



Migrant Workers
Alliance for
Change

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Submission on Agri-Food Immigration Pilot Program

These proposals are based on consultations and surveys with migrant food, fisheries and farm workers that are members of the Migrant Workers Alliance for Change as well fifteen other migrant worker support organizations across Canada working in the sector. In total, we have checked in with organizations that are in regular contact with a total of 3,945 migrant workers in Agri-Food, with their opinions based on experiences with many more.

Our organizations collectively have tried to support 629 migrant farmworkers who met the criteria to apply for the Agri-Food Immigration Pilot Program since its launch. However, only 45 workers were able to apply. The top three reasons for such a low-number of applications even for qualified for workers are as follows:

1. The most critical issue identified and stressed by all the organizations and workers we spoke to and surveyed was lack of support, or active undermining by employers. This includes:
 - a. Employers not providing job offer letters including after promising to do so.
 - b. Employers unwilling to adequately fulfill criteria of job offer letters, for example refusing to pay the prevailing wages to workers.
 - c. Employers using the job offer letter as a carrot and a stick. Many workers and organizations shared anecdotal evidence of employers creating competitions forcing workers to work longer hours with less pay with the promise of job offer letters; employers asking workers to inform on each other in return for job offers; and employers promising to issue letters at the end of one or two years based on “good behaviour”.
 - d. Employers either not supporting and in some cases actively undermining workers ability to take English tests (for example, not giving time off, or cancelling a scheduled day-off on the day of the test in the morning, and threatening reprisals to workers taking tests).
 - e. Employers misrepresenting the program to workers including insisting that if workers received permanent residency they would be obligated to stay in Canada and not be allowed to leave, or telling workers that their families would not be included in the application.
2. High fees: Many farmworkers are unable to pay application fees (\$3590 for a family of five), legal counsel fees (immigration consultants are charging between \$4000-\$7500 per application), translation of documents, English language exam fees, educational accreditation fees, costs of transportation to test sites, cost of medical exams, etc.
3. English language exams: Even workers with more advanced education, who only speak English in some cases, were unsuccessful in their English language tests. The testing system does not adequately assess workers ability to communicate effectively, who find the experience stressful and foreign.

The vast majority of migrant workers that we work with were simply not able to apply because of the criteria, primarily the exclusion of workers on seasonal work permits, and the requirement of English language proficiency for Spanish and English speaking workers alike.



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The Agri-Food Immigration Pilot Program (AFIP) simply does not ensure access to permanent residency for migrants in Agri-Food industries. We believe that AFIP should be replaced as soon as possible. When it is replaced, or if changes can be made in the interim, we propose the following:

- There should be no requirement for an offer of employment. As outlined above, this gives unchecked power to employers, many of whom are using it to further exploit workers.
- The work experience requirement should be changed to a minimum of 1 year of accumulated full-time work in the past 3 years (at least 1,560 hours) similar to the Temporary Resident to Permanent Resident program to allow seasonal workers to apply.
- Work experience should not be restricted to select occupations or NAICS codes, workers in aquaculture should be included and many types of documents should be accepted as evidence (paystubs, etc).
- English language requirements and the educational accreditation requirements should be removed as they are costly, time consuming, difficult to access and are ineffective at assessing whether migrants will be able to integrate into Canada. The fact that the applicants already work and live here should be sufficient.
- The application fees should be waived or significantly reduced.
- Workers in Quebec should be allowed to apply.
- Migrant worker support organizations must be provided resources to assist workers in applying and third-party applications should be allowed (with important checks and balances to prevent exploitation by unscrupulous immigration consultants and lawyers).

In addition to these interim changes, we reiterate our call for full and permanent immigration status for all migrants, including migrants in agriculture and on arrival. Agri-Food workers are not a temporary workforce, they are essential to our society and our economy, and should have permanent residency on arrival so that they can access the same rights as Canadian citizens and be united with their families.