



► COVID-19 Among Migrant Farmworkers in Canada: Employment Strain in a Transnational Context

Authors / Leah F. Vosko, Tanya Basok, Cynthia Spring, Guillermo Candiz, Glynis George





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Abstract

This study analyzes the conditions that migrant farmworkers in Canada endured prior to and during the COVID-19 pandemic (January 2020-March 2022). It draws on policy analysis and open-ended interviews with workers in Canada's Temporary Foreign Worker Program (TFWP), as well as non-status migrants employed in agriculture. It evaluates policies and measures adopted by Canadian authorities to address labour shortages in agriculture and protect the health of migrant farmworkers. In recognizing the intersections of precarious employment and insecure residency status, the study advances an expanded employment strain approach to illustrate how longstanding immigration and labour laws, policies and practices, persisting alongside COVID-19 specific public policy interventions, aimed at improving the quality of and access to job resources for migrant farmworkers, serve to reinforce labour market insecurities confronted by this group of transnational workers. The report offers policy recommendations for improving working conditions, accommodations, and residency status.

About the authors

Leah F. Vosko, FRSC, is Professor of Political Science and Tier 1 Canada Research Chair in the Political Economy of Gender & Work at York University. Her current research examines employment standards and their enforcement, access to rights among workers labouring transnationally, and international mobility programs. Her most recent book *Disrupting Deportability: Transnational Workers Organize* was published by Cornell University Press in 2019.

Tanya Basok is a Professor of Sociology in the Department of Sociology and Criminology, University of Windsor. Her research focusses on migration from and in Latin America, border studies, human rights, activism, and social justice.

Cynthia Spring is a doctoral candidate in the Department of Politics at York University. Her dissertation, provisionally titled "Investing in the Future? Debt, Mobility, and Higher Education" analyzes the relationship between debt, educational migration, privatization, and exploitation through the lens of feminist political economy.

Guillermo Candiz is an assistant professor in human plurality at the Université de l'Ontario français. His research area includes migratory projects and trajectories of irregular migrants in Mexico, seasonal migration programs in Canada, and geopolitical issues of migration.

Glynis George is an associate professor in the department of sociology and criminology at the University of Windsor. Her research area includes Community based research most recently with a focus on migrant farm workers in Essex County and Southwestern Ontario.

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▶ Introduction¹

The 2020-22 global COVID-19 pandemic reinforced inequalities between the global North and South, amplifying pre-existing disparities between migrant and citizen/permanent resident workers in receiving and sending states worldwide. Simultaneously, it revealed that many workers in occupations and sectors deemed “essential” enough to be exempt from stay-at-home orders and other public safety measures implemented in high-income receiving countries are in fact migrants. And those in Canadian agriculture present a case in point. Like many other OECD countries, the security of Canada’s local food supply rests on migrant workers. Consequently, alongside introducing sweeping public health and safety restrictions, during the global health pandemic the Canadian government sought to manage threats of national food shortages by boosting agricultural production and processing capacity in order to address an emerging backlog of produce and ensure that growers maintained access to migrant farmworkers. But while farms and greenhouses were declared essential worksites, justifying exemptions from border restrictions applicable to migrant farmworkers, they proved to be prone to COVID-19 outbreaks.

Drawing on policy analysis and open-ended interviews with workers enrolled in two streams of Canada’s Temporary Foreign Worker Program (TFWP) as well as non-status migrants employed in agriculture, this report explores these dynamics, highlighting the importance of migrant farmworkers to the Canadian economy, society, and the world of work alongside the conditions they endured during the pandemic (January 2020-March 2022) with the aim of advancing policy recommendations for improving working conditions, accommodations, and residency status.² The report proceeds in six parts, beginning with an overview of research methods employed in this study in Part 1, including administrative data, policy and media analysis as well as qualitative interviews with thirty migrant farmworkers in Ontario and Quebec conducted between October 2021 and February 2022. Part 2 presents an overview of COVID-19 in Canada during the pandemic’s first four waves, considering rates, clusters, outbreaks and their drivers, and an examination of broad-based government responses to the pandemic, highlighting Canada’s partial border closures and efforts to activate domestic labour markets in essential industries. Shifting focus to agriculture, a major site of essential migrant work in Canada, Part 3 outlines the federal government’s approach to this sector during the pandemic, exploring admission policies applicable to migrant farmworkers and prevention of on-farm outbreaks, against the backdrop of provincial government policies and measures and practices adopted by regional health authorities to mitigate the spread of COVID-19 in an industry long-defined by qualitative labour shortages—that is, characterized by conditions of work and employment undesirable to permanent resident and citizen workers—addressed principally through expansive guestworker programs. Part 4 presents findings that address workers’ experience of working and living conditions on the farms before the COVID-19 pandemic. Part 5 draws on our qualitative interviews to outline experiences of migrant farmworkers during the pandemic. Finally, Part 6 presents lessons learned and recommendations for improving the conditions of migrant farmworkers, including those voiced by the workers we interviewed. On the basis of this analysis, we argue that the migrant farmworkers’ experience of their working and living conditions during the COVID-19 pandemic are strongly linked to those established on the farms prior to its emergence and, accordingly, to the terms, conditions, and organization of the migrant work programs in agriculture in which they are enrolled. At the same time, we demonstrate that the global health crisis deepened the structural vulnerabilities these workers experience.

¹ This study was produced as a background report for the WESO 2023: Valuing the essential for a more resilient world of work.

² The report was written in early 2022, drawing on field-interviews conducted between October 2021 and February 2022 and administrative data, policy and media analysis spanning the beginning of the pandemic in early 2020 through to March 2022. It is important to underscore that in this period, knowledge about COVID-19 and the effects of different public health interventions was rapidly shifting. For example, at the dawn of the pandemic, evidence-based arguments advocating the use of masks were scant and, until Fall 2021, calls for the use of particular masks, such as K- and N-95s were limited. At the time of writing, knowledge about COVID-19 infection fatality rates was also still evolving (Brown, 2020; Ioannidis, 2021). So, too, was knowledge about the costs and benefits of ongoing large scale COVID-19 interventions, such as municipal or provincial/state lockdowns, with attention to other public health metrics such as psychological and social well-being (see, e.g. Lau et al., 2020; Bagus, Peña-Ramos & Sánchez-Bayón, 2021; Joffe, 2021).

Our analysis draws on insights from the “job strain” approach (e.g. Bakker and Demerouti 2006; Karasek 1979).³ We demonstrate that farmwork is associated with dirty, dangerous and difficult job demands (Bakker & Demerouti 2006), such as exposure to occupational hazards, pressure to maintain high levels of productivity, long weekly hours, and job insecurity. At the same time, we show that job resources (Bakker & Demerouti 2006; Karasek 1979), such as fair remuneration, job security and opportunities for promotion, which can serve as buffers against the impact of job demands on “job strain” (Karasek 1979; Karasek and Theorell 1990) available to farmworkers are deeply limited. Yet, we contend that while notions of “job demands,” “job resources,” and “job strain” advanced by the above-cited authors can be useful in apprehending and analyzing the employment experiences and needs of workers in agriculture, this framework assumes a citizen-worker holding a full-time continuous (i.e., permanent) job complete with a suite of entitlements and a often social wage – a standard employment relationship, so to speak (Vosko 2010). Consequently, the job demands/job strain model does not adequately capture the experiences of *migrant* farmworkers employed on fixed-term seasonal contracts and holding temporary or undocumented residency status. For this reason, we suggest that the notion of “employment strain” devised and advanced in scholarship on precarious employment, is of greater analytical value to our study. This “employment strain” perspective expands the job strain model to include employment *relationships*, such as temporary and contract-based employment, and employment relationship support, while attending to the effects of insecure residency status (see especially Lewchuk et al. 2006; Vosko 2006). In recognizing the intersections of precarious employment and insecure residency status, the engagement of an employment strain perspective herein thus seeks to address how longstanding immigration and labour laws, policies and practices, persisting alongside COVID-19 specific public policy interventions aimed at improving the quality of and access to job resources for migrant farmworkers, reinforce labour market insecurities confronted by this group of transnational workers. For instance, migrant farmworkers’ employer-specific work permits foster an ever-present threat of repatriation to one’s country of origin, otherwise known as ‘deportability’ (Basok, Bélanger & Rivas 2014; Vosko 2013 & 2019), heightening levels of employer control (Binford 2009) and impacting workers’ well-being in a multitude of ways.

Attention to employment relationships also points to ways in which employer control shapes workers’ experiences when they are not working. For instance, migrant farmworkers typically live in congregate and employer-provided housing well-documented to be seriously lacking in essential resources like hot running water, kitchen supplies and space, ventilation, adequate toilets and showers, and laundry; such living conditions can inhibit well-being and, during a pandemic, intensify risks of transmitting COVID 19. Moreover, as non-citizens (both non-status and those holding temporary residency status) in Canada, strains, and workers’ responses to them, are produced through global inequalities in a transnational context, in which migrant workers in Canada are severed from their families and support networks that may serve as essential resources as well as a source of responsibility, often reflected by migrant farmworkers’ investment in their ability to send earnings home on a regular basis. In addressing these components of employment strain, the limits of job resources in buffering their effects are rendered more visible and complex.

Since for migrant farmworkers who reside on farms, the assumed separation between work and leisure is non-existent (Perry 2018; Horgan & Liinamaa 2017), strains associated with isolation, psychological hardships, and the poor living conditions unique to this workforce are vital components of employment strain, factors exacerbated by the conditions of prolonged forced confinement during the COVID-19 pandemic. Moreover, for migrant farmworkers, strain may also arise from prejudice and xenophobia on the part of the wider community. Viewed holistically, strains emanating from work, housing, community, and limited access to social and labour protections, amplified by the pandemic, undermine workers’ collective well-being.

³ An approach that draws on these notions is embraced in the studies commissioned by the ILO for its World Employment and Social Outlook Report of which this study is a part. However, in this report, we expand this perspective to include employment and other strains.

▶ 1 Methodology

This study adopts a mixed-method and team-based methodology to explore the relationship between Canada's TFWP, migrant farmworkers' risks to COVID 19, and their experiences working and living in Canada during the pandemic. We combine a hypothetico-deductive approach to public policy with a holistic-inductive (Patton 2015) orientation to in-depth interviews with migrant farmworkers. The insights we offer flow from "active mixing" of critical public policy analysis with insights from migrant farmworkers, a recursive and dialogical strategy, that seeks to produce practical directives towards transformative change (Denzin 2010; Mirchandani et al. 2018). To interrogate public policy and centre worker's experiences, we bring an employment relations lens to the jobs strains model because, we contend, this lens recognizes and reveals more effectively the structural conditions of the TFWP, the precariousness that characterizes migrant farmworkers' work and residency status, and the interpretive field through which workers navigate, negotiate, and make sense of the options available to them.

In conducting our research, we relied on multiple methods: administrative data analysis; policy and media analysis drawn from the beginning of the pandemic in early 2020 through to March 2022; and semi-structured interviews of workers. Critical public policy analysis focused on federal and provincial laws and policies directed at migrant farmworkers issued principally in response to the COVID-19 crisis and submissions to and minutes of board meetings of local public health units. Informing our profile of Canada's 2020 migrant workforce, illustrating trends in entry, source country concentration, and rates of COVID-19 transmission, statistical analysis of administrative data drew on customized data requests from Immigration, Refugees and Citizenship Canada (IRCC) and publicly accessible data. In turn, media analysis entailed an extensive survey of Canadian-based reporting on policy development and on-farm outbreaks, revealing how the life and death implications of poor working conditions in agriculture reached a flashpoint in public discourse with a surge of media attention, particularly in the pandemic's first and second waves, highlighting the insufficiency of policy interventions in producing meaningful protections for essential migrant farmworkers.

The qualitative component of the study employed purposeful sampling (Patton, 2015) to conduct semi-structured in-depth interviews with thirty migrant farmworkers enrolled in two streams of TFWP as well as non-status migrants employed in agriculture in Quebec and Ontario (Atkinson & Hammersley 1994; Tedlock 2000). Through this method, we were able to capture workers' perceptions and experiences of their work and residency and explore the nature of the social phenomena under study, instead of setting out to test hypotheses about them (Atkinson and Hammersley 1994, 248). The guide that structured our interviews derives insight from the jobs-strain model as requested in the initial call for studies, but the interviewing strategy we undertook seeks to activate narratives that include the unique dimensions of migrant farmwork (such as employer-provided housing) that transcend the job-strain model. This open-ended approach to interviewing gave migrant farmworkers space to share the meanings and interpretations (Tedlock 2000: 470) that they assign to their experiences as agricultural workers in Canada. Our research took place between October 2021 and February 2022 in Quebec and Ontario, Canada's two most populous provinces and those in which a majority of migrant farmworkers in Canada are employed. In 2020, for instance, 50,126 temporary migrant farmworkers were employed in Canadian agriculture. That year, approximately 22,834 of such workers (or 45.6 per cent of all migrant farmworkers in Canada) worked in Ontario, while 13,094 (or 26 per cent of all migrant farmworkers in Canada) worked in Quebec (Hou, Picot, & Xu 2021). In the province of Quebec, we conducted the interviews in the Capitale-Nationale region and in the Montréal region. In the case of Ontario, we conducted all but one interview in the Leamington area and one interview in the Niagara region.

