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# Migrant Voices

## Stories of Agricultural Migrant Workers in Manitoba

By Jodi Read, Sarah Zell,  
and Lynne Fernandez

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

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### *A note from Jodi:*

I wish to thank the individuals, migrant workers, and advocates who opened their hearts and lives to me. I wish to express my gratitude by sharing your stories with the community of Manitobans. While I am unable to document every heartfelt narrative, I carry these stories deep inside of me. I appreciate your willingness to dialogue with me and share about your lives in Canada and Mexico.

### *Una nota de Jodi:*

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# Introduction

Each year approximately 400 Mexican men, migrant labourers under the Seasonal Agricultural Workers Program (SAWP), work on farms in Manitoba. These labourers perform physically strenuous work on vegetable farms and in greenhouses, jobs that most Canadians prefer not to do. Workers spend up to eight months in Canada, returning year after year for the agricultural season. They live and work under precarious conditions that often foreclose the possibility of accessing 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. This report highlights the stories of these labourers and invites readers to bear witness to the aspirations and transborder lives of these Mexican men working on Manitoban soil.

Research for this report was undertaken and coordinated by the Migrant Worker Solidarity Network (MWSN), a Winnipeg-based organization that advocates on behalf of Manitoba-based migrant workers, specifically those employed under the Canadian Seasonal Agricultural Worker Program (SAWP). Formed in 2008, MWSN is an organization with members from diverse back-

grounds—individuals representing health and labour organizations, a policy research institute, churches, and Latin American solidarity groups. MWSN's fourfold purpose in Manitoba is to: 1) develop relationships with the migrant workers who produce our locally grown food; 2) provide personal support to workers while they are in Canada; 3) advocate for improved working and living conditions for migrant workers; and 4) educate the broader public on the realities that migrant workers face (deGroot 2012; MWSN 2012). The group meets monthly to discuss strategies to accomplish these goals. Since 2008 MWSN members have been interacting regularly with migrant workers during the height of the agricultural season from May through October. Members give presentations to local community groups, nonprofit organizations, churches, and labour unions. The group has met with provincial government representatives in an effort to advocate for better working and living conditions for the workers—and in particular for migrant access to provincial health care. MWSN also educates local growers and interested community members by participating in a yearly food security conference.

This report is the result of an interview project, *Las Voces de los Migrantes*,<sup>1</sup> which MWSN

designed and implemented to record the stories and experiences of Manitoba-based migrant workers labouring under the SAWP. *Las Voces de los Migrantes* was also undertaken with the broader aim of promoting a more equitable and sustainable system of production and trade.

## Overview of Report

This report highlights the candid words of Mexican agricultural workers in Manitoba as they narrate their Canadian experiences. The report draws attention to migrant experiences by sharing the voices of these Mexican workers, who discuss challenges associated with their work and health care management, who view their stay in Manitoba as socially isolating, and who aspire to interact on a more equal footing in Canadian society. While several studies have revealed the vulnerability of agricultural migrant workers in provinces across the nation (Faraday 2012; Hennebry 2012; Preibisch 2003, 2010, 2011; Hanson et al. 2008), this in-depth study makes a significant contribution by highlighting the previously unexplored concerns of workers in Manitoba.

The report is divided into sections that explore particular aspects of migrant worker experiences in Manitoba. First, Section I provides background on the labour market and immigration policy context for these experiences. Section II details the methodology employed in this study. Section III provides an introduction to the migrant workers arriving in Manitoba through the SAWP. In Section IV workers speak directly, and in their own words they describe *la lucha*,<sup>2</sup> loneliness in Canada, and their resolve to provide for their families, take care of themselves, and create a more stable future. Section V highlights concerns about the SAWP and the vulnerability of agricultural migrant workers. Lastly, Section VI concludes with policy recommendations that address concerns raised in this report and are

aimed at improving the working and living conditions for SAWP workers in Manitoba.

### *Note on translation*

Interviews were conducted in Spanish and all subsequent translations are provided by the primary researcher and author, Jodi Read.

### *Note on language*

In this report, employees in the Seasonal Agricultural Workers Program are referred to as migrant workers, workers, labourers, employees, and research participants. Some individuals are also referred to by pseudonyms.

### *Limitations and Future Studies*

Missing from this study is a more complete understanding of the Mexican communities from which these workers originate and in particular the impact of the absence of migrant workers on their home communities. The voices of the workers' partners and their children are not included. As there have not been women workers in Manitoba under the SAWP (Becerril Quintana 2003), there are no perspectives from women workers included in this report. Furthermore, the research team did not visit workers in their place of employment and did not witness first-hand their working or living conditions. The research team did not speak with farmers or employers (for a brief examination of the experiences of SAWP employers, see Griffith 2003). Future studies on migrant labour in Manitoba could include the perspectives of employers or farmers, without whom Manitoba would not have vegetables from the local area. Another study could compare the experiences of Manitoba's relatively isolated workforce with those of individuals working under the SAWP in other jurisdictions across Canada, who may have more access to the services provided in towns and cities.

# SECTION I:

## Policy and Labour Market Context

### Global Labour Market Context

In order to understand why migrant workers are available to work in Manitoba's agricultural sector, we must consider the phenomenon of globalization. A succinct definition of the process of globalization is provided by Petras and Veltmeyer (2001, 16):

The creation and growth of an integrated production system based on a new international division of labour, the global operations and strategies of transnational corporations, a new enabling policy framework and new technologies.

The economic and social impacts of globalization on different countries and regions are hotly debated. In particular, many scholars argue that the global South provides the resources and labour necessary to allow the economies of the global North to flourish while the South reaps little benefit. Such critics note that labour has paid a high price for globalization, and that the massive restructuring of the labour market has removed large numbers of direct producers from their lands and other means of production (Petras and Veltmeyer 2001, 24). This process has been particularly devastating in Mexico

under the North American Free Trade Agreement (NAFTA).

Under NAFTA, Mexico underwent an intensive process of agricultural economic liberalization; the country went from being self-sufficient in basic grain production to becoming increasingly import-dependent in just a few years. By 1999, 25 percent of Mexico's beans and 97 percent of its soy were imported (Desmarais 2007, 63). Trade liberalization also led to a dismantling of guaranteed prices for producers along with a decrease in the subsidization of inputs. World prices paid to farmers for wheat, beans, and corn plummeted, causing many farmers to abandon their lands. At the same time, Mexico began importing foods at much higher prices (Desmarais 2007). The perfect storm of disenfranchised peasant farmers and skyrocketing food prices<sup>3</sup> led to increased poverty, causing many Mexicans to migrate to cities, to work in *maquiladoras*,<sup>4</sup> or to seek work in the U.S. or Canada. Romo Portillo and Sepúlveda González note that current global geo-political dynamics prevent countries like Mexico from developing and modernizing, instead trapping them in a cycle of poverty and under-development (2012, 521).

*Cheap Labour for Cheap Food:  
The Canadian Agricultural Sector*

As devastating as NAFTA has been on the Mexican agricultural sector, Canadian farmers have not necessarily fared well either. Many Canadian farmers have been forced off the land as globalization has facilitated the growth of corporate farming—to the detriment of the family farm. Many farms in Manitoba struggle with ever decreasing incomes. The collapse of global trade barriers has forced Manitoba's farmers to compete more aggressively with each other as they try to survive in a sector dominated by powerful transnational and international corporations. Canada's agricultural sector is increasingly dominated by a few powerful agribusinesses with which the small-scale farmer cannot compete (Fernandez and Tonn 2010, 154). Vegetable producers, who rely heavily on labour to harvest crops, are forced to cut their costs in order to stay in business. To minimize costs, they have increasingly turned to the cheap and reliable labour provided by the Seasonal Agricultural Worker Program (SAWP). Producers also lobby the provincial government to keep labour costs low.

Globalization, facilitated by free trade agreements like NAFTA, creates the demand for cheap, exploitable workers on Manitoba's farms. This same process conveniently provides Manitoba farmers with a large pool of willing Mexican workers. Consumers in Manitoba, most of whom are oblivious to the human drama being played out in Mexico, are also unaware of the migrant workers who sacrifice so much to supply our low-price, 'locally' produced food. Consumers on the lookout for the cheapest prices generally do not understand the complex process by which low prices are maintained. The grow-local and food-security movements often overlook the presence of migrant labour in our own backyards. Indeed, it is difficult to see how Manitoba produce can be considered locally grown when labour—one of the three factors of production (land, capital, and labour)—

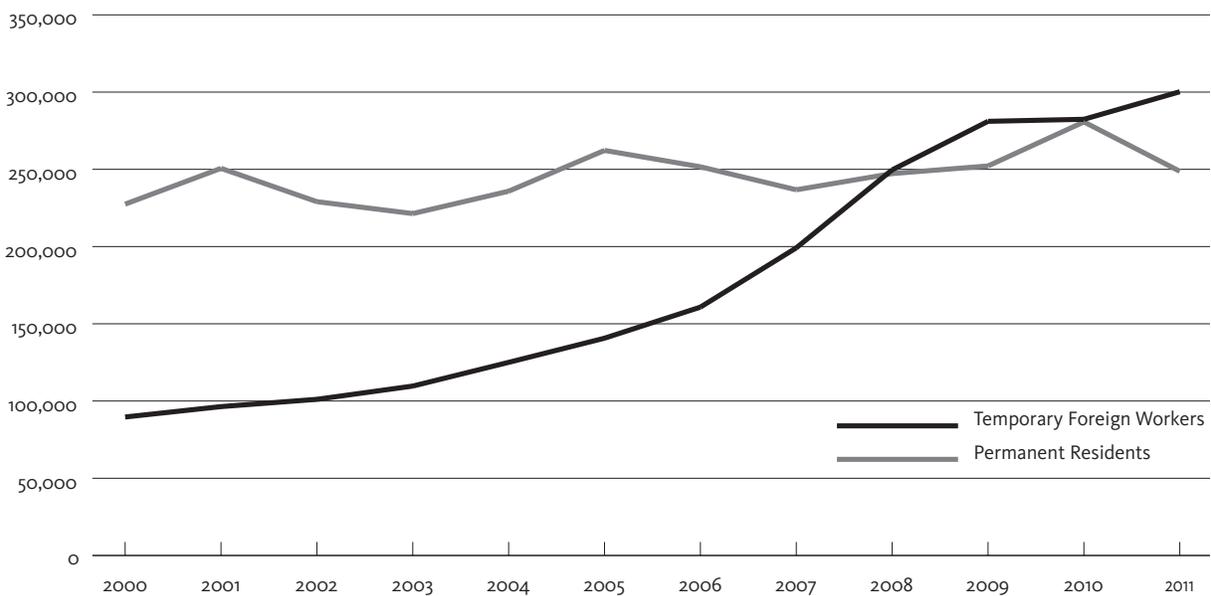
is imported. This system of food production is entrenched in Manitoba society.

**Temporary Migrant Workers and the Canadian Immigration System**

The stories and experiences of SAWP workers are best understood in this context of globalized labour, where cheap labour is exchanged for cheap food, and Canada's economy is increasingly dependent on low-skilled foreign workers. Within a globalized landscape, workers—particularly from the global South—are encouraged to be mobile and flexible in their labour market participation. Indeed, the share of migrants moving from developing countries in the global South to work in the global North has grown dramatically over the past few decades (Martin et al. 2006). As one such developed country, Canada has a long history of utilizing temporary migrant worker programs to meet its labour needs.

Although Canada has traditionally been a country of permanent immigration, levels of temporary migration have increased steadily in recent years. Canada's Temporary Foreign Worker Program (TFWP) is designed to respond to regional, occupational, and sectoral demands by providing a source of labour to Canadian employers who demonstrate labour shortages (CIC 2009). The Canadian government cites a number of reasons for purported labour shortages, including a growing economy, an increasingly educated population unwilling to take low-skilled jobs, and the demographic challenges associated with an aging workforce and low fertility rates. Both the government and employers see temporary migrant workers as one solution to these shortages. However, many Canadian industry representatives argue that their shortages are longer-term and that temporary workers are only a stopgap solution (e.g., CIC 2011a; CSC 2006). They point to a history of problems with the federal immigration program and its ability to adequately address labour market needs.

