

Canada's Temporary Migration Program: A Model Despite Flaws

by Tanya Basok for the Migration Policy Institute

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Interest in temporary migration programs has been rising across the globe. Economist Manolo Abella conservatively estimates that, since 2000, the temporary migration of foreign workers into high-income countries has grown at about 4 to 5 percent a year.

Compared with permanent forms of migration, policymakers consider temporary migration more attractive for a number of reasons. In particular, temporary migration permits greater flexibility in the labor market and can seem more acceptable to electorates that find permanent immigration "threatening."

Also, a legal channel for labor migration can reduce flows of unauthorized immigrants. A less considered reason among destination countries is the development impact of migrants remitting income.

The Canadian Seasonal Agricultural Workers Program (SAWP), which began over 40 years ago, is Canada's flagship temporary migration program (the newer Low Skilled Workers Pilot Program operates on a much smaller scale).

Widely recognized as one of the better administered temporary migration programs, SAWP involves multilateral cooperation between governments of origin countries and the Canadian government, and has stable and predictable levels of workers.

SAWP Background

In the years preceding the program, farmers in the province of Ontario experienced serious labor shortages. Farm labor supplied by the National Employment Service was unreliable since many workers did not stay long enough to harvest the crop. For several years, Ontario growers petitioned the Canadian government to allow them to import foreign agricultural labor.

Countries and Provinces Participating in SAWP

Countries and Year They Joined SAWP
Jamaica (1966), Mexico (1974), Trinidad and Tobago (1967), Barbados (1967), and the Organization of the Eastern Caribbean States (Antigua and Barbuda, Commonwealth of Dominica, Grenada,

Under constant pressure from Canadian growers, one of whom, Eugene Whelan, was a Liberal member of parliament and a future minister of agriculture, the Department of Labor consented to importing Caribbean farm workers. SAWP began in 1966 by bringing Jamaican workers to harvest field crops in Essex County, Ontario.

Montserrat, St. Kitts-Nevis, Saint Lucia, St. Vincent and the Grenadines) (1976), and Guatemala (2003).

Provinces in Canada

Alberta, British Columbia, Quebec, Manitoba, Nova Scotia, New Brunswick, Prince Edward Island, Saskatchewan, and Ontario.

Despite the pool of Caribbean farm workers, Canadian growers continued to experience labor shortages and consequently contracted unauthorized migrants from Mexico and Portugal. To dry up the pool of unauthorized workers and insure respect for labor standards, the government extended the program in 1974 to include Mexican workers. A number of Caribbean nations joined later.

Today, migrants can work in nine Canadian provinces, further testimony to the program's success. However, Ontario receives 90 percent of the workers.

Under SAWP, approximately 16,000 migrant farm workers are recruited in the Caribbean and Mexico to work in Canadian agriculture. Approximately one-half of these workers are from Mexico. In 2006, 7,806 Mexican and 7,770 Caribbean workers came to work in Canada. Most workers are men, but about 3 percent are women, mostly single mothers.

Migrant workers provide labor for such activities as apple and other fruit harvesting; canning/food processing; bee and flower production; and ginseng, sod, tobacco, and greenhouse and field vegetable harvesting. The hourly wage is generally CAN\$8.58 though workers harvesting tobacco earn CAN\$9.63.

How SAWP Works

Within Canada, Human Resources and Skills Development Canada (HRSDC) manages SAWP and sets general policies for the program. HRSDC works closely with private agencies, including Foreign Agricultural Resource Management Services (FARMS) in Ontario and Nova Scotia, and its French-language equivalent, the Fondation des entreprises pour le recrutement de la main-d'œuvre étrangère (The Foundation of Enterprises for the Recruitment of Foreign Labor, or FERME), in Quebec, New Brunswick, and Prince Edward Island.

Employers submit requests for foreign agricultural workers to FARMS or FERME. These requests, once HRSDC approves them, are forwarded to recruitment agencies in Mexico or the participating Caribbean countries. It is then the responsibility of migrant-origin countries to recruit workers to match the requests.

Growers bear most of the program's costs, including airfare and ground transportation,

visa fees, and administrative costs paid to FARMS or FERME. Some of the airfare costs are consequently deducted from the workers' paychecks. Growers also provide housing to the workers and contribute to the provincial health insurance and workers' compensation insurance programs.

Migrant selection criteria and procedures are different in each participating country. In Mexico, for instance, ideal candidates have worked in agriculture, are responsible for the economic well-being of their households (such as male heads of the family or single mothers), and have experienced difficulties in finding other viable sources of subsistence in Mexico (due to low educational levels and/or occupational backgrounds).

Workers and employers sign a contract that outlines respective rights and obligations and length of employment, which is not to exceed eight months.

Workers are covered under provincial Employment Standard Acts. In Ontario, harvesters are entitled to vacation pay and public holiday pay if they have been employed for at least 13 weeks. Vacation pay is calculated at the rate of 4 percent of total gross earning.

Canadian law requires employers to carry workers' compensation, and workers make contributions to unemployment insurance and the Canada Pension Plan through regular deductions from their salaries.