To recruit participants for this study, we relied on several strategies, including our previous contacts among migrant workers, as well as referrals by migrant support organization in Ontario and Quebec. In Quebec, RATTMAQ (Assistance Networks for Migrant Agricultural Workers in Quebec) played a vital part in our research. Not only did RATTMAQ put us in touch with many migrants, but a staff person from this organization emphasized to the workers the importance of our research project, thus encouraging them to share their stories with us. In addition, we also used snowball sampling to recruit other participants. We offered

a small monetary compensation for the time migrant farmworkers spent answering our questions. The interviews were carried out in different places, for example in public spaces, in the homes of workers, on the premises of support organizations, and in the workplace. We also conducted some interviews remotely through the WhatsApp application. The interviews were digitally recorded, transcribed, and subjected to primary and secondary analytic coding using a qualitative coding frame (Schrier 2014). The interviews were analysed using thematic analysis (Braun & Clarke 2006) a flexible, recursive strategy that lends itself to the dialogical and dynamic approach we take here. While we retain the themes generated from the interview guide, we foreground the way workers narrate their experiences of work and COVID-19 to problematize and render visible linkages, incongruities, perceptions, and silences between policies, practices, and the lived experiences of migrant farmworkers. All names utilized in this study are pseudonyms.

▶ 2 COVID-19 in Canada

2.1 Rates, Clusters, Outbreaks and their Drivers

As of 10 April 2022, when some Canadian provinces' public health departments declared a sixth wave (on Ontario, see PHO 2022; on Quebec, see INSPQ 2022), Canada had faced five waves of COVID-19 outbreaks⁴ and reported a total of 3,568,337 cases of COVID-19 and 38,003 deaths resulting from complications related to the virus. Retrospectively, the magnitude of outbreaks varied regionally across the country, with Alberta and Saskatchewan seeing some of the highest rates of infection (pushing above 7,000 cumulative cases per 100,000 people by November 2021), and with the maritime provinces reporting around or below 1,000 cumulative cases per 100,000 people.⁵ Likewise, Canada's provinces and territories have taken different approaches to curbing the spread of the virus. For example, in July 2020, the maritime provinces formed a travel bubble where residents of Nova Scotia, New Brunswick, and Prince Edward Island were free to travel between the three provinces, whereas residents of all other provinces and territories were required to self-isolate for 14 days upon arrival. Meanwhile, despite documenting the highest rise in case rates in North America in May 2021, Alberta was the first province to drop all COVID-19 related restrictions (in July 2021), ending mask mandates in public transit, taxis, and schools (Assaly 2021). Approaches to school closures also varied regionally; some provinces, such as Ontario, closed public schools and instituted online learning for months on end, whereas others, such as Quebec, facing similar outbreak levels, only instituted mandatory online learning for a few weeks at a time. As of 3 April 2022, the country's full vaccination rate of those 5 years and older was 86 per cent, with some regional variation (for example, 85 per cent of those 5 years and older were fully vaccinated in Alberta compared to 90 per cent in Quebec).

Rates of infection also varied across industries and among workers, often on account of demands placed on those deemed "essential." Unsurprisingly, those treating COVID-19 patients were rapidly impacted such that, in July 2020, at the tail end of Canada's first wave, health care workers with COVID-19 accounted for 19.4 per cent of total cases (namely, 21,842 of 112,672 total cases nationally). While the number of cases among health care workers grew throughout the pandemic, their share of cases fell as it continued: in June 2021, they accounted for 6.8 per cent of all cases (as of 15 June 2021, 94,873 healthcare workers had contracted COVID-19) (CIHI 2021). Beyond health care, worksite outbreaks occurred early in large meat-processing plants (April 2020), likely on account of the sector's need for onsite work at specific times under conditions where physical distancing is often impossible. Such outbreaks included a large meat processing plant in High River, Alberta, where more than one-third of Canada's beef is produced; in this case, more than 900 workers tested positive, and two workers died, among the 2,000 mostly new immigrants employed (Croteau 2020). Other meat processing plants in Alberta, Ontario, Quebec, and British Columbia experienced large-scale outbreaks and were forced to stop or slow production (Blaze Baum, Tait & Grant 2020). By December 2020, *The Globe and Mail* reported that infections spreading in manufacturing, including food manufacturing, warehouses, and construction worksites had surpassed cases in long-term residential care homes (the primary site of first-wave outbreaks in Canada) and accounted for 15 percent of continuing outbreaks in Ontario and 22 percent in Quebec (Marotta 2020). Oil-sands worksites in Alberta also proved to be particularly prone to extremely large outbreaks, at least two oil-sands worksites reported over 1,300 cases each in May 2021 (Yourex-West 2021), while Public Health Ontario reported that, as of 27 November 2021, farms and food processing plants had high numbers of workplace related transmission, reporting 3,238 and 3,995 cumulative cases, respectively (PHO 2021).

⁴ The first wave began in March 2020 and ended in June 2020 (highest daily count was 2,760 new cases); the second wave was between November 2020 and February 2021 (highest daily count was 8,766 new cases); the third wave was between March 2021 and June 2021 (highest daily count was 9,570 daily cases) (CIHI 2021); the fourth wave began in August 2021 and lasted until October 2021; and the fifth wave began in December 2021 and appeared to end February 2022 (highest daily count was over 55,000 new cases) (PHAC 2022), though reporting is also impacted by some provinces' decision to limit PCR testing to only high-risk populations. In late March 2022, one analysis projected Canada was entering a sixth wave (Camillo et al. 2022).

⁵ British Columbia, Manitoba, Ontario, and Quebec each documented between 4,000-5,000 cumulative cases per 100,000 people by November 2021 and the territories experienced late but rapid surges in cases in late 2021.

In its first four waves, the pandemic's effects on workers were also racialized and gendered. Analysis of Statistic Canada's Labour Force Survey (LFS) data reveals that racialized workers, that is, persons, other than indigenous people, who identify themselves as non-Caucasian or non-White, are overrepresented in the industries accounting for 80 per cent of job losses during the initial waves of the pandemic, that is, between August 2020 and June 2021 (such as accommodation & food services, information, culture, and recreation, and wholesale & retail trade) (Alook et al. 2021). Meanwhile, LFS data also show that 56 per cent of racialized and white women workers employed between August 2020 and June 2021 worked in occupations with the highest risk of infection based on a Canadian adaptation of the O*Net index of physical proximity⁶ (high risk occupations include child care workers, personal support workers, cashiers, nurse practitioners, meat, poultry, and fish cutters and trimmers, among others), compared to 33 per cent of racialized men workers and 28 per cent of white men workers employed in this category of high risk jobs during this same time period (Alook et al. 2021).

Such variance across industries as well as among workers highlight the need to evaluate whether and the degree to which government policies aiming to secure labour supply for essential industries protected workers, including racialized migrant farm workers on temporary visas, from high rates of infection.

2.2 Canada's Partial Border Closures and Efforts to Activate Domestic Labour Markets in Essential Industries

In early March 2020, the beginning of the first wave of the COVID-19 pandemic in Canada, as daily cases began to rise, the government of Canada made overarching recommendations for work-from-home policies (10 March) and, eventually, usage of masks (7 April), published guidance on self-isolation (11 March), and began to issue travel restrictions. On 18 March, Canada closed its border to non-citizens for non-essential travel, and on 24 March, the federal government announced a mandatory 14-day self-isolation period for those returning from foreign travel. With respect to the travel ban, however, exemptions were made for international students and migrant farmworkers in an effort, as Immigration, Refugees and Citizenship Canada (IRCC) (2020b) proclaimed, "to safeguard the continuity of trade, commerce, health and food security for all." Meanwhile, on 6 April 2020, the federal government launched the Canada Emergency Response Benefit (CERB), a \$2,000 CAD monthly income support, for workers who lost income as a result of the COVID-19 pandemic.

Complementing these efforts was a rapidly-implemented suite of government interventions to ensure labour force participation in essential industries. On 8 April 2020, in an effort to activate a growing portion of the domestic workforce experiencing unemployment related to social distancing requirements and mass layoffs in sectors such as food services and accommodations, the federal government expanded the Canada Summer Jobs Program, raising wage subsidies from 50 per cent to 100 per cent of the provincial minimum wage for public and private sector employers in need of workers to deliver essential services (PMO 2020). To further activate labour in essential services, immigration officials expedited hiring processes to move unemployed migrant workers, already present in Canada on closed work permit, threatened with a loss of residency status, into essential jobs, approving those who had secured jobs to start working even before a work permit was issued (IRCC 2020a). Additionally, on 23 April 2020, the federal government lifted the restriction limiting international students to a maximum of 20 hours of paid work per week, provided they were employed in an essential service or function, such as health care, critical infrastructure, or the supply of food (IRCC 2020b). Because international students were excluded from the Canada Emergency Student Benefit, which provided financial support to post-secondary students unable to find employment due to the pandemic, and travel to their country of origin was either impossible or very difficult, many international students were left with no other option but to work in essential and often front-line industries, including in agriculture, during the first and second wave.

⁶ This metric provides a score (out of 100) for how close workers in different occupations get to customers, clients or other workers; occupations deemed "highest" risk include those occupations that fall in the top 30 percent of occupations on the O*Net scale (Canadian adaptation (Alook et al. 2021)).

Meanwhile, some jurisdictions implemented industry-specific measures to recruit workers into essential work; for example, starting 15 April 2020, Quebec implemented a \$45-million program to recruit residents into farm work with a \$100 weekly bonus (Government of Quebec 2020). Indeed, Canada's early decision to keep borders open to migrant farmworkers, alongside efforts to activate local workers in essential industries and jobs, such as agriculture and farmwork (for example, harvesting) respectively, reflects the country's deep reliance on this group for its local food supply.

2.3 Agriculture in Canada: An Essential Industry and Major Site of COVID-19 Outbreaks

In 2019, Canada issued 56,710 temporary work permits in agriculture under its Temporary Foreign Worker Program (TFWP). The possibility of temporary labour migration being interrupted by emergency public health measures in 2020, particularly international travel restrictions, thus posed potentially devastating consequences for growers dependent on migrant farmworkers who labour season-to-season in jobs undesirable to citizens or permanent residents. Under pressure from agricultural producers (Powell 2020; Grant 2020), the federal government lifted travel restrictions for agricultural workers and issued 52,040 temporary work permits in agriculture (a number comparable to previous years (IRCC 2022)). Unfortunately, these worksites proved to be prone to COVID-19 outbreaks. Although estimates vary by source, in Ontario, Canada's most populous province and home to the majority of migrant farmworkers, alone, over 1,000 migrant farmworkers tested positive for COVID-19 between April and July 2020.⁷ Thus, while Ontario documented 36,594 cases by July 2020 (namely, 250 per 100,000) (Detsky & Bogoch 2020), the rate of infection among migrant farmworkers, 20,015 of whom entered Ontario during the spring and summer growing season, was approximately 4,996 cases per 100,000 people. Three workers from Mexico died from the virus in Ontario during 2020 raising questions prompting a death review panel by Ontario's Deputy Chief Coroner on which one of the authors of this report served (Jhirad 2021). Bonifacio Eugenio-Romero, a 31-year-old migrant farmworker, died of COVID-19 complications in Windsor-Essex on 30 May 2020, following significant delays in receiving medical treatment. Twenty-four year-old Rogelio Muñoz died in an Essex County hospital in early June. And Juan Lopez Chaparro, a 55-year-old father of four, died on 18 June 2020 in a London, Ontario hospital after fighting COVID-19 for three weeks.⁸ While Public Health Ontario (2020) documented 49 outbreaks on farm worksites in 2020, the scale of outbreaks on individual Ontario farms was significant: data from Ontario's Workplace Safety and Insurance Board reveal that the farms with the largest outbreaks filed between 100 and 200 lost time claims related to COVID-19 in 2020 (WSIB 2021).⁹ Outbreaks on farms continued throughout the shoulder and into the 2021 season such that by 27 November 2021, Public Health Ontario (2021) documented 3,238 positive COVID-19 cases associated with 253 reported on-farm outbreaks (cumulative from April 2020). Moreover, between March and June 2021, five workers died during the mandatory quarantine period upon arrival in Ontario, at least one of which, Fausto Ramirez Plazas, from Mexico, from complications arising from COVID-19, which he contracted while quarantining upon arrival in Canada (Caxaj et al. 2022; MWAC 2021).¹⁰ Outbreaks likewise occurred on Quebec farms, although the Quebec INSPQ does not provide cumulative data of the order of its Ontario counterpart.¹¹ High infection rates and mortality among migrant farmworkers are rooted in systemic gaps in protections and limited access to rights among migrant farmworkers before and during the pandemic; in other words, this lack of adequate protections and rights contribute to employment strains for migrant farmworkers. Before identifying these protection gaps and discussing their impact on employment strains among migrant farmworkers in Canada, however,

⁷ On 7 July 2020, the Toronto Star reported that infected migrant farmworker count surpassed 1,000 (Mojtehdzadeh 2020b), and, through a survey of local public-health units, the Globe and Mail also reported over 1,000 cases among migrant farmworkers on 13 July 2020 (Baum & Grant 2020b).

⁸ Following calls for a public inquest into these deaths, the Office of the Chief Coroner launched a confidential review of migrant workers who died after contracting COVID-19, yet advocates and media characterized this review as no substitute for a much-needed public inquest (Mojtehdzadeh & Mendleson 2021).

⁹ The farms with the greatest number of claims were Scotlynn Sweetpac Growers Ltd (199); Nature Fresh Farms Inc. (195); Highline Produce Limited (171); Agriville Farms Ltd. (147); Greenhill Produce Ltd. (124) (WSIB 2021).