FIGURE 1 Permanent Residents and Temporary Foreign Workers in Canada, 2000–2011



SOURCE: Citizenship and Immigration Canada stock data (CIC, 2011b)

The TFWP is designed to be an employer-driven program, and with no quota on the number of migrants who can be hired through it, employer use of the program has skyrocketed.<sup>5</sup> In fact, by 2007–2008 the number of foreign workers entering Canada each year on a temporary basis had actually surpassed that of permanent residents (see Figure 1). In 2011, 300,211 overseas labourers came to Canada with a temporary work permit—more than triple the number a decade earlier in 2000 (CIC 2011b). As their overall number increases, migrant workers are increasingly being hired for positions that are deemed low-skilled, and from countries in the global South (Trumper and Wong 2007). The marked shift in Canadian immigration in the past decade—the fact that migrants are increasingly arriving on a temporary basis to work in low-skilled positions—suggests that these workers may not only be filling labour shortages but also providing employers a source of more flexible, and thus precarious, labour (e.g., Goldring et al. 2007). Trumper and Wong (2010) contextualize the growing impor-

tance of Canada’s TFWP within the global political economy in terms of flexibility, claiming that the program becomes both “a vehicle for a probationary period for migrants and for a new style of immigration that is driven by employers rather than the state, allowing for unsupervised racial, geographical, or gender bias” (88).

Researchers and front-line migrant advocates have pointed to a number of challenges related to temporary migrant worker precariousness. These include issues related to the vulnerable position of migrant workers vis-à-vis their employers and to challenges associated with their social exclusion, inadequate access to Canadian settlement services,<sup>6</sup> and insufficient recourse to human rights and legal protections (e.g., Depatie-Pelletier 2008; Nakache and Kinoshita 2010; Zell 2009). Migrants arriving through the TFWP are generally tied to one job, with one employer, at one location. This restriction has the practical effect of limiting their employment rights and protections, by limiting worker mobility and by tying them to an employer on whom they are dependent.

Furthermore, critics maintain that workers' positions are made more precarious by the very nature of *temporary* migration. Migrant workers' legal status as temporary residents excludes them from many rights and protections granted to permanent residents. For most migrant workers in the agriculture sector, 'temporary' means 'seasonal'; in the case of the Seasonal Agricultural Workers Program (SAWP), individuals work for six weeks to eight months per year, returning year after year. The circularity of the SAWP—the fact that the same workers may be 'named'<sup>7</sup> (requested by name) and re-hired, traveling each year to Canada for work and returning to their homes in Mexico, and then potentially returning to Canada in a subsequent season—only exacerbates workers' vulnerability. Faraday (2012) notes that migrant workers have no job security from year to year, as they are dependent on an employer's positive performance report in order to be invited to return. Additionally, it is extremely difficult for workers to transfer to another employer.<sup>8</sup> Knowing how easily they can be replaced, migrant workers are continually fearful of losing their current or future employment (of not being 'named' again in the next season), making them vulnerable to exploitation and abuse and less willing to report unsafe living or working conditions (Gibb 2006). Critics argue that temporary migrant worker programs entrench a system of two-tier membership in Canada, where temporary migrants, with no pathway leading to formal political participation, and who are not considered members of the nation where they live and work, constitute a class of unfree labour (e.g., Basok 2004; Sharma 2006). Hennebry (2012) indicates that temporary migrants working in agriculture are more accurately described as 'permanently temporary,' as many of the same labourers are coming to Canada year after year and the need for labour is not decreasing on a yearly basis. Thus, while SAWP workers are 'second-tier' *temporary* residents, they are effectively a *permanent*

source of labour and a significant contribution to Canada's workforce.

### *The Seasonal Agricultural Workers Program (SAWP)*

Under the umbrella of the Temporary Foreign Worker Program (TFWP), there are a variety of individual programs through which migrant workers are recruited. The Seasonal Agricultural Workers Program (SAWP) is the longest standing TFWP in Canada, dating to 1966. The SAWP initially brought workers from Jamaica and other Caribbean countries. In 1974, the program expanded to include Mexico. During Mexico's first year in the program, approximately 200 Mexican labourers came to work on farms in Canadian provinces (Becerril Quintana 2011), and they continue to come, year after year, leaving their families behind in Mexico. Today all Canadian provinces—with the exception of Newfoundland, and the territories—participate in the program, with the greatest concentration of workers in Ontario and Quebec. In Manitoba the majority of SAWP workers are Mexican. In 2011, a total of 28,845 Mexicans worked in primary agriculture in Canada under the SAWP, and 320 of those workers toiled on Manitoba soil (HRSDC 2012).

The SAWP is distinctive among temporary migration programs in North America because of its level of government involvement and high degree of migrant circularity. Each year Mexican and Canadian government officials meet to agree on a Memorandum of Understanding (MOU). This bilateral MOU serves as the employment contract, which specifies the responsibilities and costs for the employer, the migrant worker, and the two governments (HRSDC 2013a). The SAWP is jointly administered by Mexican and Canadian government agencies, relying heavily on input from private employers. In Mexico, the Ministry of Labour and Social Welfare (*Secretaría del Trabajo y Previsión Social* or STPS) may be involved in recruiting and selecting the

workers. Once workers are selected, STPS officials prepare them for departure and coordinate their transit to Canada.

In most cases, the recruitment process is employer-initiated. It begins when an employer who is unable to obtain Canadian workers for agricultural jobs applies to hire a migrant worker. Human Resources and Skills Development Canada (HRSDC) reviews the employer's application and issues an opinion on the likely impact of hiring a migrant worker on the Canadian labour market; this report is a Labour Market Opinion (LMO). In order to provide a positive LMO, HRSDC must ensure that a job offer is genuine, with wages and conditions that meet program guidelines; that an employer has made a reasonable effort to hire or train Canadians for the job; and that the entry of a foreign worker will not affect a labour dispute. HRSDC also considers other factors, with the goal of ensuring that the entry of a migrant worker will have a neutral or positive impact on the Canadian labour market. In their application, employers may request to hire specific SAWP workers who have worked for them in the past. SAWP workers do not choose the province or farm in which they would like to work. Instead, individuals chosen by a particular employer are requested by name, or 'named.' Being a 'named' worker ensures that an individual receives an invitation to work, while those who are not selected by name may or may not receive a placement for a particular year.

#### *Employment through the SAWP in Manitoba*

The bilateral agreement signed by countries participating in the SAWP serves as the employment contract stipulating the program's regulations. The contract specifies that a worker must be given a minimum of 240 hours of work within a six-week period and may work for a maximum duration of eight months during the period of January 1–December 15 (HRSDC 2013a). According to the contract, the employer is responsible for transporting workers from the airport to the

farm, where the employer must provide: 1) housing, including a furnished cooking area, and 2) registration for private health insurance<sup>9</sup> and workers compensation (HRSDC 2013a). Additionally, the employer is responsible for covering up to half the cost of a worker's transportation to and from Manitoba, a figure calculated annually. Employers must also cover the costs of applying for and obtaining work permits and private health insurance, but they are entitled to recuperate this money through paycheque deductions. The worker, on the other hand, is responsible for reimbursing the cost of the work permit and health insurance, and for paying a deduction for household maintenance. Other worker expenditures include costs associated with working in Canada, Employment Insurance (EI) premiums, pension plan premiums, and income tax (Smith 2011).

The employment contract also lays out the specific conditions of employment: the rate of pay, which must be equal to the provincial minimum wage or the rate paid to Canadian workers for the same job; the minimum workday of four hours; the expected workday of eight hours expanded to twelve hours in the case of an urgent workday;<sup>10</sup> and one day of rest per six days of labour. The employer is also obligated to provide transportation for any medical issues that may arise and, though not stipulated in the contract, is expected to provide workers with transportation to purchase basic living supplies such as food (HRSDC 2013a).

Because the employer provides workers with housing and transportation, the relationship between the employer and worker is not solely focused on work-related issues. The working and living conditions stipulated by the SAWP place migrant workers in a position of relative dependency on their employer. In Manitoba, housing for SAWP workers is located on or very nearby the rural farms on which they work, and these farms are generally distant from shopping plazas and medical or other services. Their geographi-

TABLE 1 Comparison of Criteria and Responsibilities for Temporary Migration Streams for Agricultural Workers

Criteria	SAWP	Agricultural Stream	LSPP
Source country	Workers must be from Mexico or Caribbean	N/A	N/A
Occupational skill level	Not specific, but generally low-skilled positions	Includes low- and high-skilled positions	Only low-skilled positions
Industry sector	Activities must be related to on-farm primary agriculture	Activities must be related to on-farm primary agriculture	N/A
Transportation	Employer must pay for round-trip transportation of workers**	Employer must pay for round-trip transportation of workers*	Employer must pay for round-trip transportation of workers*
Housing	Employer must provide housing*	Employer must provide on-farm or off-site housing**	Employer must help TFWs find affordable and suitable housing
Insurance	Employer must pay for private health insurance (until a TFW is covered by provincial/territorial health plan) <sup>1</sup>	Employer must pay for private health insurance (until a TFW is covered by provincial/territorial health plan)*	Employer must pay for private health insurance (until a TFW is covered by provincial/territorial health plan)*
Wages	Must meet or exceed the wages indicated on the National Commodities wage tables <sup>2</sup>	Must meet or exceed the wages indicated on the National Commodities wage tables <sup>2</sup>	Must be set according to the TFWP New Wage Structure <sup>2</sup>

SOURCE: Adapted from HRSDC (2013b)

\* Employer may not recoup costs directly or indirectly from the TFW's salary

\*\* Employer may recoup some cost through TFW salary deductions

<sup>1</sup> Employer may recoup costs of mandatory insurance for Mexican workers

<sup>2</sup> For unionized positions, the wage is established by the collective agreement

cal isolation heightens workers' dependency on their employers. As this report demonstrates, geographical distance can generate social distance, and a lack of control over one's mobility often makes it difficult to access the services and legal protections afforded to most workers in Manitoba and Canada.

Should issues or conflicts with employers arise, workers are to contact the Mexican Consulate in Canada. According to the employment contract, the Mexican Consulate is responsible for providing assistance to workers filling out tax and other government forms and for ensuring worker protections and access to insurance coverage (HRSDC 2010). The Mexican Consulate, based in Ottawa, visits workers and the farms sporadically and invites workers to contact the agency by phone to communicate grievances (Verma 2003).

Canada's growers seek seasonal agricultural employees on an annual basis to fill labour shortages, and thousands of SAWP workers come to Canada each year to satisfy this demand. The

Canadian and Mexican governments continue to facilitate the migration of workers through this program, and each year Mexican workers apply for a position in the program, obtain a work permit, sign a contract, travel to Canada, and work and live in Canada for up to eight months.

#### *Other Temporary Foreign Worker Programs for Agricultural Workers*

Although the SAWP is the oldest and most widely used program, there are other streams through which Canadian employers can hire temporary migrants to work in the agricultural sector. As shown in Table 1, each program has its own eligibility criteria and employer requirements (HRSDC 2013b). One program was introduced in 2002 as the Pilot Project for Occupations Requiring Lower Levels of Formal Training, or the Low Skill Pilot Project (LSPP),<sup>11</sup> and in 2011 another program called the Agricultural Stream was added. In 2011, approximately 8,000 temporary workers arrived through these two programs to labour in agriculture in Canada (HRSDC 2012). Rather

than replacing the SAWP, these additional streams operate alongside it. Unlike the SAWP, the LSPP and Agricultural Stream are not constrained by bilateral agreements. They allow employers to hire migrant workers from countries other than Mexico and the Caribbean, thus widening the potential labour pool. Indeed, since the introduc-

tion of the LSPP and Agricultural Stream there has been significant growth in the employment of Guatemalan, Filipino, and Thai temporary workers, particularly in the province of Quebec (Preibisch 2010). However, the vast majority of temporary migrants working in agriculture in Canada still arrive through the SAWP.

## SECTION II: Methods

This report draws on qualitative research collected through ethnographic observation and semi-structured interviews. Qualitative research is contextual, heavily dependent on participant perspectives, and grounded in inductive analysis (Bogdan and Biklen 2007). Following a qualitative approach, this study is profoundly reliant on participants' powerful narratives and employs an inductive method of analysis. For reflections from the primary researcher on her interaction with the interviewees, see the attached appendix.