Workers receive weekly wages calculated as the greatest of the following:

- the minimum wage of workers as stipulated in provincial legislation
- the rate HRSDC determines annually to be the prevailing wage rate for the type of agricultural work being carried out
- the rate the employer pays his Canadian workers performing the same type of agricultural work.

Workers who earn the approval of employers are "named" and requested to return to the same employer. New participants are sent to the same farm for the first few years and then, if not "named," are relocated to another farm.

At the end of the contract, growers arrange for their workers to be transported to a nearby airport. Upon arrival in their home country, workers report to the recruitment agencies with evaluation forms from their employers. A negative report can result in suspension from the program.

Since 2003, the province of Quebec and the government of Guatemala have engaged in a program with the same objective and principles of SAWP, but one that is managed in a slightly different manner. The federal employment ministry approves the offers of employment on an individual basis. The International Organization for Migration (IOM) provides technical assistance, selects qualified Guatemalan workers, and transports the workers to Canada. In conjunction with FERME, IOM returns the workers to Guatemala once their contracts have ended.

Economic Benefits of SAWP

Up-to-date statistics on the economic benefits of SAWP are not available. However, some conclusions can be drawn from a 1995 FARMS report, which argued that new jobs are created and old ones sustained in fields related to agriculture because of the employment of seasonal foreign workers.

The report presented the following calculations. In 1995, the Ontario horticulture industry required a labor force of 99,876 workers per year. Canadians filled only 90 percent of these jobs, generating a shortage of 9,876 jobs.

Ontario farmers invested CAN\$626 million in seed stocks, chemicals, equipment, and other goods and services, and thus supported approximately 2,500 jobs in the supply side of the industry. At the same time, they also contributed to the creation of 49,938 jobs in the food processing industry, which employs predominantly Canadian workers.

Thus, each farmworker in horticulture supported 2.6 jobs in the supply and processing sectors in 1995. If the 9,876 jobs in the Ontario industry were not filled, 25,678 jobs in other sectors would have been lost.

SAWP as a Model

Many policymakers and scholars who study labor migration view SAWP as a best-practice model.

At a 2000 workshop (organized by IOM in cooperation with the UN Economic Commission on Latin America and the Caribbean), David Greenhill, a Canadian government official responsible for the program, argued that a program like SAWP, which recognizes and responds to legitimate labor shortages in the economy, is in the national interest.

Greenhill contended that SAWP's key strength is its formal structure. This structure ensures that all the key players are engaged and that the workers' rights are clearly understood, outlined, and enforced through agreements, memoranda of understanding, and operations guidelines.

A 2006 World Bank report identifies numerous benefits of the Canadian program. Growers receive reliable and experienced agricultural workers. Local communities benefit from expanded employment opportunities for native workers (linked to the growth of agricultural industries staffed by reliable and skilled foreign workers). Foreign workers stimulate demand for local services and goods.

For foreign workers, the program provides an opportunity to gain secure employment and to support family needs, especially improved housing, children's education, better nutrition, and medical services. Since they do not need to pay recruitment or smugglers'

fees, even the poorest of Mexican and Caribbean workers can gain employment through this program.

For instance, among the 465 Mexican workers I surveyed between 1997 and 2000, about 80 percent (and higher in some villages) used their earnings to improve their homes in Mexico. Some had to buy land to build a house. Those who already owned land bought material and paid wages to construction workers.

About 60 percent of the workers I surveyed used their Canadian-earned income to improve the education of their children. For most workers, Canadian jobs provided an opportunity to improve their households' diet and respond to medical emergencies. Anthropologist Leigh Binford and sociologist Gustavo Verduzco report similar findings.

Among Jamaican participants of the program, 35 percent of remittances was spent on children's education, according to Roy Russell, a researcher affiliated with the Agro-Socio Economic Research Center in Jamaica.

The overstay rate among SAWP workers is negligible. The previously mentioned World Bank report estimates it to be 1.5 percent.

Program Flaws

Despite the numerous advantages the Canadian program offers migrants over alternatives, such as illegally crossing into the United States, the program has serious flaws. Most importantly, SAWP restricts workers' mobility. In addition, employers have excessive control over the workers' current and future labor contracts.

The need to secure approval from current employers can make workers acquiescent. They may decide not to claim worker's compensation when injured or take time off to see a doctor when they are sick. Also, workers may choose not to refuse employer requests to work seven days a week or complain about substandard housing or safety conditions.

Those who assert their rights risk being deported and/or blacklisted. In conducting my research among Mexican workers, one such story came from Arturo, who felt that Mexican workers on a farm in Quebec were treated like slaves. After he demanded improvements from the farm owner, the owner called the Mexican consulate.

A consular representative arrived but refused to help the Mexican workers. The following year the Mexican recruitment agency told Arturo that he had been penalized. Only two years after the incident was Arturo able to return to Canada.