¹⁰ Logan Grant, from Jamaica, died March 22, 2021, while in a quarantine hotel (cause of death unknown); Romario Morgan, from St. Vincent, died 29 April 2021, also while staying in a quarantine hotel (cause of death unknown) (MWAC 2021; Mojtehdzadeh & Keung 2021). Jose Antonio Coronado, from Mexico, died shortly after arriving in the St. Elgin, Ontario area on 21 April 2021, and an unnamed worker from Guatemala died in June 2021 while isolating upon arrival in Ontario (Mojtehdzadeh & Keung 2021).

¹¹ For media accounts, see Meza 2020; La Plante 2020; Champagne 2021a.

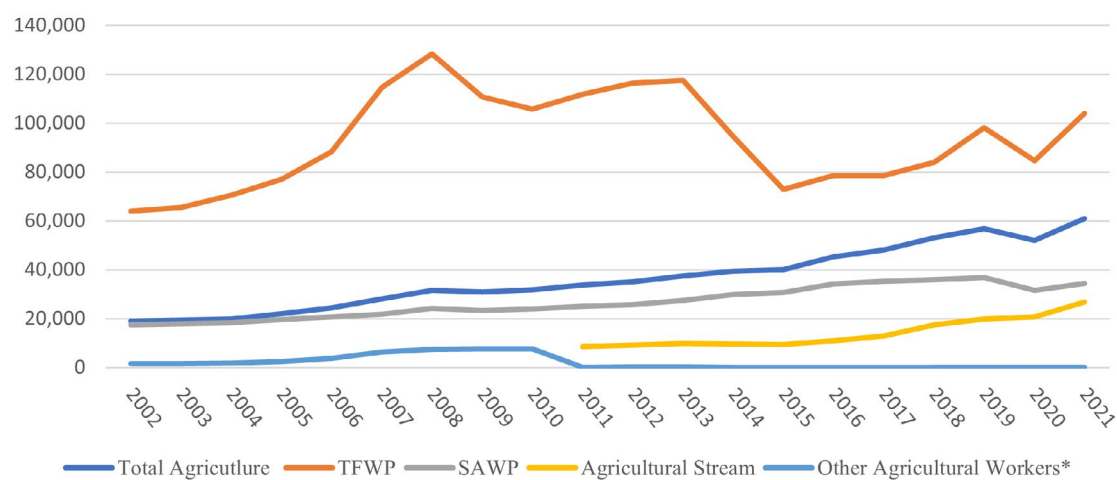
we describe the temporary migration programs that enable Canada's food industry to recruit and engage migrant labour. Next, we outline measures adopted by the federal government to secure labour for agricultural production while providing some income replacement supports for workers. We also review some provincial, and regional policies and practices to mitigate the spread of the COVID-19 virus among agricultural workers, demonstrating that these measures resulted in limited resources to mitigate against the additional employment strains that the pandemic imposed on the migrant farm workers.

▶ 3 Migrant Farmworkers and Public Policy Interventions in Canada

3.1 Migrant Farmworkers' Situation in Canada: The Nexus of Employment Strain and Insecure Residency Status

Migrant farmworkers in Canada include both legally-authorized migrants entering under temporary labour migration programs designed to manage migration, as well as migrants labouring without a valid work permit. While data on workers without legal status in Canadian agriculture is limited (Goldring & Landolt 2021), there are thousands of migrants working without work permits across the country; some estimates claim that up to 2,000 “undocumented” workers are located Ontario farming region Windsor-Essex alone (Gatehouse 2020). A majority of migrant farm workers in agriculture, are, however, legally-authorized and enter Canada principally through two subprograms of the Temporary Foreign Worker Program (TFWP) -- the Seasonal Agricultural Worker Program (SAWP) and the Agriculture Stream. The TFWP allows Canadian employers, who claim that they cannot fill positions domestically, to hire migrant workers for temporary employment in Canada. With origins in bilateral agreements negotiated with specific states, the TFWP model is based on labour market tests, known contemporaneously as Labour Market Impact Assessments (LMIAs), questioned for the prioritization of meeting employer demands for labour over worker protection (Marsden, Tucker & Vosko 2021a), and justified on the basis of discourses of so-called labour scarcities or shortages (Sassen 1980; Sharma 2006; Hennebry & Preibisch 2012). LMIAs are used by Canada’s national labour ministries (namely, Employment and Social Development Canada (ESDC) and Service Canada), to evaluate whether hiring foreign nationals will negatively impact their labour markets. This determination is required for the issuance of a work permit by Immigration, Refugees and Citizenship Canada (IRCC). Although the TFWP was the predominant temporary migrant work program in Canada in the early-2000s, since the mid-2010s the number of TFWP work permit holders have declined on account principally of concerns related to worker protection, on the one hand, and protectionism on the other hand (Marsden, Tucker & Vosko 2021a)¹². However, on account of the still significant employer demand, as Figure 1 shows, even though the TFWP as a whole contracted during this period, its most restrictive subprograms - the SAWP and the Agriculture Stream - grew slightly. Simultaneously, they came to represent a significant proportion of its TFWP; for instance, Agriculture Stream and SAWP participants accounted for 62 per cent of all TFWPs in 2020.

¹² Meanwhile, the decline in TFWP permit holders coincided with the expansion of Canada’s less regulated International Mobility Program, which provides temporary and typically open work permits to postsecondary students and recent graduates, accompanying spouses, working holidaymakers, specialized knowledge workers, intercompany transferees, and other groups -- all of which are typically characterized by more open work permits and, in many cases, pathways to permanent residency (on the precarious character of IMP subprograms, see Vosko 2020).

► **Figure 1 : Work Permit Holders in Canada by Year in which the Permits Became Effective, 2002-2021**

Source: Vosko and Spring 2021 utilizing IRCC 2022 data.

*The “Other Agricultural Workers” stream includes high and low-wage agricultural workers working in production that is not included on the National Commodity List; the participation rate in this program has steadily declined since 2011 (when the Agricultural Stream was first introduced) and has sat at zero since 2018.

Canada’s largest and most longstanding program under the TFWP, the SAWP, has operated to meet agricultural employers’ need for low-wage, flexible labour on a seasonal basis without interruption since 1966. It enables circular migration and functions through agreements between the governments of Canada and Mexico and Canada and Caribbean states; as Table 1 shows, Mexico and Jamaica are the predominant source countries of origin for SAWP participants. Bilateral agreements set out the terms and conditions under which migrant farmworkers drawn from participating countries migrate to Canada temporarily.

► **Table 1: Work permit holders under the Seasonal Agricultural Worker Program (SAWP) of the TFWP, by Country of Citizenship (All 10 Participating Countries), 2011-2021***

Source Country	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Mexico		17,815	18,560						25,940		
Jamaica	6,655	6,370	7,150	7,705	7,730	8,580	8,745	9,050	9,175	8,020	8,830
Trinidad and Tobago, Republic of	1,000	880	1,035	1,025	775	795	795	780	835	450	490
St. Vincent	190	170	210	210	225	240	285	285	320	310	245
St. Lucia	140	145	180	200	230	210	270	185	150	170	130
Barbados	185	175	140	165	170	175	165	180	165	120	100
Dominica	110	100	130	115	110	125	130	105	125	100	105
Grenada	65	45	65	60	45	65	90	120	110	110	60
St. Kitts-Nevis	25	20	45	30	25	25	20	15	--	--	

Source Country	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Antigua and Barbuda	--	--	0	0	--	--	--	--	0	--	
SAWP Total		25,720	27,515						36,820		

Source: IRCC 2022.

*"--" denotes values between 0 and 5, which are withheld by IRCC for privacy reasons.

Migrant farmworkers' conditions of entry under the SAWP produce precarious migration statuses (Goldring & Landolt 2011). Temporary work permits provided under the SAWP allow for a maximum 8-month stay. They are also employer-tied, and permit growers to terminate and effectively repatriate workers prior to the expiration of their work permits if insufficient work is available or for other reasons (for example, illness or injury) (Satzewich 2007; Binford 2013; Basok, Bélanger & Rivas 2014; Vosko 2019). At the same time, the SAWP permits circularity or rotation; that is, SAWP participants that do not confront these obstacles are enabled to return year-after-year and many, including many in our sample, take part in the program longterm. Quite uniquely, unlike other many other international mobility and temporary migrant work programs, SAWP does not allow for spousal or family accompaniment, even though its recruitment policies prioritize workers with dependents (Rajkumar et al.2012); paradoxically, as some scholars have noted, this recruitment strategy works to ensure participants' annual return to countries of origin (McLaughlin, 2010; Wells et al., 2014; McLaughlin et al. 2017).

In addition to SAWP, Canadian growers may recruit migrant labour through the Agricultural Stream (AS). An outgrowth of The Pilot Project for Occupations Requiring Lower Levels of Formal Training (NOC C and D) (HRSDC 2011), which originated in 2002 and extended to agricultural workers in 2011,¹³ the younger (but rapidly growing) AS, like the SAWP, only encompasses primary agricultural work (namely, anything on the National Commodities List) (ESDC 2021a). Under the auspices of the AS, employers must also obtain a favourable LMIA to secure work permits. Unlike the SAWP, however, bilateral agreements between Canada and sending countries do not underpin the AS; consequently, the more highly de-regulated AS involves less mediation on the part of government, including in the recruitment of migrant labour and thus private recruiters play a central role. In this context, AS participants face unique challenges that can heighten precariousness; for example, private recruitment agencies may engage in questionable and illegal activities, including the sale of fake visas, charging workers' recruitment fees, and the misrepresentation of jobs (see for e.g., Gesualdi-Fecteau et al. 2017; Gabriel & Macdonald 2018). The AS provides work permits for a maximum of 24 months (also with no option for spousal family accompaniment), and while participants may apply for a new permit if they wish to continue working in Canada and secure a job offer, circularity is not built into the design of the program as it is for a stay that does not exceed eight months. Despite this longer maximum duration of their stay (recall that the SAWP only allows for a max 8-month stay), work permits issued to migrant workers under the AS are, akin to the SAWP, tied to specific employers. Thus, while they reside in Canada, under both the SAWP and the AS, migrant farmworkers are not permitted to circulate freely in the labour force and even face constraints in transferring between agricultural employers (see for e.g., ESDC 2021b, XV 1-3); in this way, producing considerable "strains" beyond the job and even the employment relationship (for example, pertaining to residency status), conditions attached to work permits serve to undermine worker voice, and to inhibit any behaviour that might characterize migrant farmworkers as "trouble-makers" (Binford 2009).

Also, in contrast to the SAWP, the AS provides permits to workers from any country, and while Guatemala is the top source country for the AS, the participation of workers from Mexico, India, and Jamaica rose substantially in the late 2010s (see Table 2). In its first five years (2011-2015), annual numbers of AS permit-holders were relatively stable, ranging from a low of 8,490 to a high of 9,800. However, the numbers

¹³ This stream is also referred to as Pilot Project for Hiring Foreign Workers in Occupations that Require Lower Levels of Formal Training as well as the Low-Skill Pilot (see for e.g., CIC 2013).

doubled between 2015 and 2019, reaching nearly 20,000 permit holders, over half of whom were citizens of Guatemala (see Table 2).

► **Table 2: Work permit holders under Agricultural Stream of the TFWP, by Country of Citizenship (Top 10 only), 2011-2021***

Source Country	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Guatemala	4,430	4,805	5,255	5,370	5,645	6,465	8,115	9,575	11,470	11,945	14,975
Mexico	390	705	655	445	495	875	995	1,755	2,030	3,180	4,645
India	50	60	85	175	260	515	1,165	2,285	2,195	1,190	1,085
Philippines	1,275	1,015	1,170	920	600	655	605	575	755	775	1,065
Thailand	575	635	610	555	490	640	580	710	705	785	850
Jamaica	275	335	375	370	250	285	170	620	575	720	840
Vietnam	25	35	5	0	--	10	80	230	250	370	535
Honduras	410	220	345	275	355	280	325	380	360	420	480
Nicaragua	200	215	235	285	290	295	285	315	350	255	370
Ukraine	65	205	240	280	205	185	110	170	175	165	265
Total Agricultural Stream	8,490	9,120	9,800	9,565	9,305	10,915	12,875	17,310	19,890	20,710	26,730

Source: IRCC 2022.

* "--" Denotes values between 0 and 5, which are withheld by IRCC for privacy reasons.