During the productive agricultural season of 2011, researchers from the Migrant Workers Solidarity Network (MWSN) related with approximately 80 Mexican migrant workers and conducted in-depth interviews with eight of them and with two Canadian migrant advocates.<sup>12</sup> Between June and October 2011, the research team formed relationships with workers, visiting during their weekly shopping trips to nearby cities and conversing during the very few social events in which workers took part. The team conducted interviews in commercial and private locations distant from work sites on weekend evenings. During the 2012 season, the research team conversed with the same workers, though no new formal interviews were conducted.

### **Ethics Review Process**

MWSN sought ethics approval for the project through a community review board, FrontStep Research Co-op. This board reviewed the research proposal and provided feedback, which was incorporated into the project design. The research team was very concerned about not putting the research participants at additional risk, and made sure to clearly inform potential participants that MWSN does not represent a union.<sup>13</sup> The process of obtaining ethical, informed consent with interview participants included a verbal description of the project, a promise of confidentiality, an outline of the risks and benefits to participants, and further explanation on how this research would be used to advocate on behalf of workers and to educate the public in Manitoba about the experiences of migrant labourers.

### **Research Team**

The research team consisted of a primary researcher and several assistants. All researchers are bilingual (English–Spanish), white, middle-class, and highly educated individuals with experience living in Spain or Latin America. The team was composed of three women and one man. The primary researcher is a woman with

work and research experience in Latin America and on the U.S.–Mexico border. All team members had interacted with the seasonal agricultural workers in previous years and one member of the team had related with workers for approximately ten years.

### **Research Participants**

Eight of the individuals interviewed were Mexican migrant labourers working in Canada through the SAWP. These participants were adult males, ranging in age from mid-twenties to mid-fifties, and all were fathers with spouses and children. Almost all participants were religious, referencing their Catholic or evangelical Christian faith. In order to protect the identity of individuals interviewed for this project, workers were given the following pseudonyms: Mateo González, Juan Ramírez, Omar Flores, Manuel Lopez, José Torres, Marcos Ruiz, Samuel Rojas, and Arturo Cruz.

Additionally, the research team conducted interviews with two migrant advocates who are individuals with longstanding relationships with and commitment to SAWP workers in Manitoba. These migrant advocates have interacted with migrant workers for a combined total of 15 years and have provided different kinds of social assistance over the years. Each migrant advocate has established relationships with workers in the Spanish language. These migrant advocates are referred to in this report by the pseudonyms Pablo Arrellanos and Douglas Simon.

### **Recruitment and Trust Building**

Once the project began, the trust building process occurred over a period of months. First, one of the research associates introduced other members of the research team to approximately 80 migrant workers during Friday night excursions, when workers came into town to do their weekly shopping. Between July and October 2011, the research team spent many weekend evenings observing, ‘hanging-out,’ and conversing informally

with many of the hundreds of SAWP workers who came into the cities of Winnipeg and Portage La Prairie, Manitoba. Most of the conversations occurred inside commercial establishments while workers were waiting for transportation to return to their farm or place of employment. Research participants knew the research team, and among migrant workers the primary researcher became known as someone interested in learning their individual life stories. Some workers chose to speak directly with the research team, while others maintained a distance.

In the process of building trustful relationships, the research team was asked to fulfill requests by some of the participants. A couple men asked for Spanish–English dictionaries, and others requested advice on buffet restaurants in the city. On one occasion, a participant wanted to purchase Mary Kay perfume for his wife, requiring a personal connection to a Mary Kay agent. To another individual, the research team loaned a few Spanish language books. This worker took a keen interest in reading and returned the books in a matter of days. This process of mutual engagement established a base of trust and opened a space for the telling of personal stories.

### **Semi-structured Interviews**

During the months of August, September, and October, the research team conducted semi-structured interviews in Spanish. Interviews were conducted in local fast-food restaurants, separate from other workers or supervisors. Most interviews were digitally recorded while two participants requested that notes be taken instead. Finding a quiet space to interview participants without the presence of peers was challenging. In some cases the interviews could be conducted in a local restaurant, but sometimes the popularity of such restaurants increased the possibility of discovery and necessitated moving to a less busy establishment.

The team conducted formal interviews with eight migrant workers, and although the per-

spectives presented in these interviews do not represent those of every Manitoba-based SAWP worker, the interviews do provide in-depth knowledge about these individuals and their lives. Their experiences and perspectives, highlighted in this report, were echoed in informal conversation with other workers in Manitoba, and they reflect the findings of studies from across Canada. Research participants were asked to speak broadly about their lives in Canada and Mexico. They were asked more pointed questions about the impact of being far away from family, their working and living conditions in Canada, their motivations to come to Canada, and they were also asked to share some of what they tell their children about life in Canada. The research team also asked each individual to talk about the hopes and dreams they had for the future.

## **Compensation**

According to the project proposal, participants would receive compensation of \$20 for their time. However, when the research team attempted to provide this compensation it was routinely refused. Thus the research team did not provide individuals monetary compensation for participation.

## **Data Analysis**

The primary researcher transcribed interviews and wrote field notes on sessions of ethnographic observation during the data-gathering period. Subsequently, she printed all notes and interviews, read over the data multiple times, and noted the emergence of themes. She discussed these themes with other MWSN members, who gave feedback and contributed information from scholarly sources to inform the narratives collected from the interviews and field notes.

## SECTION III: SAWP Workers in Manitoba

It's people with strong family values. It's the love of family that is the common denominator; they are people that work hard and are not bothered rising and setting with the sun because they know this is going to translate into wellbeing for their family. They are not concerned with abandoning their country in order to provide wellbeing for their family; that's the type of worker that comes.

*Pablo Arrellanos, Migrant Advocate*

Pablo Arrellanos, a migrant advocate, describes the Mexican migrant workers with whom he has worked as ideal SAWP workers: willing, eager and hesitant to complain. The Mexican Ministry of Labour and Social Welfare (or STPS) selects workers for the program based on criteria such as age, rural residence, work experience, family responsibilities, and education level (Basok 2004). All SAWP workers must be at least 22 years of age, have relevant work experience, hold Mexican family responsibilities (e.g., have spouses and/or children), and possess a minimum grade three and maximum grade ten level of education (Consulado General de México 2011). In essence, the Mexican govern-

ment selects workers that are the neediest, as defined by their limited education and earning potential (Basok 2003). SAWP workers are also required to have family in Mexico because it is assumed they will therefore be more likely to return to Mexico at the end of the season (thus reinforcing their temporary status in Canada). While workers must have families in order to participate in the program, they are not permitted to bring their families to Canada to visit or immigrate. Additionally, workers must have clean criminal records and they must receive a health clearance, for which they are examined by a government-certified physician in Mexico City and undergo a series of medical tests (Basok 2003; Griffith 2003; Pysklywec et al. 2011).

Individuals chosen by Manitoba-based farmers, and in particular those interviewed as part of this research, are a diverse cadre of Mexican men of varying ages, state origins, professions, and educational and English language levels. Participants' ages ranged from mid-twenties to mid-fifties. Interviewed individuals originated from different Mexican states. While each of these individuals had lived at some point in a rural city or town, six research participants were not currently employed in agriculture in

Mexico. These participants worked as carpenters, small business owners, or master masons in Mexico. Those who were involved in agriculture in Mexico worked in sugar fields, cultivated fruit, or raised beans and corn. Although the SAWP stipulates that participating individuals have less than a high school education (Consulado General de México 2011), three of the workers interviewed were close to completing high school (grades 11 and 12) when they dropped out to work. Interviewed workers had a variety of language skills—all of them communicated clearly in Spanish, some conversed in very beginner English, and three individuals spoke indigenous languages.

As required by the SAWP, the workers interviewed were partnered or married with children. Most of the men reported that their wives did not work outside the home. Some of the wives lived with or frequently visited their husbands' families while their husbands were in Canada.

Half of the interviewed workers had spent time in the U.S. as undocumented workers. In addition to sharing tales of crossing into the U.S., workers offered varying opinions about which country was better for work and/or social life, contrasting their life in the U.S. with their experience in Canada as a seasonal worker.

### **A Day in the Life of SAWP Workers**

If we don't work at least ten hours a day then it just doesn't make sense because we lose all our money to taxes.

*Juan Ramírez*

The workday for SAWP labourers is long. Often, workers start in the fields by 7 a.m. and complete the workday at 8 p.m. Manuel Lopez describes a typical workday, "I get up at 5:50 a.m. and at 6:30 a.m. they come to get us; at 7 a.m. we start working and we stop working by 8 p.m. That's 13 hours working." Most SAWP workers in Manitoba and across the country prefer a minimum ten-hour workday (Griffith 2003; Hanson et al.

2008; Verma 2003). In fact, Manuel's opinion on working many hours shows his eagerness to work, "That's good because I want to take advantage of the time that I am here." The SAWP employment contract specifies that a normal workday is 8 hours and that an urgent workday is 10 to a maximum of 12 hours (HRSDC 2013a). Participants indicate that they commonly work 10–13 hours per day, meaning the 'urgent workday' can be more accurately understood as the norm. This 10–13 hour workday norm is not limited to Manitoba; workers in Ontario also commonly work 9–15 hours per day (Gibb 2006; Verma 2003).

SAWP workers are supposed to receive a day of rest for every six working days unless there is an urgent need, in which case the employer is to consult the worker about postponing the day of rest (HRSDC 2013a). Interestingly, participants speak of the presumed day of rest, Sunday, as nothing more than a shorter workday. Manuel reports, "Three days a week our schedules are lighter. We work from 7 a.m. to 4 p.m. on Fridays, 7 a.m. to 5 p.m. on Saturdays and only until noon on Sundays." He did not mention whether or not the employer engaged in a conversation with him about a postponed day of rest. In fact, a group of workers from one Manitoba farm commented that they did not have a free Sunday (i.e., a day of rest) during their entire stay from August through mid-October. Reports from Ontario and British Columbia also indicate that workers are not often consulted about a day of rest (Basok 2004; Gibb 2006; Hanson et al. 2008). Mateo González indicated that he had only two days of rest during the previous two months. One individual in his second season in Manitoba mentioned that he would prefer to work in another part of Canada where he had previously experienced Sunday as a guaranteed rest day and was able to plan accordingly. At most farms in Manitoba employing SAWP workers the workday is long and the workweek, often not including a day of rest, is grueling. Workers seldom complain about long

workdays, however. In fact, because their primary motivation to be in Canada is to work and earn as much money as they can, they are more apt to complain when a Canadian workplace does

not ask them to work long hours. In the next section workers describe their Canadian work experiences and the struggles of living separately and at a great distance from family.

## SECTION IV: In Their Own Words

*Es una bastante lucha estar aquí, más que nada.*

(More than anything it is pretty much a struggle to be here.)

*Mateo González*

Working in Canada and being far from family is a struggle for all interviewed workers and many of the approximately 80 workers with whom we had informal conversations. This section delves into their struggle, the social and economic factors that compel Mexicans to work in Canada, and the deliberate measures workers take to care for themselves. The section concludes with participants' poignant articulation of dreams for a more secure future.

### ***La Lucha***

Research participants speak passionately about several struggles in their cross-border lives. First, they describe their migratory existence literally and figuratively as *la lucha*. *Lucha*, a Spanish word that translates into English as 'struggle,' may also signify a battle or clash. Participants describe *la lucha* as the reality of living far from family, especially when family members in Mexico get sick or are involved in accidents. Other participants who describe daily life in Canada

as *la lucha* talk about how they have to fend for themselves. In the expression of *la lucha* there is a tone of resignation. While workers seem resigned to the recurrent reality of living and working at a great distance from their loved ones, they also express gratefulness for the distraction and income that work provides. Mateo González discusses his experience in Canada:

Yes, it is pretty much a struggle to be here, more than anything because we are very far away from our family. Perhaps we will not return because we are so far away . . . it's on my mind that I am going but who knows if I will return. The distance is long; it is at least two flights to get here and 5½ hours. Thanks to God that nothing [bad] has happened but something could and it would be the end.

