

# INFO SHEET: SUPPORTING THE HEALTH AND WELLBEING OF MIGRANT AGRICULTURAL WORKERS ON ORGANIC FARMS IN BC DURING COVID-19

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## Introduction

This info sheet was developed for migrant farm workers and their employers in organic agriculture, and is available in both English and Spanish. If you have any questions or concerns about the contents of this info sheet, please contact Susanna Klassen using the contact information provided below. For requests for worker support, please contact Fuerza Migrante.

## For farmers/employers

As an organic farmer, you have made the choice to use less harmful and more sustainable methods to produce food. We hope to also see your leadership embodying the organic principle of 'Fairness' by providing safe and dignified working and living conditions for your workers during the COVID-19 pandemic and beyond. We also hope you will advocate for the government to better support you in protecting their well-being. While this info sheet was developed with the organic community in mind, the information below is applicable to all types of farms, organic or not.

## For workers

We would like to respect your experience working in Canada before and during COVID-19 and ask you to provide your thoughts, questions and proposals on how you, your coworkers, and your employers can work together to guarantee life protection with dignity and respect, as well as to prevent any violation of your basic human and labour rights. Please use the email and phone number below to contact Fuerza Migrante and share your experience.

## Sources of information

Government guidelines, expert recommendations (e.g. from the [Migrant Worker Health Expert Working Group](#)), and organizations that provide direct support to migrant workers (and in particular, [Fuerza Migrante](#)).<sup>3</sup>

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<sup>3</sup> This document does *not* replace government issued public health guidelines. Farm operators and managers should consult with these sources of information regularly for more detailed guidelines on how to manage risks and exposures as the situation evolves.

### **1. Can an employer fire a worker if they get sick?**

- No. It is illegal to fire an employee for medical reasons in Canada. An employer cannot fire an employee for becoming infected with COVID-19, and should not under any circumstance threaten to send workers home if they get sick.

### **2. Can workers get paid during the quarantine period upon arrival?**

- Yes. The preventative quarantine upon arrival is considered part of the worker's employment. All employers are required to pay their workers for a minimum of 30 hours per week during quarantine at the hourly rate specified in their contract of employment.
- Employers can access financial support from the Government of Canada to offset the costs of quarantine upon arrival in Canada through the [Mandatory Isolation Support for Temporary Foreign Workers](#).

### **3. What if a worker gets sick and needs to quarantine (again)?**

- If you get sick of COVID-19 and need to be quarantined for a second time, you can get paid while you recover and are able to return to work. SAWP workers can receive sick benefits from COWAN (your private insurance) and get paid up to 90% of your salary for 90 days if needed. Workers who come to Canada under other programs can apply for Employment Insurance Benefits and receive 55% of your salary.
- If workers have a valid Social Insurance Number, they may be eligible to receive the Canada Recovery Benefit (CRB). Workers may be eligible for [retroactive payments](#) of the Canada Emergency Response Benefit (CERB) for period 7, which ended on September 26. More information on how migrants can access the CERB can be [here](#).
- Employers need to ensure that their employees have the ability to safely procure adequate, affordable and culturally appropriate food and other basic necessities, and either support their efforts to access these basic necessities for themselves, or come to an agreement (ideally written) with the employees to do so on their behalf in a way that meets their needs.

### **4. Can workers leave the farms?**

- "Workers cannot be restricted to a farm and cannot be punished for leaving so long as they are abiding by public health measures to the same standard as anyone else living in Canada" (MWHEWG 2020)
- Employers need to not only respect this right, but should also re-assure their workers that they are able to leave the farm so long as they respect public health measures.
- Employers who restrict workers' movements on and off farms beyond public health guidelines, or who restrict visitors, are contravening workers' rights.

## **5. Workers need good conditions to stay healthy**

- Poor living conditions can exacerbate the risk of virus spread. If you see the workers as human beings, parents, siblings, you should be thinking of their integral health and well-being (physically, emotionally, mentally) and would take into account the following considerations:
  - Due to long days of hard work, workers should have regular access to spaces and moments of leisure and rest and to physical and social enjoyment activities.
  - During their domestic chores (preparing their food, taking a shower, washing their clothes), the house should provide the needed conditions and have the proper number of kitchen utensils, stoves, microwaves, fridges, showers, toilets, washers and dryers, according to the number of workers that share them. Thus, the workers can avoid long lines to use the bathroom, laundry machines, or the kitchen very early in the morning before work or very late at night after work.
  - As many workers are afraid of getting sick (with COVID-19 or anything else) and/or die and leave their families, they should receive the adequate Personal Protective Equipment and cleaning supplies at work to take care of themselves and their coworkers.
- Employers need to ensure their workers can meet physical distancing requirements in their workplace and accommodations. If employers are uncertain about what these guidelines should be, contact the BC Centre for Disease Control, WorkSafe BC, Ag Safe BC, the BC Ministry of Agriculture, or other government authority.
- Workers have a right to refuse unsafe work without risk to their residency status.
- Strengthened guidance, oversight and enforcement (e.g. unannounced inspections, and more in-person inspections) will benefit everyone, as all employers will be more likely to provide better conditions for workers, enabling them to stay safe and maintain their wellbeing.