3.2 Protection Gaps, Limited Access to Rights, and Employment Strain

While the TFWP is administered by federal departments and agencies, management of this program is complicated by the jurisdictional complexities of the Canadian federal system. For instance, though the federal government has primacy over immigration and negotiates MOUs and standard employment contracts with sending states, Canada's provinces have the power to enact and enforce labour laws (except for workers falling in the federal jurisdiction) as well as policies applicable to (im)migrants. The provinces are also responsible for regulating and the provision of health insurance, while housing and public health measures are within the jurisdictional domain of municipalities. This patchwork of protection contributes to gaps in protections for and access to rights among migrant workers. Such gaps are heightened for migrant workers in agriculture in particular: although food production is a national priority, labour regulation falls within provincial jurisdiction and, in order to keep food costs low and farming competitive, many provinces either exempt or partially-exempt farmworkers (citizen and non-citizen alike) from legal protections (Preibisch 2007; Barnetson 2016; Vosko, Casey & Tucker 2019). For instance, Ontario and Alberta deny farmworkers access to statutory collective bargaining rights as well as minimum employment standards on the basis of "farm worker exceptionalism" (Tucker 2012; Vosko, Casey & Tucker 2019). Moreover, while agricultural workers, including those that are migrants, are technically covered by general (namely, not industry-specific) labour relations legislation in every other province in Canada, unionization among agricultural workers in Canada is

rare,¹⁴ even among those seeking to exercise rights to organize and bargain collectively. Moreover, migrant workers face particular challenges as employer- and time-specific work permitholders (on the particular challenges faced by migrant farmworkers seeking to organize and collectively bargain in British Columbia, see Vosko 2018; Vosko 2019). In contrast, agricultural workers in Ontario are included in the *Agricultural Employees Protection Act* (AEPA), which technically protects agricultural workers' right to form "employees' associations" and requires that employers give employees' association "reasonable opportunity" to make representations respecting the terms and conditions of employment (*Agricultural Employees Protection Act* 2002, s.5(1) and listen or read employees' associations' representations (*Agricultural Employees Protection Act* 2002, s. 5(6)), but does not include a duty to bargain.¹⁵

Migrant farmworkers labouring without valid work permits, do not, on account of their "undocumented" status, have access to either public or private health insurance and are unable to seek recourse if employers violate labour laws or employment standards; in contrast, bilaterally-negotiated SAWP employment agreements provide migrant farmworkers with certain entitlements with respect to their weekly hours, periods of rest, and wages as well as the accommodations, meals, and health insurance (see ESDC 2021b; ESDC 2021c). The AS does not bind employers to terms established under the SAWP employment contract negotiated by sending and receiving governments; before submitting an LMIA under the AS, an employer must nevertheless complete and submit an employment contract (either using a sample employment contract provided by ESDC or another contract that covers the same items for inclusion). This contract must outline provisions on wages and deductions, housing, transportation costs, and must indicate the employer will respect provincial labour laws and employment standards consistent with regulations adopted under the *Immigration and Refugee Protection Act (2002)*, starting in 2015 (ESDC 2021d; on changes emanating in 2015, see below; see also Marsden, Tucker & Vosko 2021b). For both SAWP and AS participants, however, these entitlements, or job resources, are limited or ill-enforced. For example, the SAWP requires employers to provide "clean, adequate living accommodations," free of cost (with the exception of BC), and the template contract for the AS requires that housing be inspected and fulfil the provisions for the National Minimum Standards for Agricultural Accommodations; however, the housing provided is generally "dilapidated, unsanitary, overcrowded and poorly ventilated" (Preibisch & Hennebry 2011, 1035; see also Díaz Mendiburo & McLaughlin 2016; Perry 2018; Preibisch & Otero 2014). Findings of qualitative interviews undertaken for this study, presented in sections to follow align with scholarship documenting such conditions, despite requirements of the program. As discussed in Part 4, several migrants interviewed found their accommodations to be overcrowded, lacking required facilities and appliances, and unsanitary – living conditions that, on account of the blurred boundaries between home and workplace, are central to their experiences of employment strain.

In addition to poor housing conditions, farmwork is also characterized by high rates of work-related illness and injury linked to job demands such as long working hours without adequate periods of rest (see for e.g., Hennebry et al. 2012; McLaughlin 2009), exposure to pesticides (Basok 2002), and other dangerous working conditions that contribute high rates of injury on the job within in a "climate of coercion" (Caxaj & Cohen 2019); interviews conducted for this study give credence to these and other job demands that compromise farmworker health and well-being on a daily and long-term basis. In an apparent effort to address well-documented working conditions, the SAWP requires employers to ensure migrant farmworkers are registered for provincial/territorial health insurance, and the template employment contract for the AS indicates that employers are to arrange and pay for private health insurance upon arrival and until workers are eligible for provincial public health insurance. In Ontario, SAWP workers are entitled to provincial health insurance upon arrival (see *Ontario Health Insurance Act*, Recommendation 522, section 1.3(2)), while AS workers are eligible after a three-month waiting period. In other provinces, such as Quebec, where SAWP workers are not eligible for provincial health insurance immediately upon arrival, private health insurance

¹⁴ According to Statistics Canada's *Labour Force Survey*, the union coverage rate in 2020 in the agricultural industry was 3.3%, such that approximately 4,200 agricultural workers were unionized that year. (Statistics Canada 2021a).

¹⁵ The Agricultural Food and Rural Affairs Appeal Tribunal (AFAART) affirmed in 2018 that "collective bargaining does not apply under the AEPA" (*United Food and Commercial Workers International Union v MedReleaf Corp.* 2018, para. 13). In phase two of this case, in which AFAART heard the United Food and Commercial Workers Association's complaint that AEPA (particularly Section 5, which outlines processes of representation) violates agricultural workers' associational rights guaranteed under Section 2(d) of the Charter of Rights and Freedoms, the AFAART found that section 2(1) and 5 of the AEPA do not violate the agricultural workers' associational rights protected by the Constitution. See *UFCW v MedReleaf Phase 2* 2020, para. 6.

must be acquired, though it can be paid for through deductions from wages (e.g., ESDC 2021b, V 2.c; VI 9). Private health insurance creates a range of barriers for migrant farmworkers insofar as some clinics do not provide direct billing to private insurers (Caxaj & Cohen 2020), compelling workers to pay out of pocket or neglect health concerns, and private insurers may refuse to cover certain health expenses. More broadly, despite legislative and contractual provisions around ensuring access to private and/or public health insurance, prevailing scholarship shows that workers often delay or neglect to seek the medical attention they require (Hennebry, McLaughlin, & Preibisch 2016). In combination, long working hours, lack of independent modes of transportation (Barnes 2013), limited knowledge of health insurance and/or coverage and how to access it, social isolation (Horgan & Liinamaa 2017), and fear of losing hours of paid work, termination, or medical repatriation (Orkin et al. 2014) create barriers to seeking health care. Here again, data gathered from interviews conducted for this study reinforce prevailing research findings. As some of the workers told us, their employers denied them access to health care. Furthermore, as discussed in Part 5, the fear of medical repatriation was a barrier to reporting COVID-19 symptoms and getting tested.

Job resources available to SAWP and AS participants, then, are circumscribed by: the limited number of workplace and housing inspections and their relative ineffectiveness (owing partly to the fact that farmworkers are excluded from key provisions of workplace laws (on the Ontario case, see Vosko, Tucker & Casey 2019); the application of a compliance model of enforcement of prevailing workplace laws and policies and provisions of standard employment agreements; and, their institutionalized deportability. With regards to receiving state government efforts to improve enforcement, for its part, in 2015, Canada introduced regulations to reduce exploitation and enforce workers' rights under the TFWP via amendments to the *Immigration and Refugee Protection Act (2002)*. But despite their protective aims, these measures are limited insofar as they rely on provincial authorities to enforce workplace laws characterized by multiple full and partial exemptions (Marsden, Tucker & Vosko 2021b). As this report reveals, the COVID-19 pandemic, particularly at its height in 2020/21, revealed deficiencies of such protections offered by standard employment agreements and federal regulations. These shortcomings were, moreover, linked to the fact that such interventions sought to balance worker protections with employers' interest in maintaining access to low-wage temporary labour force disempowered, in particular, by their institutionalized insecure residency or deportability (Vosko 2018). Characterized by the fear of being repatriated (DeGenova 2006) both immediately and from future migration for employment to Canada on account of the rotational character of the country's primary program in agriculture (Vosko 2019), this institutionalized deportability circumscribes migrant farmworkers' capacity to voice workplace grievances and/or to demand fair and safe working conditions, both individually and collectively (Basok 2002; Basok, Bélanger & Rivas 2014; Binford 2013; Vosko 2013 & 2019). As evidenced in the testimonies of study participants, it seriously compromises the effectiveness of existing "job resources".

Moreover, longstanding and more recent efforts to better protect migrant farmworkers and bolster "job resources" are constrained by workers' conditions of entry and insecurity of presence and their roots in countries have grown dependent on the exportation of labour (André 1990; Satzewich 1993 Chartrand & Vosko 2020). Similar to settler colonial states, such as Australia, New Zealand, and, increasingly, the United States, Canada grants migrant agricultural workers entry as economically *necessary* workers, available to work in jobs undesirable to citizen workers, but provides them with differential access to rights and entitlements available to citizens and permanent residents - including the ability to freely navigate the labour market without fear of repatriation, access to social supports like employment insurance in case of unemployment, and barrier-free access to publicly insured health care. In this context, migrant farmworkers habitually migrate to perform "essential" work (for example, preparation of fields, application of pesticides, fertilization, irrigation and harvesting, etc.), often at considerable risk to their own health and well-being (Vosko & Spring 2021). While sending states participating in the SAWP work with Canada to negotiate standard employment agreements outlining protections for participants and employ consular representatives in Canada to ensure participants' access to such critical protections, consular officials' role in addressing the poor living and working conditions to which migrant workers in agriculture are subject is inevitably complex given that one of the central motivations for these countries is to ensure that workers continue to participate in this program and support their household and communities by sending remittances. Additionally, because migrant farmworkers emigrate from contexts in which social well-being and economic security are circumvented by ongoing processes of land, resource, and labour expropriation, there is significant pressure on workers to join the *global* labour force (Chartrand & Vosko 2020). The possibility of sending

remittances from a wealthier country home is thus both a contributor to employment strain, insofar as it can heighten dependency on the employer, but also a job resource. For most workers interviewed for the study, the vast disparity between economic conditions in their countries of origin (be they in Latin America or the Caribbean) was the main driver for participation in temporary migration programs to Canada.

3.3 Federal Interventions focused on Agriculture

Complementing successful efforts to ensure migrant farmworkers were available and physically present to work during the pandemic via selective border enforcement, Canada set out to introduce new protections and benefits - or so-called job resources - for migrant workers labouring under intensified job demands. In March 2020, ESDC outlined temporary guidelines to which employers of migrant workers were to adhere. One intervention was the decision to mandate and subsidize temporary income replacement during a 14-day quarantine period upon arrival. To support farmers, fish harvesters, and all food production and processing employers engaging migrant workers, the federal government announced that each employer was eligible to receive \$1,500 per migrant farmworker subject to self-isolation upon arrival - a subsidy to be used to cover wages or costs of accommodations during this period (AAFC 2020). During their isolation period, employers of migrant farmworkers were to compensate employees for 30 hours a week, at the hourly rate of pay stipulated contractually (ESDC 2020a). The federal guidelines also indicated that employers could not authorize workers to work during the quarantine period, regardless of the nature of the work available (namely, tasks otherwise presumed to be acceptable during self-isolation, such as administrative tasks, were not to be performed). And, in 2021, the guidelines were updated to include a new provision barring employers from “deny[ing] assistance if the foreign worker requires the employer to assist with access to necessities of life” during the mandatory quarantine period (ESDC 2021).¹⁶ ESDC also issued guidance for employer-provided housing for migrant farmworkers, including the provision of separate housing for self-isolating and non-self-isolating workers and mandating that shared accommodations must allow for physical distancing, indicating, for example, that beds “must be at least two metres apart” and that common spaces must be cleaned and disinfected on a regular basis (ESDC 2020a, s. 11).

Yet, such interventions quickly proved insufficient in protecting migrant farmworkers during the pandemic. In terms of income support, while the mandatory and paid 14-day quarantine period upon arrival was a significant protective measure for migrant farmworkers, typically excluded from short- and long-term income supports, for workers who typically work a 50-60 hour week, compensation equivalent to 30 hours of work meant a significant loss of income and therefore remittances sent to support their families left behind, as the workers interviewed in our study acknowledged. Furthermore, not only did the government fail to provide income support for migrant farmworkers during mandated periods of return to countries of origin, it neglected to acknowledge many migrant farmworkers’ need for income supports during their seasonal employment contracts. Paradoxically, migrant farmworkers contribute to Canada’s Employment Insurance (EI) system, and, as such, they are technically entitled to its suite of special benefits (namely, Sickness, Compassionate/Caregivers’ and Parental Benefits), but requirements for an ongoing work permit and social insurance number (SIN), together with qualifying requirements tied to duration of employment, frequently mean that they are ineligible for such benefits as well as for the regular EI benefits to which they contribute. Meanwhile, though migrant farmworkers were technically entitled to the Canadian Emergency Relief Benefit, prior income requirements and other eligibility criteria that assumed recipients to be citizens made the benefit inaccessible to some.

One situation, exemplifying the effects of such limitations, is found in the case of a group of SAWP workers from Trinidad and Tobago, who were stranded in Canada in December 2020 due to travel restrictions. Initially, on the basis of a qualifying requirement pegged to hours of work for a specified period, shown to make regular EI benefits inaccessible to many temporary and part-time workers, both those residing permanently in Canada and migrating to work therein (Vosko 2012), these workers were unable to access income support via EI; that is, despite being physically present in Canada after their contracts came to an

¹⁶ In a move notable for its recognition of the need to better protect employer and time specific work permit holders’ conditions of employment, the 2021 update to ESDC’s guidelines, ESDC included a requirement that the mandatory 14-day self-isolation period is *additional* to the minimum 240 hours of pay specified in the SAWP contract.

end, their employer-specific work permits, which prevent migrant farmworkers from seeking employment elsewhere, made it impossible for them to be “ready and available for work” - a key requirement for eligibility for income replacement (Keung 2020).¹⁷ Climate disasters (both within Canada and sending states) during and beyond the pandemic, further illustrate the need for income support in the form of EI for migrant farmworkers whose work and/or travel might be interrupted. For instance, in 2021, flooding in the Sumas Prairie, an agricultural hub in British Columbia, resulted in the evacuation of flooded farms, prompting repatriation and/or unemployment for hundreds of migrant farmworkers without access to income supports (Xu 2021; Grochowski 2021).