On the other hand, Juan Ramírez talks about the lengthy separation from his family as a heavy weight ultimately resulting in something good, "Well in some ways outside of work, it's a burden on your conscience, but it's for the good of all." In later discussions on life in Canada and the difficulty of separation, Juan brings the conversation back to his motivation for working in Canada—to provide for his children's education and enable a

more secure future. Juan focuses on his goal of providing for his family as he suffers the indignities of life distant and separate from family.

Marcos also redirects conversation from *la lucha* to talk about his motivations for coming to Canada: “I don’t suffer much here. I want my kids to get ahead. I just have to endure work. Sometimes those three or four months seem really long.” In a later conversation, Marcos uses the word “sacrifice” to talk about his time in Canada. In particular, he indicates that he is making a sacrifice for his family.

Arturo talks about work in Canada as suffering. When Arturo tells his children about life in Canada he says that he suffers and that life is hard, “You work all day and if you want to eat, you have to cook for yourself.” While it may seem common-sense that workers have to cook for themselves, these workers return home after long hours of physically demanding labour in the field, which makes cooking and keeping up with household chores a challenge. This hardship is compounded by the reality that few farms in rural Manitoba are actually within walking or biking distance of a restaurant or stores where food can be purchased. Furthermore, in Mexico it is common that wives or other family members often cook for workers; however, the SAWP does not permit family members to accompany workers to Canada.

In addition to *la lucha* of family separation, workers—living in a new country and completing household tasks on their own—speak of being lonely. Manuel highlights this issue of loneliness and social isolation on several occasions. He discusses the monotony of daily work and how work makes him tired, explaining that,

In Canada, I am lonely. There is a lot of loneliness here. I don’t like to be lonely. I don’t like to go from work to being enclosed in my house. I don’t go out because it’s late when I leave work and I am really tired and I don’t have energy but to hole myself up and sleep. The next day is the same.

Migrant advocates Douglas Simon and Pablo Arrellanos affirm that workers are isolated and lonely (see also Basok 2004; Becerril Quintana 2003). Douglas explains that workers are isolated from their families and culture and they miss important events—babies being born, the illness or death of elderly parents, children’s celebrations, etc. He also notes that workers are geographically isolated from other individuals in Manitoba who speak Spanish. Douglas goes on to surmise that workers who come to Canada over long periods of time become strangers to their families. Pablo points out that SAWP workers in Canada contribute to the distressing Latin American phenomenon of *viudas blancas*,<sup>14</sup> or women who suffer due to the absence of husbands and partners for extended periods of time.

Loneliness may be exacerbated by the lack of other meaningful activities in workers’ lives. On several occasions, workers indicate that life in Canada revolves solely around work. Mateo states, “. . . it’s all about work and there is no kind of fun at all.” Juan wishes there were social events to break up the monotony of the daily work routine and to provide diversion in the absence of family, “We never let go of the idea of going out, distracting ourselves in whatever way, but that’s not how it is here.” In response to Juan’s statement, Mateo asserts that fun or distractions are not available in Canada and that they do not have time for fun anyway. Manuel’s simple words convey this reality: “There is nothing here. No fun. Here everything is work and nothing more.”

José, a worker with conversational English language skills and more than a decade of seasonal work in Canada, expresses his need for diversion differently. José wants to interact with individuals other than those with whom he works. Luckily he has made such a friend with whom he spends much of his limited free time.

Participants also commonly express resignation about life and work in Canada. Manuel explains, “You walk around tired, sleep and rest for a bit. It doesn’t matter; you have to keep your

spirits up; that's why we come." Juan and Mateo acknowledge that countless individuals in Mexico want a SAWP job and since they have a position in the program, they do not feel that they can complain about life in Canada. In particular, when asked about household conditions and the beds provided by the employer Juan stated, "We can't think about such prideful things, we are here to work." Juan's statement carries a tone of resignation, which is echoed by migrant advocate Pablo, who indicates that first and foremost workers are appreciative of a job and income. They do not want to spoil the precious opportunity they have been given by complaining. Pablo explains that seemingly minor complaints may only find their way into conversation reluctantly. This reticence to complain is explored in Durand's (2006) in-depth evaluation of the SAWP. He contends that it is a cultural phenomenon and argues that Mexican workers are less apt to complain when they are outside of Mexico and earning dollars (Durand 2006, 77). Relative to others in Mexico these migrants see themselves as fortunate to be working in Canada at all, regardless of the conditions and difficulty of family separation—*la lucha*—that they must endure.

## Motivations for Work

We are a family people and that is why we come.

*Marcos Ruiz*

Workers give multiple reasons for coming to Canada. These motivations include supporting their family, paying for children's education, building or adding to their house, paying off debts, and providing for a more stable future.<sup>15</sup> A few of the men point to Mexico's economic realities and underemployment as structural reasons prompting them to migrate each year to work in Canada.

Family wellbeing is a significant motivation for work. In fact, Marcos wants Canadians to know that his motivations for migrating are rooted in concerns about the wellbeing of his family: "We are family people. We come and do this for our

families and to get ahead." Manuel also speaks of his family as the reason for working in Canada, saying it is "... for my family to give them a better life than I had. If it were just my life, I'd be in Mexico. Everyone feels bad leaving the family."

Most of the participants speak of the need for their children to study. José is especially pleased to comment that his children have received their education in Mexico in part as a result of his years of seasonal work in Canada. He smiles with pride when sharing that four out of his five children have completed high school and university-level education. Juan, who has school-aged children, hopes his children will study, get a higher paying job in Mexico, and will not need to live apart from their family by coming to work in Canada.

In addition to providing funds for their children's education, workers want to build a house in Mexico, or add rooms to their current structure (see also Basok 2003). Marcos comments that each year he has added new things to his house, "It has a kitchen and a bedroom and I will be preparing the roof for the next layer of the house to add two rooms upstairs."

A few participants indicate that another reason they decided to come to work in Canada is to have sustainable work and income in Mexico. For some, this means investing in business ventures. Juan, who manages his own orchard in Mexico, points out, "... it's also because you have to come *here* in order to produce or be able to work *there*" (emphasis added). During his yearly seasonal absence, Juan manages the operation from afar while his cousin and children work in the orchard. Juan's Canadian wages allow him to continue investing in his business. Omar and Samuel decided to come to Canada so they could pay their debts. Samuel explains that his father purchased land and in order to continue working the land, he had to earn an influx of cash to pay off the debt.

Beyond the immediate needs of income for education, houses, and business investments, workers yearn for a more secure economic future.

Mateo and Juan hope that Canadian pensions earned while working in Canada will provide future economic wellbeing. They are not hopeful about the Mexican economy and see Mexico's current economic realities as desolate. Both men speak of a scarcity of jobs in Mexico and the availability of countless workers for any job opening. Mateo reflects that there are probably enough Mexicans who want to come to Canada "to fill Canada with workers." He also describes rampant underemployment in Mexico, where workers may only find work for three days a week. Juan points to the earnings differential between Mexico and Canada: "what we earn in one day in Canada, we earn in a week in Mexico."

Canada also offers a feeling of security beyond economic security. Juan notes, "I see that everything here is pretty calm. In comparison, Mexico is very insecure. In Canada, security, stability, peace and work are plentiful. You see people working and that's a really good example." Arturo sees Canada as a place of liberty free of crime, "I like life in Canada; it is quiet. There doesn't appear to be crime and one can walk around more freely." Despite the hardships of working in Canada, workers also see the benefits of life in Canada (even if they are excluded from fully being part of it).

While some workers describe Canada as a rich and peaceful place, they also mention caveats about coming to Canada. Juan notes that what he earns in Canada during one summer supports the family for several months in Mexico. However, he recognizes that if he were to work and live in Canada all year long, then his current wages would be too low to support his family in Canada. Juan and Mateo argue about the economic and social benefits of working in Canada all year. They cannot seem to agree whether life in Canada would be worth it over the long term, since "life in Canada passes by in a flurry of daily work without fun."

Nonetheless, Juan and Mateo express hope that they might become economically stable

like other workers who have spent numerous seasons in Canada. Some of their friends have been able to buy machines and equipment to use in their Mexican businesses. Many migrant workers who had been interviewed after returning to Mexico from Canada confirmed that they had plans to use the money earned to invest in business interests in Mexico (Romo Portillo and Sepúlveda González 2012, 517). However, Basok (2003) notes that only a very small percentage of workers actually do invest in business ventures. Nonetheless, Juan and Mateo hope that the Mexican economy will grow as a result of their hard earned pay, which they send to Mexico in the form of remittances.<sup>16</sup> Like many SAWP workers, they hope fervently that their children will find good jobs in Mexico so that the cycle of migration will end with them.

### **Health and Safety: Workers Take Charge**

Workers speak determinedly of decisions they make to maintain their health and safety in Canada. For some, maintaining the good health of their body is of utmost importance, especially because they lack regular access to clinics or doctors. For example, Omar discloses that he brings a special ointment from Mexico to reduce the swelling and irritation on his hands after handling produce. Several workers worry about the repetitiveness of farm work and the subsequent stress on the body. They want to take care of their bodies and find work outside of agriculture by the age of forty-five or fifty. Another worker wishes that there were items such as first-aid kits and Band-Aids on the farm in case workers injure themselves. He wants to be able to deal with an injury when it happens and heal quickly.

Maintaining good health also means preventing injury, and Manuel has made two decisions that he feels will protect himself. First, he makes a point of eating during daily breaks in the workday, noting the importance of this

for maintaining his energy levels. Second, he explains that he has decided not to play soccer while in Canada:

Some of the guys play soccer on Sundays but I don't. I don't want to get injured, because then what would happen? I'd have to go back early and insurance wouldn't cover my injury because it didn't happen at work.

The decision of a Mexican migrant worker not to play soccer is significant on a number of levels. First, soccer is Mexico's most popular sport and is one of only a few social and recreational outlets for workers. Manuel's decision appears to be based on confusion about what his health insurance covers (he may be thinking of Workers Compensation in this instance) as well as fear of income loss or early repatriation<sup>17</sup> during recovery from an injury. Manuel has likely heard stories of ill or injured co-workers who have been returned to Mexico to recuperate.

One worker, Arturo, had an unusually positive experience using his private medical insurance for health care in Manitoba. He recounts his hospitalization last season when he had an infection. A bilingual employee of the farm took Arturo to the local hospital where he stayed by his side. Arturo says that he was not anxious as the doctors took blood samples and he received intravenous doses of saline. Arturo left the hospital within 24 hours and recounts that, "after a quick breakfast, we went to the Wal-Mart pharmacy to pick up my prescriptions. I only missed one day of work and insurance covered everything, even the drugs from the pharmacy." Arturo's case is exceptional in comparison to accounts of other workers in Manitoba, whose injuries were not covered by private insurance and who were thus unable to receive medical care. The national United Food and Commercial Workers (UFCW) union recounts one individual's inability to remain in Canada to access care; the insurance company would not guarantee coverage if an operation were performed in Manito-

ba, and the insurance company and Consulate pressured the individual to return to Mexico for care (UFCW 2007). A few interviewed workers seemed hesitant to discuss medical issues at all. It is probable that workers with serious health problems would not be treated efficiently and, if unable to work, would face the possibility of early repatriation.

SAWP workers must undergo various medical tests to obtain the certification of a Mexican government-certified doctor in order to come to Canada in the first place. Manuel explains, "They do all kinds of tests, blood tests, urine tests, cholesterol, heart, lungs; they look at everything before we come here." He likes to take care of his health and get a check-up when he returns to Mexico after a season of work in Canada. Some workers instead wait until they are required to have a medical check-up for next year's Canadian visa.

Although workers arrive in Canada with a clean bill of health, they work in an industry that includes strenuous and difficult labour (Gibb 2006) and may return to Mexico with health problems. They also worry their insurance will not cover their injuries, or that even minor injuries might keep them from working, meaning a loss of wages and the risk of early repatriation. Without regular access to clinics or doctors during their stay in Manitoba, they engage in preemptive, self-disciplining practices out of fear for their continued health and ability to work.

## **Workplace Conflict and Worker Protections**

When workers encounter work-related problems they cannot resolve themselves, they are supposed to contact the Mexican Consulate for assistance (Verma 2003). One research participant indicated that on one occasion the Consulate did help to mediate a situation where workers were being paid piecework rates and not earning the provincial minimum wage as stipulated in their contract. The Consulate intervened and

the farmer accommodated, paying the provincial minimum wage but adding monetary incentives for quicker work. However, the Consulate did not negotiate for back wages to be paid to these workers, who had been earning less than minimum wage under stressful working conditions. Verma (2003) notes that the Consulate has few resources to attend to the needs of the thousands of SAWP workers across Canada.