## **6. Going above and beyond government regulations in keeping with organic principles:**

- Employers and employees of a Temporary Foreign Worker Program should know their responsibilities and rights beyond COVID-19 times. Make sure you are in frequent communication with your employees about the appropriate procedures and developments related to their health and well-being. Do so in accordance with the socio-linguistic and cultural contexts from which they come, whenever possible. Act proactively and demand that the governments of origin of these workers and Canada improve the circulation of this type of information for workers.
- Many workers have seen their coworkers unjustly sent back to their home country when they have gotten sick or injured, and some workers have experienced this themselves. Before telling their employer about symptoms of COVID-19 or other illness, they need to trust their employer will offer them the support that they need, and that they will not face any reprisals.
- Support workers' participation and input into the development of appropriate COVID-19 procedures.

- Provide your employees with independent, convenient and confidential means of transportation to provide health and wellbeing services like healthcare and groceries (e.g. taxi vouchers, access to insured vehicles for licensed workers).
- Clinics and hospitals in BC have access to [language interpretation services](#) via the provincial health authority. Make sure your workers are aware of this and able to access these services, and similarly, that doctors are aware and able to provide these services.
- Provide your employees with all information and resources related to healthcare services and entitlements on physical paper as well as electronic message (text or audio recording). This could include the numbers to access emergency medical care, the address of the farm, and the commitments that all health services will be provided regardless of status.
- Notify federal agencies immediately if an outbreak occurs on your farm.
- Be aware of the discrimination and unfair treatment experienced by workers in local communities and businesses (e.g. racial profiling and unfair questioning about whether workers have observed quarantine periods). Show support for your workers by encouraging them to access culturally appropriate activities, virtual communities and virtual recreation hubs, and by educating those around you about the risks these essential workers have taken by travelling to Canada to work on our farms, and that most outbreaks have been brought into farms from community contact.
- While working in Canada, migrant workers need to be in frequent communication with their families, if not daily, then very often. Access to wifi and telephones in the houses to be able to call when their cell phone plans run out is of the utmost importance. Remember that their families are the most important thing for these workers, so ask them about their children, their partners or relatives, especially knowing that their families are in constant risk, because the cases of COVID-19 in their home countries are surely much higher and in greater increase than in Canada, in addition to the generalized violence in those countries.

## 7. Where can employers find more COVID-19 guidelines to protect their workers?

- BC Centre for Disease Control, [Protecting Industrial Camp Workers, Contractors, and Employers Working in the Agricultural, Forestry, and Natural Resource Sectors During the COVID-19 Pandemic](#)
- Migrant Worker Health Expert Working Group, [Recommendations for Overcoming Health Challenges Faced By Migrant Agricultural Workers during the COVID-19-Virus Pandemic](#)
- Government of British Columbia, [Temporary Foreign Workers Must Self-Isolate](#)
- BC Ministry of Agriculture, [New safety measures for fruit pickers](#)
- Ag Safe BC, [Employer protocol for pandemic](#)
- Ag Safe BC, [Agricultural Site COVID-19 Prevention Procedures](#)
- Occupational Health Clinics for Ontario Workers, [Temporary Foreign Agricultural Workers and COVID 19 Safety Considerations](#)
- Agriculture and Agri-Food Canada, [Workplace guidance for sector employers and employees](#)

## 8. Resources to support workers:

- Workers need to know they can safely report concerns and complaints without fear of losing their job and being repatriated.
- Workers should be provided with clear and up-to-date information about how best to access medical care in their community (i.e. which local clinics are accepting clients, whether in-person or by phone, and how to make an appointment)
  1. If this information is not readily available to employers, they should request this from their local health authorities and from the government.
- Share the following resources in Spanish:
  1. Radical Action with Migrants in Agriculture, [INFORMACIÓN SOBRE EL CORONAVIRUS](#)
  2. Gobierno de BC, [Información para los trabajadores que llegan a Canadá](#)
  3. Gobierno de Canadá Agencia de salud pública, [La población vulnerable y la COVID-19](#)
  4. Gobierno de Canadá, [COVID-19: Guía para trabajadores extranjeros temporales en Canadá](#)

## 9. COVID-19 requires a response that goes beyond public health measures

- While the actions and considerations mentioned in this document are important to stave off the impacts of this pandemic on public health and the agricultural sector, they are not enough to guarantee the fair treatment of migrant workers in Canada. All over the country, migrant agricultural workers are afraid to assert their rights and speak out about their needs for fear of deportation and losing their work. Despite the [modest increases in federal funding](#) for organizations that provide worker support, inspection regimes and on-farm infrastructure announced July 31<sup>st</sup>, 2020, experts are demanding that the government of Canada:
  1. **Institute permanent residency on arrival, and**
  2. **End tied work permits to address the unfree conditions that lead to abuses by some employers.**
- Follow the hashtag **#StatusForAll** on social media to learn more, and join the call for a more fair deal for migrant workers.

*This info sheet was prepared by Fuerza Migrante, a community organization working for justice for migrant workers, in collaboration with Susanna Klassen, a doctoral candidate at the University of British Columbia. This work is supported by the UBC Public Scholars Initiative and the UBC Partnership Recognition Fund. Thank you to Anne Macey, Dr. Anelyse Weiler and Dr. Hannah Wittman for their valuable input, and to the Certified Organic Associations of BC for their communications support.*