Additionally, while ESDC’s guidance around accommodating social distancing and providing separate accommodations for infected workers is a potentially significant intervention considering employer-provided housing in Canadian agriculture is notoriously poor, it quickly became clear that such guidelines were insufficient. Despite ESDC’s requirements, the persistence of poor housing conditions came into public view early on during the pandemic. For instance, national news outlets reported on a video taken by a migrant farmworker on June 16, 2020 revealing living conditions in a Windsor-Essex bunkhouse that did not allow for physical distancing: bunkbeds separated by cardboard and bedsheets positioned only a few feet apart (CBC News 2020c; J4MW 2020);¹⁸ other workers, upon contracting COVID-19, described to the *Globe and Mail* “overcrowded living conditions, including small bedrooms with multiple sets of bunk beds” as well as “ill workers living with healthy ones, leaky toilets, and showers that only ran hot water” (Baum & Grant 2020a). Moreover, migrant farmworkers living in employer-provided accommodations reported being required by their employers to remain in crowded bunkhouses, with bicycle riding and grocery shopping prohibited (Mojtehdzadeh 2020; Hennebry et al. 2020). According to the workers interviewed in our study, employer-implemented restrictions on leaving the farm exacerbated their social isolation and feelings of entrapment, given especially that virtually no COVID-19 protections were put in place in their dwellings. Yet, as the Report of the Auditor General Report of Canada, published in December 2021, found ESDC’s 2020 inspections of farms employing migrant farmworkers found almost all employers compliant with the COVID-19 regulatory requirements governing housing (Office of the Auditor General of Canada 2021). The highly critical report of the Auditor General of Canada nevertheless shows that quarantine inspections had little or no evidence to support a determination of compliance and, where employers were documented to be in violation of these requirements, they were still deemed compliant (Office of the Auditor General of Canada 2021) -- an issue that only got worse in the 2021 season. Similarly, outbreak inspections were not conducted in a timely manner and, in a majority of cases, they did not contain evidence on whether or not employers provided sick or symptomatic workers with separate accommodations to self-isolate. These findings are consistent with past scholarly research, hitherto neglected at a policy level, that underscores shortcomings in the pre-pandemic compliance-based federal enforcement and inspection regime for temporary migrant workers, such as migrant farmworkers (Marsden, Tucker, Vosko 2021b; see also Tucker & Vosko 2021).

Throughout the pandemic, migrant farmworkers with closed work permits working and living under unjust and/or unsafe circumstances were eligible to apply for the Open Work Permit for Vulnerable Workers, a pre-pandemic federal program introduced in June 2019 that aims to provide open work permits to workers deemed to be “experiencing or at risk of abuse” (IRCC 2020c). In fact, one of the workers interviewed in our study, did apply for an open work permit under this program. However, despite the tenor of this policy response, the adjudication of applications is unclear, concerningly as a 2022 study conducted by Vancouver’s Migrant Workers Centre found that as of 31 July 2021, only 57.1 per cent of applications made under the program were granted (Aziz 2022). In reviewing immigration officers’ decisions on applications made under the program, the study found that officers applied a contracted definition of financial abuse and required significant evidence to support allegations of psychological abuse (Aziz 2022). The initiative also does not

¹⁷ In March 2020, Trinidad and Tobago closed its borders to all international flights due to the COVID-19 pandemic, but 505 essential Trinidadian workers were still permitted to travel to Canada under the SAWP to fill jobs integral to the nation’s food supply (IRCC 2022). Yet these Trinidadian SAWP workers lost access to income in Fall 2020 when the harvest season ended until 15 December 2020 – the same day SAWP workers’ employer-specific work permits expire annually – when IRCC introduced a special provision that allowed the stranded workers to apply for an open work permit, which would make them EI eligible until their departure (Vosko and Spring 2021).

¹⁸ On a similar situation in Quebec, see: “La pandémie a forcé les entités gouvernementales, dont l’Institut national de santé publique du Québec (INSPQ), à prendre acte que les normes minimales de logement pour ces travailleurs ne permettent pas de respecter la distanciation recommandée” (Champagne 2021b).

protect workers not currently in Canada, a limitation affecting migrant farmworkers participating in the SAWP and engaged in circular migration but also AS participants who are able to temporarily travel internationally during their up-to-two-year closed work visa. For instance, one migrant farmworker, interviewed in our study, was on vacation in Mexico and planning to return for his second year of a two-year contract under the AS, when he was fired. This worker felt he was unjustly terminated but was deemed ineligible for an open work permit since he had already returned to Mexico.

3.4 Provincial and Regional Policy Interventions focused on Agriculture

Given the complex jurisdictional framework in which regulation and protection of temporary migrant labour in agriculture takes place, provincial governments and regional health units also made efforts to better protect migrant farmworkers from the spread of COVID-19. For instance, in Ontario, the provincial labour department targeted high-risk workplaces, including farms, with COVID-19 related inspections. By December 2020, Ontario's Ministry of Labour, Training, and Skills Development conducted 375 proactive and 95 reactive COVID-19 related inspections on farms and had issued 123 COVID-19 related orders to employers in agriculture (Government of Ontario 2021). Yet, despite these efforts, an inspection blitz in Southern Ontario agricultural hub Windsor-Essex in early 2021 still found 1 in 5 farms non-compliant with rules around social distancing and masking. As we learned from interviews with workers in Leamington, Ontario, on many farms social distancing or masking were not strictly enforced, and no additional measures (for example, provision of air filters) were adopted. Existing temporary wage-loss supports, including those provided by Quebec's Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) and Ontario's Workplace Safety and Insurance Board (WSIB), were also available to migrant farmworkers at this time. As of December 2021, 2,796 lost-time claims related to COVID-19 in agriculture were allowed by WSIB since the beginning of the pandemic (WSIB 2021), and, while industry-specific data is not available in Quebec at the time of writing, in 2020 CNESST recognized across industry, 11,717 of 16,614 COVID-19 related claims (CNESST 2020). However, among the workers we interviewed only one received temporary wage-loss support via WSIB even though seven other workers were placed in quarantine due to COVID-19.

Adding to ESDC's guidance, provinces also issued recommendations to employers in agriculture seeking to manage on-farm outbreaks. Ontario Ministry of Health, for instance, recommended that employers limit or decrease congregate housing, organize workers into cohorts, screen workers for COVID-19 symptoms daily, facilitate physical distancing, among other suggestions (Ministry of Health 2020). In contrast, Quebec's Public Health Branch of the Ministry of Health and Social Services issued much stronger recommendations and requirements, mandating that, for example, during mandatory quarantine periods upon arrival, temporary foreign workers be isolated in individual rooms with private bathrooms, be provided with means of communication and sources of entertainment (video games, radio, or television), as well as food, laundry services, and hygiene products (INSPQ 2021). The Public Health branch also recommended developing a post-quarantine housing plan that separates contagious and potentially contagious workers from each other as well as from other migrant farmworkers, and asked employers to avoid using dormitories with 3 or more beds and instead ensure workers are housed in single or double occupancy rooms (INSPQ 2021).

Given some of the shortcomings of federal and provincial guidance for employers of migrant farmworkers, some farming regions in Ontario also issued COVID-19 related guidelines targeting migrant farm workers. For instance, as co-authors explore in a previous publication in greater depth (Vosko & Spring 2021), at the beginning of the pandemic, the medical officer of health in Haldimand-Norfolk implemented requirements, through a Sect. 22 Order of the *Health Protection and Promotion Act* (1990), that no more than three workers could be housed together during mandatory self-isolation periods. However, although this requirement may have helped to protect workers isolating upon arrival, it failed to address the ongoing risks of living in bunkhouses during the pandemic. For instance, after leading an unsuccessful challenge to the Haldimand-Norfolk's housing requirement (*Schuyler Farms Limited v Nesathurai* HSARB 2020; *Schuyler Farms Limited v. Dr. Nesathurai* ONSC, 2020), local employer Schuyler farms experienced an outbreak in November 2020 involving at least 13 migrant farmworkers (HNHU, 2020b). Other solutions to the risks and limitations of employer provided housing included the creation of a 125-room Isolation and Recovery Centre in Windsor, Ontario, operated by the Canadian Red Cross and funded by the Public Health Agency of Canada (PHAC

2021a) - arguably a bandaid solution that, while providing space for migrant farmworkers to isolate and recover from COVID-19, did nothing to address the sorry state of employer provided housing in agriculture. Forms of xenophobic profiling and policing of visits to grocery stores and other amenities further tethered migrant farmworkers, who typically lack access to safe independent modes of transportation (see for e.g., Reid-Musson 2018), to their crowded bunkhouses during their time off by (Harley 2020); for instance, in May 2020, Haldimand-Norfolk County's public health unit issued ID cards to TFWs indicating they have completed their 14-day isolation period (Craggs 2020). While short-lived, this 'carding' practice ostensibly encouraged local residents to interrogate TFWs and police their social inclusion and/or exclusion on the grounds of protecting the local community, despite the fact that many TFWs contracted COVID-19 after arriving in Canada (Hennebry et al. 2020). Migrant farmworkers interviewed for this study likewise describe the intensification of local residents' hostilities that they experienced.

Meanwhile, in the wake of large outbreaks and two COVID-19 related deaths in Windsor-Essex county in June 2020, Leamington hospital Erie Shores Healthcare opened an assessment centre to test migrant farm workers (CBC News 2020a). It was expected that the workers would arrive on a bus to have their temperature checked and get swabbed for the virus. Yet, nine days later, only 750 of the expected 8,000 workers had been tested, and it was decided to close down the centre (CBC News 2020b). Also, in 2021, Windsor-Essex County Health Unit issued detailed requirements around physical distancing as well as the provision of personal protective equipment, cleaning products, and nutritious meals to ensure workers' well-being during the mandatory self-isolation period; the section 22 order also detailed requirements to help limit the potential spread of COVID-19 on the worksite and in employer-provided housing after the mandatory isolation period (WECHU 2021). However, as discussed in Part 5, some of these regulations (for example, the provision of nutritious meals or physical distancing), were ignored on the farms where the workers we interviewed were employed.

As the foregoing discussion suggests, although some COVID-19 related public policy interventions aimed to increase job resources for migrant farmworkers, in light of pre-existing immigration and labour laws, policies and practices largely unaltered during the pandemic, long-established and new job resources actually diminished among this group. According to the employment strain model, a reduction in job resources in an occupation with high job demands is expected to contribute to greater strains on already strained workers. As illustrated above, there are limited employment resources, such as income support, available to migrant farmworkers to buffer these strains and, while those social benefits available via certain streams of the TFWP (such as access to healthcare services) have the potential to alleviate strain and support well-being, they are not readily accessible. Moreover, because migrant farmworkers are excluded from settlement services afforded to immigrant newcomers, including language training (Hennebry & Preibisch, 2012; Rajkumar et al., 2012; Roberts, 2020), there is no system of support enabling workers to access the care that their entitlement to health insurance implies. Supports needed for workers to access care in cases of workplace-injury, illness, and mental health (such as language translation, transportation, and healthcare access) are poorly funded, limited, ad hoc, uneven, and absent (Caxaj & Cohen, 2020; Caxaj et al., 2020; Colindres et al., 2021). For the most part, the protections provided via federal and provincial interventions to address COVID 19 reproduced these pre-existing gaps. Migrant farmworkers, as our findings show, thus negotiate these barriers through a complex set of expectations. The findings from our interviews, to which we now turn, further illustrate how workers' experiences during COVID 19 were shaped by pre-existing working conditions, precarious status in Canada contingent upon compliance with job demands, and the transnational context in which they are situated, resulting in employment strains that available resources cannot buffer. Their accounts, presented in Part 4, foreground the ways in which workers negotiate and challenge these strains within a transnational space that transcends the presumed spatial configurations of the job strain model.

▶ 4 Pre-pandemic Employment Strains and their Impact on Migrant Farmworkers

4.1 Analyzing Interview Data through an Expanded Notion of Employment Strain

The employment strain framework we employ in this study draws on, yet departs from the notions of job strain, understood as a balance between job demands and job resources (Bakker & Demerouti 2006). Job demands, understood as “physical, psychological, social, or organizational aspects of the job that require sustained physical and/or psychological (cognitive and emotional) effort or skills” are present in all occupations and as such they can be linked to certain physiological and psychological costs (Bakker & Demerouti 2006: 312). Examples of job demands include an unfavourable work environment, a requirement to work extended hours, high work pressure, and tense interactions with others, whether clients, co-workers, or supervisors. As we discuss below, these demands are well recognized by migrant farmworkers employed on farms in Ontario and Quebec. These job demands produce job strains, unless balanced by certain job resources, such as control over one’s work environment, participation in decision-making, fair remuneration, job security, opportunity for promotion, or co-worker support (Bakker & Demerouti 2006). For most farmworkers, such resources, linked narrowly to the workplace, are limited. As discussed below and in Part 3, migrant farm workers lack control over their working environment and do not contribute to decision-making. Their jobs are insecure and do not offer any possibilities of advancement. Furthermore, their wages are low by Canadian standards.