The problems extend beyond workers' rights. Anthropologist Leigh Binford highlights social and psychological costs borne by migrants and members of their households, although he recognizes that the nonmonetary costs of the Canadian program are not as high as those of US-bound unauthorized migrants.

Separated from their families and communities, Binford has found that SAWP workers suffer from depression and anxiety. Loneliness breeds promiscuity, and venereal diseases are not uncommon. Also, Canada has no provisions for the seasonal agricultural workers to become permanent residents and bring their families.

To a certain degree, workers' support centers, which the United Food and Commercial Workers Union (UFCW) in Ontario and Quebec fund, have attempted to assist otherwise unprotected migrant workers. At these centers, seasonal agricultural workers receive information about occupational hazards, workers' compensation, pensions, and taxes. Volunteers will also prepare their tax returns free of charge.

However, UFCW support centers have a limited mandate. UFCW cannot legally represent migrant workers in Ontario — the province where the vast majority of them work — because of legal provisions that prohibit agricultural workers from bargaining collectively. While agricultural unions are legal in Quebec, Manitoba, and other provinces, pressure from employers and the extreme vulnerability of the workers stand in the way of union organizing.

Justicia for Migrant Workers is a civil society organization based in Toronto and Vancouver that has advocated on behalf of migrant workers. Among other actions, it has urged the Canadian government to extend the rights of residency and citizenship to migrant workers and their families.

Canadian labor organizations and Justicia for Migrant Workers have called for significant changes to the current program, including the program's transfer from human resources to the labor department, the provision of training and employment services to migrant workers, the inclusion of migrant workers under provincial health and safety regulations, the right to organize, and the establishment of a review board to examine workers' complaints.

The goals of other community organizations are more modest. Accepting the fact that migrant workers will not be allowed to bring along members of their families, some organizations try to address their social and psychological needs. These include Ontario-based Enlace; Leamington, Ontario-based Cultural Centre for Arts (for Mexican workers); and the literacy organization Frontier College in Toronto.

Conclusion

From the perspective of Canadian policymakers, a temporary worker program like SAWP, which fills a shortage in the labor market and has a low overstay rate, is very attractive.

For origin countries, SAWP offers an opportunity to improve the living standards of some of their citizens, and to monitor and protect the rights of those citizens while they are in Canada.

However, SAWP's restrictions on workers' mobility and the power of employers remain problematic. These questions of equity and social justice continue to be among the main concerns of Canada's community and labor organizations. Anthropologist David Griffith believes this support of labor and civil society organizations is one of the reasons SAWP can be considered a "best-practice" model despite its numerous flaws.

Indeed, Canada will likely maintain this long-running program even as it considers other ways of bringing seasonal workers to the country.

Sources

Abella, M. (2006). *Policies and Best Practices for Management of Temporary Migration*. International Symposium on International Migration and Development, Population Division, Department of Economic and Social Affairs, United Nations Secretariat, Turin, Italy, 28-30 June.

Basok, T. (2004). "Post-National Citizenship, Social Exclusion, and Migrants' Rights: Mexican Seasonal Workers in Canada." *Citizenship Studies* 8(1), pp. 47-64.

Basok, T. (2003). "Mexican Seasonal Migration to Canada and Development: A Community-Based Comparison." *International Migration* 41(2), pp. 3-21.

Basok, T. (2002). *Tortillas and Tomatoes. Mexican Transmigrant Harvesters in Canada*. Montreal: McGill-Queen's Press.

Basok, T. (2000). "He Came, He Saw, He... Stayed. Guest Worker Programs and the Issue of Non-Return." *International Migration* 38 (2), pp. 215-238.

Basok, T. (1999). "Free to Be Unfree: Mexican Guest Workers in Canada." *Labour, Capital and Society* 32 (2), pp. 192-221.

Binford, L. (2002). "Social and Economic Contradictions of Rural Migrant Contract Labor Between Taxcala, Mexico and Canada." *Culture & Agriculture* 24(2), pp.1-19.

Binford, L. (2003). "Migrant Remittances and (Under)Development in Mexico." *Critique of Anthropology* 23 (3), pp. 305-336.

FARMS (1995). *The Quest for a Reliable Workforce in the Horticulture Industry. Reliable Workers, Regardless of Source*. Mississauga, Ontario.

Griffith, D. (2003). *The Canadian and United States Migrant Agricultural Workers Programs: Parallels and Divergence Between two North American Seasonal Migrant Agricultural Labor Markets with respect to "Best Practices."* Report to The North-South Institute, Ottawa, Canada, November 2003.

Russell, R. (2004). "Jamaican Workers' Participation in CSAWP and Development

Consequences in the Workers Rural Home Communities." *Agro-Socio Economic Research*, Kingston, Jamaica. Ottawa: North-South Institute.

Verduzco, G. and M. I. Lozano (2003). "Mexican Farm Workers' Participation in Canada's Seasonal Agricultural Labour Market and Development Consequences in their Rural Home Communities." Ottawa: North-South Institute.

World Bank (2006). "At Home and Away: Expanding Job Opportunities for Pacific Islanders Through Labour Mobility."

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