Research participants—both workers and migrant advocates—complain that the Consulate’s intervention has not always translated into adequate protection for workers. When asked about encounters with the Mexican Consulate, Manuel replied, “They [the Mexican Consulate] say that they are here to help us, but no, that’s not true. They don’t help us with anything.” A few workers indicate that they opt not to call the Mexican Consulate when conflicts arise in the workplace. Migrant advocate Pablo agrees that the Consulate’s primary role is to support the bilateral agreement that facilitates the seasonal migration of Mexican workers, perhaps at the expense of providing additional protection to the workers.

There are few additional mechanisms for mediation when workplace conflicts emerge (Griffith 2003; Verma 2003). Even though agricultural workers in Manitoba have the legal right to organize, they are discouraged from participating in unions. Prior to leaving Mexico, workers are advised that they will jeopardize their employment by working or relating with unions or union organizers while in Canada, and the Mexican Consulate reinforces that message upon their arrival to Canada. As Manuel explains, the Mexican Consulate expressly warns workers that they should not interact with union representatives or individuals associated with unions. For this reason some Manitoba-based workers are uneasy interacting with ‘outsiders,’ who may or may not be associated with a union.

The United Food and Commercial Workers (UFCW) Canada, one of Canada’s largest private

unions, has recorded several instances of workers being identified as union sympathizers and subsequently excluded from participating in the program (Griffith 2003; Hansen 2011; UFCW Canada 2012). As a result, SAWP workers fear they will not be re-hired should they be found seeking assistance from a government agency or an organization affiliated with a union. This may include a fear of not being ‘named’ or re-hired by the same employer in a subsequent season, or of being banned from the industry or program altogether (see also Basok 2004). One research participant explained that his employer holds a leadership position in a Canada-wide growers association, and he was concerned that he would be barred from working at any farm in Canada if his employer found out about his complaints of workplace abuse and subsequent conversations with ‘outsiders.’

## Dreams for a Future

May God help me accomplish this dream!

*Samuel Rojas*

The reasons workers come to Canada are related to their hopes and dreams for the future. Workers’ primary goal is to provide for the welfare, happiness, and health of their families. Others dream of their own future wellbeing, which includes attaining English language proficiency and immigration papers to live in Canada permanently. For one participant, his future wellbeing entails social integration in Canadian society as a worker aware of and able to access his rights.

The goal for all interviewed workers is that their loved ones will be well-supported—that their work will enable their children to take advantage of opportunities to study and that one day their educated children will receive higher pay. This goal is tied to the hope that their children will not have to leave their country for work—thus breaking the cycle of migration and family dislocation. Others desire an end to family separation through more permanent migration

opportunities in Canada. For example, Manuel wants the opportunity:

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.

Another worker who would like to stay in Canada is a master mason and has heard that there is work for masons in Canada, a job that pays approximately \$20 an hour. He would like to pursue such work opportunities in Canada outside the field of agriculture.

Interviewed workers see English as fundamental to operating in Canadian society, and they express eagerness to learn English. Mateo communicates his desire movingly: “English. I want to be able to communicate, not just to point at what I want in the store. I want to talk to people.” Samuel wants to learn English so that he can talk to others and tell them about Mexico and Mexicans. One worker indicates that some churches in Ontario offer English classes on Sundays and his immediate dream is to return to Ontario next year—rather than Manitoba—because there he can access English classes.<sup>18</sup>

When asked what they would like from the community in Manitoba, a couple workers are silent for a few moments. Samuel responds apprehensively, “I don't really know much about Canadian society because I don't interact with Canadians very often.” Juan responds eagerly:

More than anything it would be good if separate from work there was some kind of recreation, a social event, sporting event or even something put on by the farm owners or support people or interested people so that we could learn more about the system here, especially the language. Why? So that you don't have to depend on your [bilingual] work mates to tell somebody that you are using this [equipment, tool] and you could learn and have new opportunities after work. That's why.

Juan wants to learn English from Canadians so that he can better understand how Canada functions. Studies indicate that migrants often do not understand how the various Canadian systems operate (e.g., Bucklaschuk and Sormova 2011), and migrant workers with no assistance from settlement services are even less likely to understand the systems and services available to them. Juan also wants to learn English so he can work more independently, without having to rely on bilingual co-workers as interpreters, and to participate in social events. Mateo echoes Juan's statement, adding that he would benefit from social events with religious affiliation or even dances:

As my partner said, if there was a support person that was interested in teaching us and having patience with us . . . maybe reading an article of the Bible, this is cool too, because as Mexicans we are Catholic and we like and are interested in these kinds of events. Yes, we like dances but whatever could be done, it would be good for all of us.

Lastly, Juan speaks of his dependence on earning a decent wage in Canada and his need to stay employed. After two seasons in Canada, Juan is interested in long-term job security and he is unfamiliar with his labour rights (see also Hanson et al. 2008). He assumes that if he knows his rights he will be able to better resolve workplace conflicts and keep his job. Juan explains succinctly his need for SAWP employment: “We want to keep our jobs because coming back has become a necessity.” As Basok (2003) points out, the circular nature of the SAWP creates a dependency on the program, and workers become accustomed to a standard of living that is difficult to attain without return trips to work in Canada.

Mexican migrant workers under the SAWP dream of a future where they are united with their families and earn enough to stay in one place, whether that is in Mexico or Canada. They hope to acquire skills that will help them com-

pete in a globalized labour market. They want to live with human dignity and in relationship with others. They want to speak English, and

they dream of the days when they have access to social and religious events and regular interaction with Manitobans.

## SECTION V: Migrant Vulnerability

“That’s not my Canada.”

*Pablo Arrellanos, Migrant Advocate*

Migrant advocate Pablo asserts that there are two Canadas. There is the Canada experienced by citizens and landed immigrants, which offers workers protections and benefits—in which workers pay taxes and receive corresponding government services. The ‘other Canada,’ the one with which SAWP participants are familiar, invites workers to fill demanding, back-breaking jobs for months at a time, year after year, without the full benefit of worker protections and while living far away from their families.

Many of the workers we have spoken with over the years have confirmed the challenges of being far from home and trying to navigate an often unfamiliar environment. This section synthesizes the primary research gathered in interviews with literature from other sources, as well as MWSN’s knowledge of Manitoba’s regulatory system, to illustrate the tremendous vulnerability of Mexican migrant workers in Manitoba.

### **Employer Control**

The position of SAWP workers is especially precarious due to the very nature of the program

(Hanson et al. 2008; Walia 2010). For one, migrant workers are placed in a position of relative dependency on their employer. Their legal status in the country is tied to their employer, and they are reliant on their employer for housing, transportation, and access to healthcare. The fact that the SAWP is a guest worker program intended to be circular in nature, with the same workers being ‘named’ and returning year after year to work on the same farms, means that employers inherently have an additional degree of control over these workers (Hennebry 2012; Sharma 2012).

Employers have discretionary power to repatriate workers, or return workers to their country of origin, when they do not comply with some aspect of the work or program, when they refuse to work, or for “any other sufficient reason” (HRSDC 2013a; Walia 2010). “Any other sufficient reason” is ambiguous language, which could allow employers to return workers who complain about unfair practices such as excessive work hours, inadequate pay rates, unsatisfactory housing conditions, etc. Such workers may be seen as troublemakers and repatriated early or not invited to return to work for that particular employer—or in the program at all—in subsequent seasons (Hanson et al. 2008; UFCW 2007). Workers

who are repatriated are not afforded a hearing or trial. In this context the threat of repatriation, a power wielded by employers, dissuades workers from complaining (Hennebry 2012).

An additional mechanism that employers may use to keep workers from complaining is the yearly worker performance report, an integral component of the naming process (Hanson et al. 2008; Hennebry 2012; Sharma 2012). This report, written by the employer and submitted to the Mexican government, assesses each worker's performance on the job. The report may also indicate if the worker has been involved in labour organizing efforts or making complaints about working or living conditions (Verma 2003). If the employer does not provide a favorable report on the worker and re-invite him for the next year, he will most likely fail to be a 'named worker' in the coming year and his chances to return to Canada are slim.

The SAWP system depends on workers' desire to become 'named workers.' Each year workers hope to be 're-named' to ensure their continued participation in the program. Faraday (2012) refers to this dynamic of circular migration as 'perpetual recruitment'. Workers are never assured of a job for the next year without a positive performance report from their employer, and thus they are reticent to speak up about workplace issues. Not being named for an additional year of work on a specific farm may also lead to a worker's exclusion from the program altogether. Given this context of precarity, migrant workers may be better served by keeping their mouths shut in the face of contractual violations than risking the possibility of speaking out and being repatriated, not invited to return, or barred from the program. The double threats of early repatriation and potential exclusion from the program function as highly effective disciplining mechanisms.

### **Government Oversight**

In theory, migrant workers are protected by the regulations set out in the bilateral MOU govern-

ing the SAWP as well as any relevant Canadian legislation. However, while Manitoba boasts one of the strongest enforcement mechanisms in Canada to protect migrant workers, a lack of coordinated federal and provincial government oversight, a complaint-based system for worker grievances, and the conflicting roles of the often-distant Mexican Consulate in Toronto result in gaps in these protections and render SAWP workers more vulnerable.

In recent years the provincial government of Manitoba, recognizing the vulnerability of migrant workers, passed unprecedented reform in the form of the *Worker Recruitment and Protection Act (WRAPA)*. The Act, which came into effect in April 2009, expands employment standards coverage and provides the branch with more enforcement teeth in addressing contraventions. *WRAPA* involves two primary reforms. First, the Act regulates individuals and agencies that recruit migrant workers to the province by requiring them to hold a license.<sup>19</sup> Additionally, the Act requires that employers register with the province before they can recruit a foreign worker. Farms wishing to hire workers through the SAWP must complete a Certificate of Registration with Employment Standards (Employment Standards Manitoba 2013). The registration process is aimed at ensuring that employers have a good history of compliance with labour laws and employment standards prior to their hiring workers (Allan 2010). The registration process also provides Employment Standards Manitoba with a current list of employers in the province who have applied to hire migrant workers. This facilitates their monitoring of employer compliance because they do not have to rely on information sharing agreements with the federal government in order to identify those employers. *WRAPA* is an important enforcement tool and a step in the right direction toward a more proactive, coordinated effort to protect workers. As the Act came into effect, Employment Standards Manitoba created a Special Investigations

Unit to carry out investigations of employers of migrant workers.<sup>20</sup> Though the Employment Standards branch does conduct proactive site visits and audits of employers that hire migrant workers, and meets with local advocacy groups to hear their concerns, enforcement of the Act remains largely reliant on complaints (J. Short, personal communication, October 5, 2012). Also, as a provincial-level regulation, *WRAPA* only extends additional oversight to those employers hiring SAWP workers in Manitoba.

Though the SAWP is a federal program, regulations and enforcement mechanisms governing various aspects of the program are dispersed among federal and provincial organisms (Hanson et al. 2008; Smith 2011), and provincial bodies are responsible for monitoring certain aspects of the program. Since the SAWP requires that farmers provide on-site housing for workers, the farm is both the workplace and temporary home for workers. Manitoba Health's Safe Housing unit inspects temporary housing on farms to ensure that housing meets provincial codes. The Employment Standards branch in Manitoba is responsible for regulating certain conditions of employment, as laid out in *The Employment Standards Code*. The *Code* stipulates that workers receive provincial minimum wage and accurate, clear, and legal paycheque deductions. While site visits from Manitoba's housing inspectors and Employment Standards investigations officers occur, these visits are practically unknown to workers and often transpire without interaction between inspectors and workers (D. Dyson, personal communication, December 7, 2011). Additionally, Employment Standards and Manitoba Housing inspectors are not mandated to coordinate their inspections or communicate with each other or with local advocacy groups about the results of their investigations. Farms may, for example, fail a housing inspection and neither workers nor worker advocates would know. Farms may pay their workers at rates below the provincial

minimum wage, and even if workers realized this they would likely be unaware of how to contest this discrimination.

