for social diversion and little rest.

Many speak of the sense of isolation which comes from living and working on farms far from urban centres. At the same time, they are curious about Canadian society and would like to interact with Canadians, but they are afforded little opportunity to learn English or French and so remain in the back-ground.

Their lack of access to language training also prevents them from accessing many of the benefits they are entitled to such as Workers Compensation, CPP, proper workplace training, and help from Employment Standards. Governments are supposed to provide services in Spanish, but it is difficult to navigate the systems and find a Spanish-speaking civil servant. Little information is distributed in Spanish, although this year, Employment Standards will be distributing some.

Labour law concerning SAWP workers falls under the purview of the province, along with Employment Standards, Workers Compensation and Healthcare. Despite the unanimous passing of a resolution at a succession of NDP conventions to grant these workers access to provincial healthcare, this government has yet to do so (as opposed to other provinces). As a result workers are at the mercy of private medical insurance which does not cover pre-existing conditions, many of which are sustained while working on

309-323 Portage Avenue

Winnipeg, MB R3B 2C1

204-927-3207

lynne@policyalternatives.ca

www.policyalternatives.ca

May 15, 2013

ERROL BLACK CHAIR

**EBC**

IN LABOUR ISSUES

Canadian farms. In order to keep costs down, injured/sick workers are sometimes sent back to Mexico for treatment and end up not being able to return and make the money they need to cover their travel costs.

On the federal front, these workers also pay CPP and EI, but they are not able to collect basic EI benefits, nor parental benefits. They may have access to sick benefits, but if they are repatriated when ill, they no longer qualify. Not only are these workers excluded from a program they pay into, the federal government does not offer any sort of possibility for these workers to immigrate to Canada.

*To have my papers, to bring my family, that is it. My dream is to have my papers and my family—to arrange things for my family. That's it—to be with my family all the time and not be separated.* Manuel – migrant worker

The federal government now excludes 'low-skilled' workers such as Manuel from immigrating, despite the fact that he may return to Canada for 20 consecutive years. He is good enough to work here, but not good enough to live here. Critics note that these workers are permanently temporary, thereby allowing for a two-tiered labour market that allows both governments and employers to exploit them.

Migrant workers are protected by the regulations set out in the bilateral (Canada/Mexico) agreement that governs the SAWP, as well as by any relevant Canadian legislation. However, while Manitoba boasts one of the strongest enforcement mechanisms in Canada, a lack of coordinated federal and provincial government oversight, a complaint-based system for worker grievances, and the conflicting roles of the distant Mexican Consulate in Toronto result in gaps in these protections and render SAWP workers very vulnerable.

*Migrant Voices* offers provincial and federal policy recommendations to decrease SAWP workers' vulnerability. Provincial recommendations include:

- Providing English language instruction;

- Providing access to Manitoba Healthcare coverage
- Coordinating provincial oversight of various government agencies such as Employment Standards, Workplace Safety and Health and Housing inspectors.
- Ensuring that workers receive information in Spanish about the various programs they are entitled to;
- Providing a means by which workers can lodge complaints in Spanish without fear of reprisal from supervisors or employers;
- Offering workplace training in Spanish, including how to avoid workplace injury and illness;
- Ensuring that workers have the opportunity and ability to communicate with a union and that they are not prevented in any way from joining a union, or threatened if they communicate with one;
- Creating a Manitoba Migrant Worker Advocacy Centre, run at arm's length from the government;

On the federal side:

- Allowing SAWP workers immediate access to EI sickness and parental benefits;
- Restructuring program so workers can more easily transfer to another farm;
- Creating an accessible pathway to permanent residency, at the very least for long-term workers.

We hope readers will realize the tremendous contributions these workers make to our province, and the larger geo-political dynamics that drive them to come here. Their hard labour provides Manitobans with low-cost produce; in return they are treated as second-class citizens, unable to access the rights and benefits afforded to Canadian workers. The province can do much to protect these workers, but in the long term, Manitobans and Canadians need to engage the federal government in a serious conversation about how these workers are treated and ultimately, the effect the Temporary Foreign Worker Program has on nation building, labour markets and human rights.

<sup>1</sup>The SAWP falls under the broader Temporary Foreign Workers Program (TFWP).

work life