Although the job strain model elaborated by Bakker and Demerouti (2006) sheds light on the experiences of migrant farm workers, as indicated in Part 1, it has two limitations: first, it ignores employment relationships, and second, it understands job demands, resources and strains exclusively in national (rather than transnational).

With respect to the first criticism, the notion of job demands and job strains are of limited value in the context of precarious forms of employment, characterized by seasonality and a lack of permanency. By contrast, the notion of employment strain encompasses employment *relationships*, such as temporary and contract-based employment, employment support and household insecurity (see especially Lewchuk et al. 2005; Vosko 2005). In the case of migrant farmworkers, these employment relationships operate alongside insecure residency status. Utilizing the notion of “employment strain” alongside that of insecure or precarious residence status can thereby better attend to uncertainty over future job prospects, earnings, and location characteristic of precarious employment, such as employer-tied temporary employment among migrant farmworkers who either lack legal status in Canada or are admitted to Canada on employer-tied temporary work visas without opportunities to transition to permanent residency. This perspective draws attention to sharp disparities in power between employers and workers linked to the workers’ precarious legal status (Vosko 2005). The analysis presented below expands on the job strain perspective by including both transnational and employment relationships.

With respect to the second criticism, migrants live transnational lives, and therefore their experiences need to reflect transnational responsibilities and relationships. For instance, if remuneration is understood in transnational terms, which is including wage levels in source countries, and not just destination countries, Canadian-earned income can be seen as a valuable resource that, in many instances, makes job demands acceptable for the migrant farmworkers. Many of the workers interviewed acknowledge that the wide gap between what they can earn in their home countries and Canada is the reason they choose to come to work in Canada. This gap can be attributed to land, resource and labour expropriations in the workers’ countries of origin, as discussed in Part 3. The poverty and underemployment many workers face in their home countries propel them to seek jobs elsewhere, including Canada (Basok 2002; Binford 2013). The fact that migrant farmworkers improve their families’ standards of living through remittances (Basok 2003;

Latapí 2012; Itzigsohn 1995) can thus be understood as the major psychic and material “resource” that, to a certain degree, provides a buffer against excessive job demands, albeit at the cost of long-term separation from their families and the impact this separation has on the migrants’ emotional and psychological health (Preibisch & Encalada Gretz 2013; McLaughlin et al. 2017). Furthermore, dependent on a continuous supply of remittances, migrant farmworkers often accept extreme subordination while in Canada. In other words, migrant farmworkers’ transnational belonging is both a “resource” that helps migrants to normalize superfluous job demands and a source of additional strain.

Also stemming from their transnational lives, most migrant farmworkers live in employer provided housing while in Canada, congregate housing that is typically located on the farms at which they work. This “physical compression of home and work into a singular geographic site” (Perry 2018) implies that their employment strain cannot be adequately understood without considering their living conditions. The strain characteristic of employer-provided housing may include overcrowding, unsanitary conditions, and tensions in relations with other workers, as illustrated below. Tensions over resources that arise in the context of shared and overcrowded housing undermine workers’ solidarity and make it easier for employers to “segment and divide” their labour force (Perry 2018; Bélanger & Candiz 2015). Confinement to employer-provided housing during the COVID-19 pandemic intensified tensions with co-workers. It also deprived migrant farmworkers of an important job resource; namely, the ability to seek distraction from work and relieve some employment strain while engaging in religious, cultural, or social activities or sports and entertainment in nearby towns in the company of friends and relatives from the migrants’ hometowns or new friends made in Canada. Finally, for migrant farmworkers, admitted residing in Canada on a temporary basis, other sources of strain include their marginalization by the receiving community. All these strains, already present prior to the COVID-19 crisis, were amplified during the pandemic, impacting the well-being of some migrant farmworkers. Even though some adopted creative coping strategies, many of them still found that the working and living conditions they experienced during the pandemic further compromised their mental and physical health and well-being.

4.1.1 A Profile of Migrant Farmworker Participants

Most of the thirty workers we interviewed were men. Indeed, only four of the workers we interviewed were women, as expected given that labour force is predominantly male. For instance, only 7.6 per cent of foreign workers in agriculture were women in 2017 (Zhang, Ostrovsky & Arsenault 2021). In the province of Quebec, interviews were conducted in two regions: Capitale-Nationale and the Montreal region. In the case of Ontario, research took place mainly in the Leamington area in Essex County (southwestern region of Ontario), and one interview was conducted with a worker employed in the Niagara region. Thirteen of the interviewed workers were employed in Quebec at the time of the study and seventeen in Ontario. With respect to the country of origin, our sample was diverse: eight interviewed workers were from Mexico, fifteen from Guatemala, two from Honduras, four from Jamaica, and one from the Philippines. Migrant farmworkers from Guatemala were vastly over-represented in the sample because Guatemalan farmworkers, admitted under the Canada’s AS, predominate in Quebec. In 2019, of the total number of 16,525 migrant farmworkers participating in the Temporary Foreign Workers Program in Quebec, 58 per cent (a total of 9,620) were from Guatemala, all entering through AS. Meanwhile, Mexican workers employed on the SAWP made up 36.5 per cent (a total of 6,025) of all temporary workers in Quebec (Beausoleil 2020). Reflecting the source country representation in our sample, those recruited under the AS constituted the majority of all interviewees. Only seven migrants interviewed in our study had been recruited under SAWP and six were still working under this program.

As some Canadian researchers (e.g., Goldring & Landolt 2013; Basok, Bélanger & Rivas 2014) have demonstrated, migrants admitted on temporary contracts do not always remain in the program and either move into “illegality” or, by contrast, gain (or at least attempt to gain) permanent residency status. Some workers in our sample were either in transition from one status (or contract) to another or they have moved to different legal status. One interviewed Guatemalan worker, for instance, had been severely injured at work and was still at a hospital hoping to obtain permanent residency status in Canada on humanitarian grounds. Another worker had been recently terminated and he was in the process of seeking another employer for the second year of his two-year work permit. Another worker was in Canada without status after

having worked in this country as a SAWP participant for 21 years. He chose to come to Canada without a work contract because his economic situation was desperate. Having been robbed, assaulted, and extorted in Mexico, he felt he had no choice but to return to Canada to improve his financial situation. Yet, the Mexican Ministry of Labour and Social Provision, the agency in charge of matching workers' applications with employers' demands, was no longer willing to send him to Canada, a decision this worker attributes to ageism on the part of both Canadian employers and the Mexican Ministry. On the other hand, two workers who had come to work in Canada on a temporary contract were able to obtain permanent residency. One worker originally authorized to work in Canada on an Agricultural Stream contract had applied for asylum after an unsuccessful attempt to cross into the US using irregular channels. One worker had left the farm for which he was authorized to work and was applying for an open work permit under the program introduced in June 2019 that grants open work permits to workers determined to be "experiencing or at risk of abuse" (IRCC 2020c) as discussed above. Finally, another Mexican worker we interviewed was never on the program; instead, she had arrived in Canada as a tourist and was trying to regularize her status at the time of the interview. Her father, a former SAWP worker, was also attempting to transition to permanent residency.

Among the interviewed migrants, 16 were married, 9 single, and 5 divorced or separated. The age of the migrants ranged between 21 and 65 years old, with 36 being the average age. Among them seven had primary levels of education, 8 had secondary and 14 had post-secondary. Five had no children, but among those who did, the number ranged between one and four. Interviewed migrants' occupations in the countries of origin included farmers, drivers, carpenters, vendors, and construction workers. Among the Guatemalans interviewed and employed in Quebec, five workers identified themselves as either Kaqchiqel or Q'eqchi'. Among the Mexican workers interviewed, some acknowledged their roots in Indigenous cultures and their mixed heritage, but none claimed to be Indigenous or spoke any Indigenous languages.

Reasons for deciding to work in Canada among migrant farmworkers interviewed ranged between lack of jobs in their countries of origin, low wages for the jobs that they were able to get, and their commitment to improve their own and/or their families' living conditions. Many wanted to provide education to their children. One worker (a woman from the Philippines) hoped to learn about Canadian horticulture and the flower industry so that she could transfer this knowledge and skills to her business in the Philippines. Many Guatemalan workers told us that they were able to join the program because their family members or friends had recommended them. For Mexican workers, recommendations from friends and family were also important venues assisting them to get admitted into the program, but two workers told us they had pay a bribe to join the Seasonal Agricultural Worker Program (the predominant temporary labour migration program for Mexican farmworkers). Bribing recruitment agency officials is not unusual, and previous studies, including our own have attested to corruption within these organizations (Gesualdi-Fecteau, et al. 2017; Gabriel and Macdonald. 2018; Muir, 2016).

The farms on which migrant farmworkers interviewed in this study were employed ranged in size between 2 and 350 workers. Those interviewed in Quebec tended to work on smaller farms; 6 were dairy farms and 7 were field fruits and vegetables farms. Most of those interviewed in Leamington, Ontario, were employed on larger farms, typically in greenhouse producing tomatoes, cucumbers, and peppers. In Quebec, men worked with other men. There was only one male worker in Quebec who told us that there were some female workers on his farm as well. The only female worker interviewed in Quebec worked with 200 other women. In terms of the ethnic composition, the workers were exclusively Guatemalan on ten farms, and mixed (Guatemalan and Mexican) on the other three farms. In Ontario, greenhouses in Leamington often have women in packing, as was the case for most of the farms where the workers we interviewed worked. Only two farms in Ontario employed Mexican workers exclusively, while the other farms employed Mexican, Guatemalan, Honduran, and Caribbean workers, as well as workers from other countries.

Among the study participants, the length of work in Canada ranged between one and thirty-one years. Those with the most years of work in Canada were employed under the SAWP, which allows for circular migration (discussed in Part 3). Three workers interviewed had worked in Canada 31, 27 and 21 years each. For most, the farm that currently employed them was the only farm on which they ever worked, and only a few workers, particularly among those with more seniority, had worked elsewhere before coming to work on the current farm.

There are differences in migrant farmworkers' perceptions of their living and working conditions in Canada. At the same time, different responses that migrants provided to us might have been influenced by the degree of trust towards us, or alternatively, their fear of losing their jobs for criticizing the program. Some workers we interviewed were more open and outspoken than others. Those workers who were no longer in program either because they had obtained permanent residency or had been dismissed from their jobs tended to be more willing to discuss various problems they encountered in Canada. Similarly, those who had worked in Canada for many years and felt secure about their employment, were more likely to share concerns about their living or working conditions without fear of retribution by their employers. However, given the precarity of migrant farmworkers' status in Canada (discussed in Part 3 of this report), it is hardly surprising that some study participants tended to be more reserved in their responses. In some cases, the employers were not too far away from the place where interviews were conducted, making it particularly difficult for the workers to express their views candidly. Still, the narratives we collected were rich and shed critical light on the lives and work experiences of the migrant farmworkers in Canada.

The accounts we provide below are organized by the themes laid out in the interview guide (see Appendix 1). As we show below however, workers' narratives provide rich insights that confirm and complicate the relationship between COVID 19, working conditions and the policies we have outlined in previous sections.

4.1.2. Employment Strain among Transnational Migrant Farmworkers

Unfavourable work environment: occupational hazards and injuries

Agricultural work is one of the most dangerous occupations (CAIR 2016). Occupational hazards may include exposure to toxins, extreme temperatures and adverse climatic conditions, and musculoskeletal strains (McLaughlin and Hennebry 2011). It is therefore not surprising that more than half of the workers we interviewed identified occupational risks in their workplaces. Among them exposure to dangerous chemicals (namely, pesticides) was mentioned most frequently, mainly by the Ontario workers who were employed in greenhouses. But it was not the use of the pesticides as such but, rather, the violation of safety procedures that was of major concern to the workers. As Alberto, a Mexican worker employed in a greenhouse in Leamington, tells us, workers are often present while greenhouses are sprayed. Yet, as his narrative makes is clear, migrant farmworkers feel powerless to demand greater protection for fear of not being asked to return to work in Canada on account of their deportability.

▶▶ *More than anything, it's the exposure to chemicals, because when they spray, they don't tell us to go work in another area. We keep on working while they are spraying. [Question: does it concern you?]. Yeah, I think it does, we all worry about it, but we don't say anything. If we complain, they say it's not a problem, just go to another area and there won't be a problem, but we don't do it either or else (he giggles) for next season we won't be coming.*

Rene, a Mexican worker who had worked at the same farm in the Niagara region for more than thirty years, reflects on what he perceives as an unavoidable contamination when no protective clothes are provided: "Inside a greenhouse, it's impossible to avoid contact with the chemicals. Whether one wants it or not, you have to pass through the space where you've just used chemicals, and your clothes get soaked in it." At the same time, migrant farmworkers who try to seek information about the chemicals they are required to work with may be reprimanded by their supervisors. Donald, a Jamaican worker employed in large greenhouse that employs 250-300 workers, tells us that he "got in trouble" for trying to seek information on the risks of pesticides workers were required to use on his farm without adequate protection. He recalls:

▶▶ *Before the pandemic, we were exposed to the chemical and I mean, "exposed" because we never get those white suits and all these things. No mask, no, no, no gloves. Because they keep telling us that the chemicals are organic. You don't have organic chemicals. Come on. This is chemicals where you put the tender plant to kill bugs and stuff, so you don't think that it can hurt us? I get*

in trouble when I contacted the company to find out about the [federal health requirements in agriculture] to ask for safety data sheets. I said we don't get any safety data sheet and I need to read up about it before we use it, it's a new chemical, we need [a] data sheet and I get in trouble for it. Well. I think that was wrong... you should not deny anybody who works with chemical SDS [Safety Data Sheets] sheet; because I have asthma, I need to know [even] if it doesn't bother me. You need to know if the worker gets sick, collapse[s], died in your greenhouse, on [the] job. Then, your insurance goes up and you have a debt on your shoulder. [My employer] wasn't pleased with me calling the company to find out about it.