SAWP workers in Manitoba miss out on protections due to the configuration of the complaint system itself. The onus is on the worker to file a complaint about workplace violations of labour rights or contraventions of the *Employment Standards Code* or other regulations. However, workers like Juan, who do not know their rights, may not know when their rights are being violated. In the case they do, they may not have sufficient information to submit a complaint and may be unclear about which is the correct government body to address (Basok 2004; Nakache and Kinoshita 2010). In some cases workers may need to complain to various departments, engaging in what Hennebry (2012) terms inter-jurisdictional *fútbol* (soccer). Additionally, workers often lack sufficient English or French language ability to make a complaint. While government offices offer interpretation services,<sup>21</sup> workers may feel insecure about approaching government offices and using their minimal English language skills even to request interpretation. Most importantly, and as several researchers have illustrated (e.g., Faraday 2012; Hennebry 2012; Nakache and Kinoshita 2010), complaint-based systems where workers must lodge a grievance do not function effectively in the context of the powerful threats of termination and early repatriation.

In addition to Canadian government bodies, the Mexican Consulate, as the extension of the Mexican government in Canada, is also responsible for providing oversight and worker protection. The Consulate is charged with ensuring that there is acceptable worker housing, health insurance, and workers compensation coverage; detailing worker injuries; gathering employer pay records; approving worker transfers; and dialoguing with employers in the process of terminating a worker's contract (HRSDC 2010). The Consulate also participates in yearly bilateral negotiations to hammer out employment

agreements. Whether these yearly conversations generate the promised “constant surveillance” of the program and more importantly of worker protections is another consideration (Consulado General de México 2011).

Our research indicates that the Consulate may not always provide adequate protection for workers. Rather than focusing its efforts on ensuring that contractual obligations are met, the highest priority of the Mexican Consulate may instead be to ensure the greatest number of work placements for underemployed Mexican labourers (Gibb 2006; Verma 2003). When it comes to the issue of worker protections, the Mexican Consulate at times defers responsibility onto the Canadian legal system, a system that is not well known to workers. Although worker protections are included in Canadian laws, monitoring and enforcement of them is often uncoordinated and generally reactive in nature, and a lack of adequate government oversight of the program contributes to migrant worker vulnerability.<sup>22</sup>

### **Working Conditions**

In Manitoba, several workplace realities—among them lack of training, repetitive work, lack of access to occupational health care, and long hours of work—make daily labour unsafe for workers.

The Manitoba SAWP workers who participated in this study report that they do not receive any formal workplace training. Their only orientation to workplace safety requirements or best practices they receive from their co-workers or from previous experiences in Mexico. Additionally, migrant workers face language barriers that reduce the effectiveness of any training they might receive. A lack of training can lead to many dangers for workers, including the increased possibility of repetitive stress injuries and workplace accidents (Preibisch and Hennebry 2011). Studies show that migrant farm workers face an increased risk for health problems related to workplace chemical exposure, single-event injury, and musculoskeletal injuries

(Gibb 2006; Hansen 2011; McLaughlin 2010; Otero and Preibisch 2010; Preibisch and Hennebry 2011). When workers are asked to use unknown or new equipment they may injure themselves or others. Without basic training, workers are put at risk. Migrant workers are also less likely to request safety equipment or report potential hazards and more likely to accept unsafe work or work when ill or injured because they fear termination and repatriation (Preibisch 2010; Preibisch and Hennebry 2011).

Additionally, workers are unaware of occupational health resources or prevention strategies, and they work with minimal breaks and limited access to sanitation. An in-depth study of migrant farm workers in British Columbia found that a quarter of its participants “almost never or never had access to a washroom on the worksite” (Hanson et al. 2008, 28). Our research participants indicate that when they do receive breaks they may not have quick access to a toilet or drinking water, and because it would take time away from work, they may be reluctant to use the toilet or may not consume sufficient water or food to avoid dehydration. Workers who are dehydrated and confused cannot operate equipment effectively, leading to an increased risk of injury. In some cases workers are not given the tools to care for themselves properly. As noted, participants in this study indicate that they do not even have ready access to first-aid kits in the workplace.

Migrant workers labour for long hours, up to 13 hours a day for 6–7 days per week (Hanson et al. 2008; Otero and Preibisch 2010). Most interviewed migrants want to work such extended hours to maximize their earnings. However, engaging in physically demanding, repetitive work for such long hours without sufficient breaks or a day of rest to allow the body to recover puts extreme pressure on the body. Without training, adequate provisions for breaks, and a weekly day of rest workers are at a high risk for illness and injury.

## Barriers to Accessing Health Care

Though their working conditions increase their risk of health problems, seasonal agricultural workers in Manitoba face a host of barriers to accessing health care. Even though many of the same workers return to Manitoba year after year, for up to eight months per year, these workers are ineligible for Manitoba Health coverage because they do not meet Manitoba Health's requirement of holding a work permit valid for one year. Instead, they are required to purchase private insurance on a seasonal basis. In addition to the cost and uncertainties of coverage associated with private insurance, workers also face an unknown healthcare system, communication challenges, and difficulty accessing clinics because of their long work hours and reliance on employers for transportation to health care facilities (Hanson et al. 2008).

Private health care leaves gaps in health coverage for workers. Workers are often uncertain of what private insurance covers and for this reason are hesitant to access care (Preibisch and Hennebry 2011). Some are flatly denied coverage for injuries that are deemed pre-existing conditions. Such pre-existing conditions may have been caused by working previously on Canadian farms (Fernandez 2010; Hennebry 2012). The expansion of Manitoba Health coverage to these workers would ensure that they are covered in all situations.

At the same time, workers are often unaware of how the Canadian healthcare system functions. This lack of understanding and uncertainty about the system is exemplified in the case of Manuel, the Mexican worker who is concerned about whether a soccer injury would be covered by private insurance. If Manuel were covered by Manitoba Health and oriented to how the system worked, he could access medical care more readily and without concerns about gaps in coverage.

Regardless of insurance coverage, though, workers who have experienced a severe injury or illness are often repatriated (Faraday 2012). A

worker may be returned to Mexico to complete lower cost treatment. In some cases, early repatriation may be carried out because an employer wants to avoid having to reorganize the duties or conditions of a job for an injured worker. In some cases early repatriation for health reasons may be carried out at the strong urging of the insurance company and Mexican Consulate (McLaughlin 2010; UFCW 2007). When workers are repatriated they do not finish the work season and lose considerable income.<sup>23</sup>

Workers are also dependent on their employers for transportation to a medical facility. This means that in most cases the employee must inform the employer of any health issues. When employers have the choice of hardworking, healthy individuals or workers viewed as more prone to injury or illness, the employer may be inclined to hire the 'healthiest' workers. For this reason, workers may wish to keep quiet about sensitive or commonplace medical issues. Informing employers of medical issues increases the risk of early repatriation and of not being named for the next season of work. Moreover, labourers may want to work a full day in order to maximize wages and may wish to receive medical care outside of normal working hours. However, since workers are dependent on the employer and his/her schedule to attend to medical needs, a worker's ability to make such choices is limited. The long workday for agricultural workers also limits access to health care during regular clinic hours. In Ontario, workers often utilize rural walk-in clinics or emergency departments where health care providers are not well equipped to address the particular needs of these workers (Preibisch and Hennebry 2011; Pysklywec et al. 2011).

SAWP workers arrive in Canada with a clean bill of health, and as observed, they devote much attention to taking care of themselves. Yet workers return to Mexico without medical revision (Preibisch and Hennebry 2011; UFCW 2011). Without a check-up prior to leaving Manitoba, an injury that occurred in Canada during a previous sea-

son will not be attended to in Canada should it worsen or recur. Workers may experience latent health issues that arise weeks or even years after a season of work, for example as the result of sustained exposure to pesticides/herbicides. Gibb (2006) reports that workers in Ontario experience stress, headaches, and back and neck pain after returning to Mexico. Neither the Canadian nor Mexican government requires or offers post-season medical check-ups to assess whether workers have acquired infections or injuries while in Canada. Thus, workers may be returning home with aches and pains due to their labour in Canada and be unable to access medical coverage for these maladies. In fact, they may undergo a medical revision prior to their next season of work in Canada and only then discover health issues that make them ineligible to travel—and thus ineligible for continued employment in the SAWP.

Manitoba Health requires that workers have at least a one-year work permit and work for six months before becoming eligible for provincial health care, effectively denying seasonal migrant workers coverage. However, other provinces do provide health care coverage to these workers. In Ontario and British Columbia, workers are eligible for public health coverage after completing three months of labour. In British Columbia, farm owners may facilitate access to health care by helping workers fill out the necessary paperwork for the province's Medical Services Plan (MSP) (Otero and Preibisch 2010). In Saskatchewan, the waiting period for health coverage is waived and workers are eligible for health coverage from the time they arrive in the province. Manitoba Health needs to follow suit, offering quick access to public healthcare.

### *Difficulties with Workers Compensation*

Workers are often unable to articulate the difference between what is covered under Workers Compensation and what is provided for by insurance. Studies conducted in other provinces also point to the widespread misunderstanding

of Workers Compensation and the difficulties of completing the paperwork necessary to file claims or access benefits. McLaughlin (2010) indicates that workers in Ontario did not know how to apply for Workers Compensation. In fact, the UFCW (2011) notes that only 24 percent of SAWP workers involved in workplace accidents in Ontario filed for Workers Compensation, which they attribute to workers' fears of having wages cut or of being returned early to Mexico. These same concerns about temporary migrants not knowing they are entitled to compensation, or fearing job dismissal or program exclusion for reporting or requesting Workers Compensation, are noted in British Columbia (Otero and Preibisch 2010) and Alberta (Nakache and Kinoshita 2010).

Employers may actively discourage injured workers from applying for Workers Compensation because the rates employers pay are based on the cost their workers incur to the system when they are injured or become sick on the job. Employers with poor safety records could even be forced to close down a workplace. A recently released report in Manitoba on the phenomenon of claims suppression confirms that some employers actively discourage workers from applying for Workers Compensation when they are injured or become sick on the job (Fernandez 2013). Given that claims suppression is commonly used with Canadian employees who do know their rights, it may well be that these more vulnerable workers are even more likely to be victims of this practice. Research participants in this study indicate that SAWP workers in Manitoba lack an understanding of Workers Compensation processes, and they face a threat of early repatriation for ongoing medical issues, which suggests the likelihood that they are remaining quiet about injuries on the job.

### **Lack of Employment Insurance Benefits**

Although they contribute to Employment Insurance (EI), SAWP workers are ineligible to receive

benefits through the program (Gibb 2006). Regular benefits, which provide temporary income to unemployed individuals, are available to workers who have paid EI premiums and completed 600 hours of work within the last 52 weeks. While SAWP workers pay premiums and qualify with hours after some months of labour, they cannot receive these regular benefits because they must be living in Canada and available to work in order to do so. When SAWP workers are laid off, they are immediately returned to Mexico, which renders them ineligible to receive EI benefits (Smith 2011). EI also provides sick benefits for those missing extended work for medical reasons. In order to receive sick benefits, a worker must remain in Canada. Since workers are often encouraged to return to Mexico for medical reasons, they are often unable to access this benefit (UFCW 2007). While temporary migrant workers pay into EI, the structure of the SAWP precludes the possibility of them accessing any of its benefits (Verma 2003).

One of the few EI benefits for which SAWP workers were in fact eligible was parental benefits, which provided income for parents on the birth of a child. During the field research, the primary researcher was asked to assist two workers who wanted to apply for these benefits. The researcher assisted the workers in completing the online application at Service Canada, painstakingly translating much of the technical information into Spanish for the workers. Had the bilingual researcher or another individual with English and Spanish language abilities and computer skills not been able to assist, workers would not have been able to apply for this benefit. Some months later the primary researcher received multiple calls from a different worker, already back in Mexico, who was unable to access the full amount of parental benefits. He asked the researcher to communicate with his local bank about the deposit. These challenges related to accessing parental benefits are now moot, however, as the federal government re-

cently announced that SAWP workers are no longer eligible for parental benefits, so now even the possibility of applying for this benefit is denied them.