Exposure to chemicals was not the only occupational risk that the workers reported during their interviews. Working on elevated platforms without secure protections was another concern for some migrant farm-workers. Donald expresses concerns about working on a scissor lift without training or a harness:

▶▶ *We don't get training on this Skyjack [a scissor lift]. I mean, no, those things run into a track like this. And if it not level, it rocks. And you go up there, you walk there and it rocks, you will rock again... We don't get training. We have no harness. We don't get no harness. Is that they're telling us? Well, if you can't do it, you should not be here. It's not a matter of can't do it and you need to train us. And give us the harness. We could hook it up here and do what we're doing and move it down. They say it'll slow down the process... The Minister of Labour should see that the farmers train all migrant workers with chemicals, carts, Skyjacks, everything.*

Julio was particularly worried about falling from a lift while harvesting tomatoes in a greenhouse because, as a migrant who lost his legal status, he no longer had access to health insurance, and if he were to fall, he would have no means of covering his medical expenses.

Among other hazards mentioned by the workers participating in the study was exposure to adverse climatic conditions. Mauricio, an Indigenous Guatemalan worker, told us about his and his co-workers' fears of working in the field on a farm in Quebec during the thunderstorm and the employer's blatant disregard for their concerns:

▶▶ *Once she made us work during a downpour. There were thunderbolts and lightning bolts. Then one time a whirlwind lifted all our things, even the tractor was moving. But the owner, it just made her laugh. She has no feelings, no heart. My co-workers and I moved to one side, we stopped working, but when she saw that we stopped to work she reprimanded us. She said it wasn't a problem for her if she made us work during the downpour. It rained all day, and we kept on working. But our raincoats were good for just three hours.*

Under the SAWP contract, employers are responsible for “transportation to and from a hospital or clinic whenever the worker needs medical attention” (see for e.g., ESDC 2021b, VIII.6). However, minor injuries and ailments are often ignored or not reported by the workers for fear of reprisals or repatriations (Hennebry, McLaughlin & Preibisch 2016; McLaughlin, Tew & Huesca 2018; Hanley et al. 2014; Hanley et al. 2020; Gravel et al. 2014). Furthermore, for the migrants recruited under the AS program (such as the majority of workers employed in Quebec), there are no bilateral contracts to specify the responsibilities of the employers.

The narrative presented by Gisella, a Guatemalan woman employed in Quebec, exposes how some employers routinely ignore their workers' health needs:

▶▶ *We used to lift 50 pounds; we would fill two boxes. We've seen a lot of things. Some women used to fall or get bruised. But even if one was bruised or injured, they didn't do anything to help. When we first arrive they say, “don't worry, if you get sick, we are here to help.” But they don't do it. They just let you rest and nothing else. Not even medication. That's how it is... I got sick one time. I had a huge sore on my leg. And the supervisor told me to just put ice on it. And then the sore on my knee busted, but I had to work. I worked like this and put up with the pain. But then I got a fever and lots of pain. I don't know if it was a spider bite. I don't know. Some insect stung me. I told the*

supervisor "Madam, I don't feel well." And she says, "just wash it with warm water." And that's just what she said to me. "Take Advil for pain." And nothing else.

Extended hours of work

Most workers in our study reported that they worked between 10 and 12 hours per day during the peak harvesting season. They were entitled to two 10-to-15-minute breaks, one in the morning and one in the afternoon, and an unpaid 30 or 60-minute lunch break. Most workers were expected to work 6 days per week, but some only worked a few hours on Sundays. Yet, most workers did not consider these long hours of work to be demanding. Pablo expresses this sentiment clearly when he says:

▶▶ *When there was a lot of work, we worked 72 hours a week... To tell you the truth, for us, it's fine. We like it when we get a lot of work... And it's just for a short period, not the entire seasons. And what why we are glad when we get work, because we know that it's just four weeks or so.*

For those employed in Ontario greenhouses, where peak seasons are usually longer than four weeks, working long hours for several months was still considered to be a welcome opportunity. In fact, those that worked less than 50 hours per week felt disappointed. We interviewed only two workers who told us that at their age (both were in his sixties) they preferred to work fewer hours. Also, Donald who was concerned that prolonged exposure to pesticides was detrimental to one's health, indicated his preference for fewer hours of work. However, for most workers, especially on account of relatively low hourly wages, longer hours meant that they could better support their families. In this sense, transnational financial support to families is a "job resource" serving as a buffer against (namely, preventing) this job demand turning into an employment strain.

High work pressure in the context of employment insecurity

Canadian-based researchers have documented how the conditions of "deportability" (Basok, Bélanger and Rivas 2014; Vosko 2013 & 2019) compel workers to become hyper-productive (see also, Perry 2018; McLaughlin 2010) and heighten exploitation, or what we label here and elsewhere employment strain (Vosko 2005; see also Lewchuk et al. 2005). Most migrants interviewed in our study knew that their continued participation in the program was contingent upon their ability to work well and fast. Approximately one half of the workers accepted this requirement as legitimate and told us that they did not feel pressured. Rene describes his employer as a reasonable man who prefers quality over speed:

▶▶ *I think that in this sense, our boss is always, well, I imagine he is one of the most understanding bosses. When he talks to us, he says, "I know that the work is hard." He says, "I started working like you, as a farm worker and I know it's hard." And then he says, "What I want is for you to complete the work, right? Do it slowly but do it well. I don't want you to rush and do it badly." And that's why I tell you that he is among the most understanding people in this sense.*

By calling his employer "the most understanding person," Rene implies that other employers are different. Accordingly, several workers admitted that the expectations concerning their productivity were unreasonable or that there was constant monitoring of productivity. Among them was Mauricio, employed on a farm in Quebec, who reported that the four migrant farmworkers were required to complete the work that should have been expected of eight workers. Alberto, working in a greenhouse in Ontario, found computer monitoring particularly stressful; he told us, half-jokingly, he considered leaving the farm when he employer first introduced this productivity surveillance system. Pressure to complete the work fast meant that no bathroom breaks outside of the scheduled times were allowed. Some workers could not even take their scheduled breaks without pressure to return to work fast. As Gisella recalls: "During the break the supervisor was pressuring us to finish eating quickly. She wouldn't give us even 15 minutes and say 'c'mon, hurry up, that's it.'"

When unable to keep up with other workers, migrant farmworkers are likely to lose not only their current contracts but also future opportunities to participate in the program. Julio, who is 62 years old, told us he

could no longer work as fast as his younger co-workers. He felt that the decision taken by the Mexican Ministry of Labour and Social Provision to remove him from the SAWP was the direct result of his inability to keep a fast pace at work. Julio explains, *"I think that they didn't want to send me [to Canada] because of my age, they preferred a young man or woman who could work faster."* Notably, having lost his place in the program, Julio decided to return to Canada without a contract and use his own means *"to find opportunities to get ahead."*

Workplace harassment and replaceability

In addition to physically unsafe and demanding working conditions, for some workers participating in our study, job demands included a toxic work environment where employers or other workers engaged in workplace harassment. Mauricio, a Guatemalan worker employed in Quebec, described his employer's aggressive conduct:

▶▶ *Instead of explaining things to me, she [the employer] screamed at me and reprimanded me. Well, one time, I had a toothache, and my face was swollen. But I never told her I needed to see a doctor or that I was in pain. Despite the pain I knew that it was my responsibility to keep on working. But since she saw my swollen face, instead of asking me what was wrong, she just looked at me and left. She came back with a bottle of Tylenol, but instead of saying "here, take it for the pain," she grabbed the bottle and threw it at me... I didn't catch it. And then she asks, "what's going on?" and I said, "a toothache." And she says, "you bastard (cabrón), asshole (pendejo), there is no time to go to a doctor here."*

Mauricio filed for an open job permit under the Open Work Permit for Vulnerable Workers program (discussed in Part 3), but at the time of the interview the decision was still pending. Gisella experienced similar harassment on the part of her employer, but she had not applied for an open job permit. She narrates:

▶▶ *I was new at work. The supervisor thought I didn't know what I was doing, and she reprimanded me. She asked me if I wanted to work or go back home because I was doing things wrong. She shouted at me. I burst into tears and cried all day.*

Alberto found his experience on a farm in British Columbia disturbing. Talking about his former employer, he comments *"He wanted slaves, rather than workers."* Their problems began when they found that their house provided by the farm owner was virtually empty, "not even a spoon," as Alberto puts it, was provided to the workers. Alberto continues his narrative:

▶▶ *And not just that, we were abandoned there, and we went on for two days without food. We were too far from town, and we didn't know where to go. It was a 20-minute ride by bicycle, but we didn't have any bicycles, nothing, and we didn't know where to go. And we didn't work. A whole week without work. When we started to work, the employer only showed up to scream at us. He shouted at us demanding that we work fast. We didn't have anything, no bed, no appliances, no furniture. And he wanted us to buy whatever we needed for the house, but the stores were too far. And we worked just two or three days per week.... And then one day, he physically assaulted a worker who was not working as fast as the rest of us.*

For migrant farmworkers coming from different countries under the two programs, "deportability" also implies the possibility of being replaced by workers from another country. Employers frequently use the threat of replacement to discipline their workers and increase their productivity (Basok & Bélanger 2016; Preibisch & Binford 2007). The replaceability by workers from another country contributes to racial and ethnic tensions among migrant farmworkers, as was the case on Mariano's farm that hired Indigenous workers from Guatemala and well as non-Indigenous Mexican migrants. When Mariano started working in Canada, he did not speak much Spanish, and non-Indigenous Mexican workers made fun of him. Mariano recollects with pain the bullying he and other Indigenous workers experienced on his farm, *"They call us assholes and that we are not good for anything, that we are garbage, and that we can't speak well, that we should stay in our villages and not try to leave for the city."* On his farm, a non-Indigenous Mexican foreman (*capataz*) was particularly abusive. Mariano told us what happened:

- ▶▶ *I am a farmer and I work well. The capataz didn't like it when we worked either too slowly or too fast. He would get angry and would call workers who were not keeping up assholes. One time I finished my row fast and started another one. He got mad at me and wanted to hit me... I defended myself and he didn't like it, and as he was trying to kick me again, all my strawberries got spilled... From that moment, the Mexican workers made fun of me too much.*

Mariano complained about this foreman to the farm owner. However, when two consecutive Guatemalan foremen replaced the Mexican foreman, the latter two became the subjects of bullying by the Mexican workers.

Overcrowded and substandard houses

Most houses for migrant farmworkers are located on the farm, and thus work and home are merged “into one geographic site” (Perry 2018). In that sense, housing conditions can be viewed as constitutive of job demands as well as undermining the resource of housing security itself. As mentioned above, Canadian-based research exposes longstanding substandard housing conditions for migrant workers on farms. Accordingly, overcrowding was the major concern for the workers we interviewed. As Gisella mentions:

- ▶▶ *We were four in one room. Sometimes seven or eight of us had to cook on the same stove because some did not work. And the same with washers; only two were available. We would come from work tired and then we had to wait or get up at 4 in the morning to wash clothes. Just imagine. We came home from work at 9:30 at night and then we had to cook, clean, prepare food for next day... The truth is that it's not easy.*

Andrew described conditions in his bunkhouse and their impact on his health:

- ▶▶ *Oh it's terrible where I'm at; it's terrible. As I said the bunkhouse is too congested with people and it's got that racial tension, and everyone is quick to point fingers. So it's a lot, it's not good the bunkhouse conditions are not good [Q: how many people do you have living there now?] 60 persons. That's a lot. It's hard to move around say for instance the stove is like 12 burners it's a big industrial stove. You know you're coming from work tired but you're hungry, but you want to cook something, and everybody is hungry and want to cook something so if you come in ten minutes late from work when you get in the kitchen all the burners are completely full and you gotta wait until those meals are done. And sometimes you're running in with your pot to put it on that burner, but somebody says that they were waiting for that burner and then you have to wait maybe 40 minutes more. That alone sometimes you are just frustrated so you take a shower and go to bed and that's not good and then you end up getting stomach problems, gastro problems. Because the type of food that you cook and you eat, after eating if you wanna sleep and your food doesn't digest properly and that's been a problem for me which I have to visit the doctor for many times because I finish work late and it depends if I get the stove or not.*

Mariano, a Quebec-based worker, also faced overcrowded housing characterized by insufficient bathroom and kitchen facilities for the number of occupants. Yet, when an inspector came to inspect their house, the employer told the workers not to complain. As Mariano put it, “out of fear, we would say whatever we were told to say,” underscoring how deportability conditions workers to accept of excessive job demands. Other workers, such as Rene, report their houses to be in a state of decay (discussed in Part 3):

- ▶▶ *Some people say that our house is the worst they've ever seen... When I first came here 29 or 30 years ago, the employer was going to tear it down and build a new one. But it's still here...He just reinforced this wall. But it's falling apart, and still it's there. He just paints it once in a while. It's uninhabitable. It's humid, there are lots of rats, when it's cold there are drafts, the roof is leaking. He just fixes it every year, but then it starts leaking again. It's uninhabitable... I am fed up telling the boss that it's no good. I always tell him “it's no good. Even carpenters who come to fix it tell him, “you know what? What you need to do is set it on fire and for next year build a new one.”*

Julio told us that the house on an apple farm in Ontario where he worked in the previous seasons had no indoor bathrooms, and that they had bed bugs. The house was in such poor conditions, that several workers wanted to complain to authorities about it. Julio did not tell us if they actually did complain, only that they intended to do so.