The provincial economy is benefiting from the agricultural labour performed by SAWP workers. Other Canadian workers benefit from the income generated by these individuals—seasonal agricultural workers who are paying into the EI system but who are unable to access any of its benefits.

### **Difficulties in Organizing**

Migrant workers are discouraged from engaging in conversations with individuals in any way connected to a union—much less from attending meetings or speaking with a union organizer (Encelada Grez 2006). While the workers we interviewed did not indicate that they wanted to join a union, several conversations were tempered with fear about unions or union organizing. The right to form a union is enshrined in the Canadian Charter of Rights and Freedoms and upheld by Manitoba provincial laws. When workers are actively discouraged from organizing and threatened with repatriation for engaging in such activities, as is alleged to be the case in British Columbia (UFCW 2012), they face increased repression and vulnerability. This is evidenced by the organizing efforts at Mayfair Farms in Portage la Prairie, Manitoba (deGroot and Mejicanos 2009).

In 2007, workers at Mayfair Farms organized and certified with United Food and Commercial Workers (UFCW) local 832. During that time the UFCW was able to negotiate a wage increase of \$0.15 per hour and an additional dollar per hour for hours over 70 per week. In return, the UFCW charged union members \$4.00 per paycheque in dues. In 2009, workers voted to decertify the union. The official reason given for the decertification was that workers were angered when the employer stopped offering overtime hours to the workers (workers depend on overtime to increase

their income). The refusal of the employer to provide overtime hours coincided with the union's success in negotiating a higher wage (time and a half) for all overtime hours. Migrant advocate Pablo also indicated that workers faced hostility and surveillance from the employer. Additionally, at the time the vote was taken only 26 of the usual 50 agricultural workers were in the country and employed by Mayfair Farms (Contant 2009). The vote took place after a contentious private meeting between Mexican government officials and workers at this particular farm. In this meeting, the Mexican Consulate threatened to repatriate workers who voted in favour of the union (Rural Migration News 2009). In the context of such repressive tactics and the threat of repatriation, the workers chose to decertify.

Given the vulnerability of these workers to potential mistreatment and the difficulty they experience in understanding and realizing their rights, they would benefit greatly from union protection. But the same conditions that make them so vulnerable also make it very difficult for them to organize. Only through increased government protection and vigilance will unionization be possible.

### **Social Isolation**

Studies from across Canada reveal that SAWP workers are socially isolated (Basok 2004; Gibb 2006; Hanson et al. 2008; Hennebry 2012; Preibisch 2003). The SAWP workers we interviewed, and many in Manitoba, live in rural locations without access to public transportation and have limited English language skills. These factors limit the contact workers have with Canadians, which generates social isolation. Even though many SAWP workers in Ontario are located closer to small towns or cities, researchers have found that the lack of English skills among Spanish-speaking migrant workers limits their interaction with English or French speaking Canadians (Basok 2004). Furthermore, most Manitobans are not aware of the presence of Mexican

migrant workers, which exacerbates the workers' ongoing feelings of isolation and exclusion.

SAWP workers in Manitoba have limited encounters with Canadians. On a weekly basis workers shop for groceries or do laundry in a town near the farm or in Winnipeg. They interact with customer service personnel in commercial centres, grocery stores, and restaurants. Using hand signals or limited English words, the men communicate to purchase hamburgers at fast-food establishments or to indicate which kind of cell phone or computer they would like to buy. This interaction—restricted mainly to service personnel—is inherently limited by a lack of English language skills. Although the workers with whom we spoke want to learn English, and Hennebry (2012) notes that English language knowledge would increase worker safety and integration, as temporary migrants they are not eligible for federally funded immigrant settlement services<sup>24</sup>—including English classes.

Without access to settlement services or any formal mechanisms through which they could interact with Canadians, rural migrant workers are treated as if they do not belong in Canada (Basok 2004), which exacerbates feelings of exclusion. Preibisch (2003) finds that workers feel invisible to the larger society. Similarly, Gibb (2006) finds that workers in Ontario feel isolated due to language difficulties, long work hours, and a lack of transportation to neighboring communities.

In Manitoba, SAWP workers have found and built community with Spanish-speaking individuals. In fact, workers have organized an annual soccer tournament with other SAWP farm teams and with Latin American immigrants from Brandon, Manitoba. Unfortunately, this seasonal soccer tournament provides only limited interaction. Some workers also attend monthly Spanish-language Mass in towns near farms hosting hundreds of SAWP workers. These Masses, organized by the social justice mission of the Spanish-speaking parishioners of St. Ignatius

Catholic Church in Winnipeg and hosted by the Catholic parishes in particular towns, provide one additional occasion for social interaction during the height of the agricultural season (July–October). Most of the non-SAWP participants in these activities are Spanish-speaking individuals with permanent residency in Canada. Again, these encounters are time-limited and also dependent on the goodwill of the employer to provide transportation. After a short social time following the Mass, the employer returns workers to the farm. Catholic migrant workers can attend Mass once a month for approximately four months of their stay. They are only afforded a short window for interaction with anyone in the wider Manitoban society, meaning that it is difficult for them to build connections that could be sustained over a longer term.

The Agricultural Workers Alliance (AWA), supported by the UFCW Canada, operated an office in Portage la Prairie, Manitoba from 2007 to 2011. The office offered supports to the workers but also served as a space for social gathering. However, at the end of the 2011 season the AWA Centre was closed. The closing of the centre has had a negative impact on workers; it provided them access to community services and to individuals who engaged in advocacy on their behalf. AWA centres across Canada provide migrant workers with assistance filing taxes, attaining Workers Compensation, accessing employee and parental benefits, and filling out bank forms (UFCW 2007). The AWA Centre in Manitoba was the only organization offering such services to these workers. In the absence of formal settlement services, and without individuals with whom workers can converse in Spanish, SAWP workers are left to complete these tasks with limited English skills and little knowledge of how Canadian systems operate.

### **No Pathway to Permanent Residency**

Two of the interviewed SAWP workers in this study indicate they would like to obtain perma-

nent residency in Canada and settle in Manitoba with their families. Interview respondents Juan, Mateo, Samuel, and Omar do not want permanent residency in Canada because they feel the winter cold would be too much for them. Furthermore, these four workers are reticent to say that they belong in Canada, likely due in part to their limited social interactions with Canadians (see also Basok 2004). All four express interest in bringing their families for a visit to Canada. Their feelings of social exclusion and isolation help to explain why more of the research participants do not speak more overtly and directly about wanting to reside permanently in Canada.

However, those who do want permanent residency face tremendous obstacles. For one, the Canadian and Mexican governments that coordinate the SAWP have a vested interest in the continued circularity of the program, which brings workers to Canada and then returns them home at the end of each season. Such a circular flow means that a steady stream of remittances pours into Mexico. The Canadian government also benefits economically from short-term workers to whom they do not have to offer the benefits or rights of Canadian residency or citizenship. Since both governments benefit from the economic relationship of temporary migration, there is little incentive to change the system to benefit the workers who wish to settle.

SAWP workers are not eligible to apply for permanent residency through a federal immigration program; the SAWP is one of Canada's *Temporary Foreign Worker Programs*, and the intention is that migrants arriving through the program remain in Canada only temporarily and return to their home country at the end their contract. Some workers may qualify to apply for permanent residency through the Manitoba Provincial Nominee Program (MPNP). However, in order to apply to the MPNP, SAWP workers need to have completed at least six months of continuous employment in Manitoba with a particular employer and must obtain a full-time, signed job offer in

writing from the same employer (Government of Manitoba 2013). The majority of SAWP workers in Manitoba are unlikely to receive six months of continuous employment, as the growing season in Manitoba is quite short and most farms only need the workers for a two- to three-month period. Furthermore, agricultural work is seasonal and does not necessitate many full-time, permanent positions, so few employers hiring SAWP workers would have full-time jobs come open. Even if a worker were sponsored by his employer for full-time work and was eligible to *apply* to

become a Provincial Nominee, the MPNP would still require that an applicant demonstrate minimum levels of English or French language ability. SAWP workers are chosen for participation in the program precisely because of their low levels of formal education, which usually means they have low levels of English language ability. They do not have access to English language classes while in Manitoba, nor do they interact regularly with individuals who speak English. Thus, this pathway to permanent residency is effectively inaccessible to SAWP workers.

## SECTION VI: Concluding Remarks and Recommendations

We're benefiting hugely from these workers. They come and work for us for a low wage and to help these farmers become prosperous. They help us to have low cost vegetables and vegetables that we can export; we're benefiting from it.

*Douglas Simon, Migrant Advocate*

Perhaps if SAWP workers were indeed filling a short-term, temporary labour shortage, Canadian society would not be obligated to provide increased protection for such workers. However, the Seasonal Agricultural Workers Program (SAWP) is in its 47th year, and the number of 'temporary' workers in the program only continues to increase. These migrant workers are indeed "permanently temporary" (Hennebry 2012)—living without the protections that permanency or residency provide, despite the fact that some migrant workers would like to settle permanently in Canada.

In this report, Mexican SAWP workers in Manitoba speak openly about their economic and social wants. Overall, they wish to have a better Canadian work experience, one which offers something more to look forward to than just work. They also want to build their skills and their understanding of Canadian society. They

want to learn English and have the possibility of settling in Canada permanently.

Though some workers would like to settle in Manitoba, their temporary status and social exclusion relegate them to 'second-class' citizenship. Though they are *temporary* migrant workers, they are a *permanent* source of labour and a significant contribution to the Canadian workforce. The Canadian labour market, with its increasing reliance on temporary and migrant labour to fill low-skilled positions, has effectively become a two-tiered system (Basok 2004; Sharma 2006, 2012). The same SAWP workers may return to Canada year after year, but they continue to have no pathway to formal political participation and their temporary legal status excludes them from many rights and protections afforded to other workers. Decreasing social isolation while increasing rights and protections for these workers will make their lives here more bearable while weakening the grip of this two-tier labour market policy.

Worker isolation could be reduced by maintaining and increasing the frequency of social encounters. At the very least, increased involvement of NGOs and community-based groups with the workers would reduce their feelings of social

isolation. “At the most basic level, churches and other community organizations provide . . . alternative social spaces to the drudgery and monotony of 14-hour workdays” (Griffith 2003, 59; Preibisch 2003). Hennebry (2012) discusses the importance of workers sustaining connections over time, which allows them to associate with local people and integrate more fully. Workers need contact with Canadians to connect with and embrace Canadian society. As SAWP workers are embraced by the surrounding community and invited to participate in community events, learn English, and understand the Canadian system, they will become less isolated and more familiar with their rights (Basok 2004). For many of the interviewed workers, making a Canadian friend seems simply unattainable because language barriers, the lack of reliable personal or public transportation, and long work hours keep migrant workers from interacting on a regular basis. The creation of ethnocultural organizations, composed of immigrants or migrant workers with a particular ethnic or cultural heritage, has also been shown to create important social networks that assist newcomers and help to reduce feelings of isolation—particularly for rurally located individuals with limited English (Bucklaschuk and Sormova 2011).

At the very least, Manitobans could do more to make these workers feel welcome and more integrated into the community. Encouraging Manitobans to make an effort to help these workers feel more welcome is beyond the purview of government, although offering government support for language training would help tremendously. It is our hope that as Manitobans become more aware of these workers and their hopes and aspirations, they will make an effort to bridge the divide between their world—their Canada—and ours.

There is, on the other hand, much that government can do to address the systemic failings of the SAWP, failings which are raised in this study and that contribute to increased migrant vulnerability. The following recommendations address

these concerns and, if adopted, would make Manitoba a leader in improving migrant workers’ lives.

## Provincial Policy Recommendations

1. Provide government support for English language training for SAWP workers. Previous studies and many of the workers with whom we interact desire to learn English in order to integrate more fully into Canadian society and to understand their rights and obligations while here. See Federal policy recommendations for how this could be funded.
2. Grant immediate access to Manitoba Health coverage for all SAWP workers so they do not have to face repatriation when injured or worry about having to pay for medical attention when suffering from a pre-existing condition. Not only would workers receive better healthcare, they would feel valued by Canadian society if they were included in this basic right.
3. It is not enough to assume that the Mexican Consulate will protect the workers’ interests. Even in cases where it may, there is a general belief amongst the workers that in case of a conflict, the Consulate will take the side of the employer (Romo Portillo and Sepúlveda González 2012, 514). It is therefore necessary to coordinate provincial oversight of the SAWP to:
  - a. Foster better communication between government agencies (Nakache and Kinoshita 2010) and with local advocacy groups in order to improve government oversight of the program. For example, Employment Standards and Manitoba Housing inspectors should coordinate their inspections and communicate with each other about their findings. Also, when government agencies keep local advocacy groups apprised of issues, they are better equipped to help the workers.

- b. Allow workers who have concerns to lodge complaints in Spanish without fear of reprisal from their employers.
  - c. Upon arrival, provide SAWP workers with information, in Spanish, on Employment Standards and Workplace Health and Safety.
  - d. Employment standards should conduct regular, proactive inspections of farms employing SAWP workers and strictly enforce legislation. It should also provide follow up to the investigations, especially with offending employers, and order them to pay fines where warranted. Advise workers of problems and interventions.
  - e. Permit Workplace Safety and Health Division to engage in proactive inspections of farms employing SAWP workers and implement strict enforcement of legislation.
  - f. Ensure that workers receive adequate workplace training in Spanish so they can avoid injury and illness.
  - g. Ensure better working conditions (breaks, fair wages, day of rest, etc.).
  - h. Ensure that workers have the ability and opportunity to communicate with a union and that they are not prevented in any way from joining a union if they wish to, or threatened if they communicate with one.
4. Create a Manitoba Migrant Worker Advocacy Centre (for a similar idea in Ontario, see Faraday 2012) that:
- a. Runs a helpline for workers.
  - b. Provides access to information, in Spanish, about rights and services to which workers are entitled, as well as assistance navigating local government agencies such as Workers Compensation.
  - c. Provides resources to assist in mediating conflicts with an employer or in

lodging workplace complaints. This measure could have helped the worker we interviewed, for example, who was being paid piecework rates. An earlier intervention might have prevented the situation from escalating, eventually putting the worker at risk of not being re-named.

- d. Facilitates an independent body to consider disputes between workers and employers (as briefly outlined in Gibb 2006).
  - e. Initiates the right of a fair, inclusive hearing before early repatriation (Faraday 2012 and UFCW 2007).
5. Use available provincial mechanisms to expand pathways to Permanent Residency for Seasonal Agricultural Workers in Manitoba interested in pursuing immigration.

### **Federal Policy Recommendations**

The following recommendations would improve conditions for all SAWP workers in Canada.

1. The Canadian government should provide orientation (in workers' native languages) to all SAWP workers and employers, including to Canadian labour laws.
2. Access to EI parental benefits should be reinstated immediately.
  - a. Given that migrant workers pay the same rate into EI but receive very limited benefits, a portion of their EI contributions should fund English language training programs. A provincially-run, federally-funded system could provide workers with language training.
  - b. Workers toil long hours in dangerous conditions and can succumb to illness and injury. Given that they pay into the EI system, they should receive sick benefits when they fall ill in

- Canada. The reality is that workers are often repatriated when ill, making it impossible for them to collect EI sick benefits.
3. Increase job security by restructuring the program (Hennebry 2012). The following recommendations would assist in this process:
    - a. Provide open work permits that allow workers to change employers without seeking the permission of their current employer
    - b. Streamline regulations so that workers can access a less burdensome transfer to another farm. In light of workplace conflicts, having a more accessible transfer process would improve job productivity. Throughout the years we have been interacting with migrant workers, we have heard several stories of ongoing conflict between workers and employers. Sometimes workers find the stress of such situations unbearable, especially considering that it is not just their work lives that are affected, but also their living conditions.
    - c. Workers should be able to decide the province or farm where they would like to work. Like the worker who talked about wanting to return to Ontario to access English classes and count on Sundays as a day of rest, many workers have preferences as to location and type of agricultural work.
    - d. Provide work permits that allow workers to change job positions with a given employer should they be injured (Faraday 2012).
  4. Create an accessible pathway to permanent residency, at the very least for long-term workers.

5. Provide a place for workers' representation and voice in the yearly re-negotiation of employment contracts (Faraday 2012).

## Concluding Remarks

It is our hope that Manitobans from all walks of life will realize the tremendous contributions these workers bring to our province and the sacrifices they make for their families. This report places these workers' concerns in the context of the larger geo-political dynamics that drive these men to come here, and which create such demand for their hard labour. We hope that Manitobans will begin to understand the structural forces and complex motivating factors that compel these men to resign themselves to leaving their homes and families for extended periods.

SAWP workers in Manitoba return year after year to fill physically demanding and low-wage jobs that most Canadians prefer not to do. They live and work under precarious conditions, and endure the loneliness of family separation and social isolation. They provide their labour to Manitoba and its farms, which in turn provide Manitobans with affordable produce, yet they continue to be treated in many respects as second-class citizens, unable to access the rights and benefits afforded to most workers in Canada.

Nonetheless, this program is held as a model of circular migration in much of the world (as pointed to in Durand 2006; Wickramasekara 2011). It is seen as an effective means of providing Canadian employers with short-term, just-in-time labour. It is viewed positively as a job provider and potential source of economic development for Mexico—whose economy has arguably become increasingly dependent on remittances from citizens living outside its borders. The argument is that circular migration schemes promote development and the economic betterment of migrant workers' lives, but this report raises the question—at what cost?

# Endnotes

- 1 Translated, this means *Migrant Voices*.
- 2 A Spanish word meaning struggle.
- 3 During this period of falling corn prices, the price of tortillas (made with corn) increased 179 percent (Nadal cited in Desmarais 2007, 63).
- 4 A *maquiladora* is a foreign-owned assembly plant located in Northern Mexico where parts are sent for assembly. Foreign-owned corporations profit from access to low-paid employees and are often given tax breaks and incentives to set up in Mexico.
- 5 In fact, critics argue that the employer-driven nature of the program has led to an increased privatization of Canada's immigration system, noting that the private sector (either employers or third-party recruiters operating on their behalf) rather than the government is selecting and recruiting the migrants that arrive on Canadian soil. In this context, immigration policy is more targeted at meeting employers' needs than operating with the primary intention of nation-building (see, e.g., Marie Boti and Malcolm Guy's film *The End of Immigration?* and also Alboim 2009; Trumper and Wong 2010; Zell 2013).
- 6 Settlement services offer newcomers a range of support services, including language classes, assistance locating housing or jobs, and information on labour rights and responsibilities.
- 7 The term "naming" refers to the fact that, when applying to HRSDC to be able to hire temporary migrant workers, employers may indicate the name of a specific worker they would like to re-hire in a subsequent season.
- 8 Transfers may be initiated by an employer or an employee. An employer who wants to shift workers to another farm that also has SAWP employees must obtain consent of the employee(s) and contact the Mexican Consulate and HRSDC to facilitate the transfer process (HRSDC 2013a). In the case of an employee-initiated transfer, workers must have approval from their current employer as well as an offer of employment from another SAWP-approved employer. In the province of Manitoba there are a limited number of employers that hire workers through the SAWP. The difficulty of this transfer process in Ontario is highlighted by Verma (2003) and Sharma (2012).
- 9 Some provinces provide workers with public health care coverage. Manitoba does not, and workers are required to purchase private health insurance.
- 10 An urgent working day is basically a longer work day as called by the employer. The urgency to finish farm work is prevalent in the agricultural industry, as seasonal and often unpredictable factors (rain, peak of harvest, etc.) may limit conditions for harvest.
- 11 While SAWP workers may return year after year, in the case of the Temporary Foreign Worker Program more generally, and in particular the Low-Skill Pilot Program, workers receive permits allowing them to stay in Canada for a specified duration up to four years, after which they are ineligible to work in Canada for another four years.
- 12 In this report, migrant advocates include individuals who have worked or related with migrant workers in their professional capacity as social workers, religious workers, and/or labour organizers.

- 13** In many instances workers have been expressly discouraged from participating in unions and thus are often hesitant to interact with union organizers (see, e.g., Griffith 2003; Hansen 2011; UFCW Canada 2012).
- 14** Literally translated, this term means “white widows.”
- 15** Likewise, a study from Ontario shows that family, education, and paying for a house are often cited as primary reasons for coming to Canada under the SAWP (Binford 2006).
- 16** A remittance is a transfer of money by a migrant to his or her home country, usually sent to a family member.
- 17** Early repatriation is the process by which workers are returned to their country of origin prior to the expected return date at the end of the season. Depending on the reason for early repatriation, workers may be required to cover the costs of returning early (HRSDC 2013a).
- 18** In Ontario, Frontier College offers a program for volunteers to teach English to migrant workers. These classes take place on Sundays after Mass and in churches (Basok 2004).
- 19** Anyone acting as a licensed recruiter in the province must be a regulated member of the Immigration Consultants of Canada Regulatory Council (ICCRC) or a law society of Canada and must provide a \$10,000 irrevocable letter of credit (Allan 2010). A list of licensed recruiters is published by the province and is available on their website (<http://www.gov.mb.ca/labour/standards/wrpa.html>).
- 20** As a result of the Unit’s efforts, several employers in Manitoba have been ordered to pay back wages owing to employees, and those who break the law again have been ordered to pay administrative penalty fines of up to \$10,000. The names of these businesses have been published on the Manitoba Employment Standards website (see <http://www.gov.mb.ca/labour/standards/>).
- 21** Some offices use telephone interpretation services while some offices may have Spanish speakers.
- 22** In an April 2009 report Canada’s Auditor General argues that the federal government’s failure to adequately supervise employers under the TFW program increases migrant worker vulnerability—and the risk of abuse and poor working conditions (Office of the Auditor General 2009).
- 23** EI sick benefits are not available for workers residing outside of Canada. EI benefits are discussed in more detail later in this section.
- 24** Agencies that provide settlement services to newcomers only receive federal funding to provide support to landed immigrants, refugees or permanent residents, not to residents with temporary status.

## List of Acronyms

AWA – Agricultural Workers Alliance

CIC – Citizenship and Immigration Canada

EI – Employment Insurance

HRSDC – Human Resources and Skills  
Development Canada

LMO – Labour Market Opinion

LSPP – Low-Skill Pilot Program (also known  
as the Pilot Project for Occupations Requiring  
Lower Levels of Formal Training)

MWSN – Migrant Worker Solidarity Network

NAFTA – North American Free Trade  
Agreement

NGO – non-governmental organization

SAWP – Seasonal Agricultural Workers  
Program

STPS – *Secretaría del Trabajo y Previsión  
Social* (Mexican Ministry of Labour and Social  
Welfare)

TFW – Temporary Foreign Worker

TFWP – Temporary Foreign Worker Program

MOU – Memorandum of Understanding

MPNP – Manitoba Provincial Nominee  
Program

UFCW – United Food and Commercial Workers

WRAPA – Worker Recruitment and Protection  
Act

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## Appendix: Reflections From the Primary Researcher

When I am asked to speak about my summer research relating with Mexican migrant men, I am pleased to speak of the mutuality of care that I experienced. In my conversations with the workers, I sensed empathy and curiosity in my personal interests and a strong connection across gulfs of difference. Likely, my experience is tainted by my privilege as a white, middle-class, highly educated, bilingual researcher; nonetheless, I felt connections across the unnatural divides often created to separate researcher and participant, consumer from apprentice producer.

I learned how some individuals experienced and considered the ravaging of their country in a drug war, which is killing thousands of people in cities and towns across Mexico. I tried to explain the upsurge of xenophobia against Mexicans in the U.S., though as I explained it, I was left empty of words. I shared in conversations on my favorite Bible stories, and on the complications of grammar in Spanish, English, and in-

digenous languages. I was invited for meals by several of the workers who wanted to continue conversing and developing friendship. I also shared about my proposed work and research on the U.S.–Mexico border, and workers responded by sharing their stories of crossing, some via the Rio Grande, others through the Sonoran desert, and others through California. Lastly, as I began the academic year, I was asked about the classes I was teaching and how things were going for me in the various projects in which I engage. In this mutuality of care, I was not the only one asking questions, and conversations emerged from the heart.

Perhaps this mutuality of care was most earnestly expressed in my conversation with José. During our interview, José expressed his need to find other people with whom to discuss life and engage in new topics of conversation. I was also feeling that need for fresh dialogue and we found new topics of conversation together.





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