In sum, jobs-demands among migrant farmworkers reflect work environment characterized by occupational hazards, expectations of prolonged hours of work, work intensification, and workplace harassment/discrimination. Thus, the analysis now turns to consider whether and, if so, the degree to which migrant farm work is characterized by “job resources” that buffer or compensate for such job demands. It focuses especially on resources such as control of the working environment, broadly conceived, fair remuneration, and employers’ expressions of appreciation.

4.2 Job Resources Available to Migrant Farmworkers

4.2.1 Control over the work environment

The ability to control one’s work environment varies from one farm to another. Migrant workers employed on smaller farms in Quebec told us that they felt comfortable discussing some of their concerns with their employer because on these farms employers work and live side-by-side with their workers. Tomas, a Guatemalan workers employed on a small farm in Quebec that hires only two migrant farmworkers, reflected on a good relationship with his employer who attended to workers’ needs and concerns:

▶▶ *We feel comfortable talking to the boss. Whatever we need, we just tell him, and he is there to do it. He even asks us if we have any questions or if we want anything, what we think, and he encourages us to tell him. It’s different here than on other farms. Here the boss never gets angry. He greets us and asks us how we are. And this makes us want to work better.*

Yet, notably, Tomas acknowledges that his farm is different from others. Attesting to its uniqueness, a few migrant farmworkers, particularly those working on larger farms managed by human resource departments, told us that they felt compelled to accept their working conditions without questioning them. Matías, a Mexican worker employed in a Leamington greenhouse, is one of them:

▶▶ *There is a person in human resources to whom we are supposed to direct our concerns if there is a situation that needs to be addressed. But a lot of times, instead of helping us to find a solution, they just put obstacles in our way; and that’s what the things are like. When I first started working, I thought I could bring to their attention that something was not working well, and that they could tell the employer. But to tell you the truth, I no longer believe anyone is going to help us.*

Alberto attributes his and his co-workers’ unwillingness to raise their concerns not only to the indifference of staff in human resources offices, but also to the fear of being deported:

▶▶ *It’s a big company and there is an HR office that is in charge of these things. They give us talks sometimes. They tell us how to work, how much weight the lift that we work in can support. But in fact, we don’t do it. These are just talks, and it’s up to each of us how we do it. We would not be able to work if we did what they said. Sometimes, the car that we work in cannot support more than 100 kgs or 200 pounds, right? But sometimes, there are two of us in the lift, and even more if we harvest. So, we exceed the allowable maximum. And they talk to us about it but in practice we don’t follow these suggestions. [Question: and can you raise these concerns to HR?] Yes, we can, but we don’t do it. [Question: because of fear of not being asked back?] Yes, exactly.*

Invoking the precarious nature of the migrant farmworkers’ employment contracts and their deportability, Matías felt it was, at best, useless and, at worst, risky, to share concerns with the Mexican Consulate or the recruitment agency that supplies workers to this area. He told us how these two institutions failed to protect his friend:

- ▶▶ *I don't believe that they can help us either. A friend of mine had a bad experience when he sought help from these institutions. He went to ask for help because he was treated badly at work. Instead of giving him help, he got fired from his work. So, on the part of the recruitment agency or consulate, there is no help either; and, I don't trust that I can express my concerns to them.*

Some interviewed workers believed that they could control their work environments. Ricardo, employed in a greenhouse in Leamington, told us how he and his co-workers convinced their farm owners not to hire undocumented workers. In these workers' eyes, undocumented workers posed danger to migrant farm workers' health because they were supplied to Leamington area farms by labour contractors and often moved from farm to farm, and thus perceived as vectors of Covid-19 contagion by local health authorities, municipal authorities, and the population at large (namely, often shunned rather than protected) (Gatehouse 2020). As Ricardo narrated:

- ▶▶ *We were given an opportunity to talk to the farm owners. And we told them that if they are making restrictions for us, that they too should make sure that they do not hire [undocumented] workers from contractors. We respect company rules, but the workers sent to the company by contractors, they are free to go wherever they want after work. And that, we said, it not fair. They would go anywhere they want while we are being cautious, and then these persons would just come and infect us. So, we did not see it as something that was fair.*

In this case, the decision taken by the employers not to hire undocumented workers might have been reinforced by the workers' request but was likely motivated the employers' perceived need to protect their company from a possible outbreak and closure. When the interests of the worker and their employers do not coincide, migrant farmworkers' voices are ignored. As Andrew, a Jamaican man working in a Leamington greenhouse, reported:

- ▶▶ *I told him that I have to punch out because I haven't eaten in two days. I come in at 8 p.m. in the night and all the stove are full and I have to get some rest and reenergize myself so I didn't eat much I just have a snack so I'm having gastro problems and sometimes it gets to a point where I have to go to the doctor they gave me some pills some medicine like ulcer stuff.. [Question: what does the supervisor do?] Well they don't do anything you know, the greatest point is getting the work done you know. And that's the thing, at the farm where I'm at right now if you tell them you are sick, they don't believe you. They don't believe you they say, "oh you're only saying that because you're tired."*

In fact, workers rarely have a say in how many hours they are to work per day or per week. Not unlike other employers who rarely consult workers, Julio's employer would demand that his employees continued to work through the evening or give up their lunch breaks to finish work. Reflecting on this unbalanced relationship, Julio comments: *"The contract is always in favour of the boss and not us who come from a country with extreme poverty and crime. And we have to accept it."*

When unable to control their environments by raising concerns and negotiating with their employers or supervisors, some workers engage in what Scott calls "everyday forms of resistance" (Scott 1985; see, for instance, Basok 2002: 114; Cohen and Hjalmarson 2020). Rene, for instance, started taking extra time for breaks when his employer did not honour his promise to pay him a higher wage. Rene felt that since he was performing supervisory duties, he was entitled to a higher pay. Even though his employer agreed to pay him one dollar per hour more, Rene was still receiving the same wage as before. In defiance, Rene started extending his breaks. He explains that he would walk *"as slow as [he] could"*:

- ▶▶ *I just take five minutes extra of the 15-minute break. That's how I seek compensation. I want him to see that after the break I just walk slowly. He doesn't say anything because he knows that if he does, I will also reprimand him. I would tell him, 'Well, and how much are you paying me? Well, this is what you get.' After so many years of working on this farm, I feel comfortable to talk to him like this.*

It is important to recognize that Rene had been with the same employer for about thirty years; he has earned his employer's trust and his employer is willing to tolerate his informal act of defiance. Furthermore, being close to retirement, Rene is not concerned about his future in Canada. For many other workers who are readily deportable, this type of assertiveness is not tolerated (see Basok 2002: 110-112; Vosko 2013).

Although extremely rare, migrant farmworkers stand up to the employers who, in their eyes, are particularly inhumane or unjust. Alberto told us how he and other workers could no longer tolerate the abuse they experienced on a farm in British Columbia (see above). After the employer assaulted a migrant farmworker, all the workers stopped working and demanded to speak to a Consulate representative. Instead, the employer ordered them to leave the farm, even though, by then, it was dark and rainy. After walking for hours along the rural road, the workers contacted the police and asked for help. From the police station, they called the Mexican Consulate. They were transferred to another farm where they worked for just over two months but, unfortunately, there was very little work for them, and they earned very little money to bring back home. Thus, while they were able to escape an abusive employer, they failed to secure decent jobs providing sufficient remuneration to enable them to fulfil the needs of their family members left behind.

4.2.2 Fair Remuneration?

Most migrant farmworkers we interviewed wished they earned more money, but they were also willing to accept the minimum wage. As mentioned earlier, even a minimum wage earned in Canada offered migrants from Mexico, Guatemala, and other countries the opportunity to significantly improve their family's standard of living and provide education to their children. Yet, those who considered that their wages were unfair, felt powerless to demand wage increases, as Pablo put it, *"Well, the truth is, we cannot do anything about our minimum wage; so we have no choice but accept it; our bosses are in charge."* Andrew also expresses resignation when asked about the fairness of their wages but, at the same time, he is more critical of the system that oppresses the workers in noting, *"You know there are a lot of things that I would like to say but I just don't, honest to God. Long story, my dear, very long story. You know we cannot fight the system, if the system is more than us. We have to work with it...you either accept it or you don't. You cannot go against what is more than you."* This sentiment is indicative of the migrant farmworkers' understanding of how their precarious jobs and precarious legal status in Canada constrain their ability to negotiate their working conditions or pay.

A few workers felt they deserved to be paid more because they had positions with higher levels of skills or additional responsibilities, as did Matías, a worker positioned in Leamington:

▶▶ *I am in charge of packing twice a week as if I was a supervisor. I do the work that other people are supposed to do. Let me explain. For instance, I work with forklifts, but if one of the machines is broken, I have to repair it. And twice a week I work as a supervisor, all by myself. I don't think it's fair. And I told the employer that I don't feel comfortable doing it... At first I liked it because each day I was doing something different. The problem was started when I was asked to do too many things the same day. For instance, one day I was in packing, and the next day I was repairing machines at the same time. And then it would be something else. And I had to stay alert to see if anything else needed to be done. And that was in addition to my regular work. [Question: were you tired?] More than anything, it was stress and pressure because you get more and more work. And you never get any free time. And there is no incentive, like "you know what? I am going to give you more work; do this for me, and then I would pay you more if you help me out. I know that you can do it, and help me out, and I would pay you, say, one dollar more per hour." It would be something, otherwise, you just feel annoyed.*

Some workers felt that their salaries were low in comparison to other provinces, as Ezequiel, a Guatemalan worker employed in Quebec, explains: *"It would be better for us if we were paid more because we make less money by comparison to other provinces."* In 2021, the minimum wage in Quebec was \$13.50 (CNESST 2021), while in Ontario, for instance, it was \$14.25 raised to \$14.35 on October 1, 2021 (Government of Ontario 2021). Others believed they deserved to be paid more either because they were assigned the work with greater responsibilities or because they felt their work was "essential."

And others felt that as essential workers they were entitled to extra pay, as Donald reflects:

▶▶ *I think we would all feel better [if we received extra pay] because we are essential workers... Because if we don't do it, there's no produce to go home. So with I think that we are essential workers and we can get 50 cents or a dollar extra... And even though we hear that the government says that we are essential worker, there is no incentive. Well, even at the end of the month and say, OK, here's that extra \$50 gift card.*

Similarly, Daniel, a Honduran man employed by a Leamington greenhouse, felt they deserved a pandemic bonus: "We need more support from the government. An incentive or bonus, or something like this, right? A pandemic bonus." In fact, as mentioned in Part 3, on 15 April 2020, Quebec implemented a \$45-million program to recruit residents into farm work with a \$100 weekly bonus. Under this program, migrant workers employed on farms were also entitled to receive the bonus. Yet, among the interviewed migrants, only three workers received the additional pay of \$100 per week even though eleven of them were eligible to receive it. Ezequiel lists some reasons for not receiving it:

▶▶ *I found out about it from some co-workers that had applied, but I never received it. When I asked my boss, I was told that I had to fill out forms, and there were certain requirements. But I didn't do it and did not receive it. It seemed too complicated for me; there were things I did not understand; it was all in French.*

Not only was there no reward for the workers who provided such essential labour to Canadian agriculture during the pandemic, some employers tried to deny them their remuneration. Andrew was one worker who experienced wage theft:

▶▶ *Well, you got to keep a check of it because they say the computer makes mistakes sometimes maybe missed a few hours, so we're always supposed to keep a check on it. Other guys, and myself complain sometime we miss...they dock a couple hours from our pay. So, you gotta keep a check on it.*

If in Andrew's case, the wage theft might have been in error, for Mauricio, it was intentional. The farm owner did not pay him and his co-workers for the 15-20 minutes of work they put in every day after a 12-hour shift when they stayed behind to clean up the tools and the herbs they harvested. The owner considered this work to be "voluntary," although the workers were not asked if they wish to "volunteer" their time. Julio also told us that his employer made them work for 20 minutes extra each day without pay.

Even though migrant workers were essential in agricultural production before and during the pandemic, their employers did very little to demonstrate their appreciation for their work. Among the workers we interviewed, some mentioned that their employers hosted one or two dinners per season. These dinners and occasional beer are the only "bonus" or sign of appreciation migrant farmworkers receive. In other words, there are few "job resources" available to these workers to compensate for the excessive job demands. Yet, as mentioned earlier, for most of these workers, the main reward is the opportunity to improve their families' standards of living and provide education to their children (also, McLaughlin et al. 2017). This reward makes the job and employment strains more tolerable. In the next section we will discuss the experiences of migrant farmworkers during the COVID-19 pandemic, arguing that while the job demands, particularly working and living in an unsafe environment, have increased, the resources, particularly, release from job demands through leisure and/or counselling have diminished. Most importantly, the COVID-19 pandemic raised some uncertainty and the corresponding anxiety among the workers in relation to their stay and earnings in Canada and the support they could continue to provide to their families. Understanding that the satisfaction derived from the remittances and their contribution to the family's well-being is the main resource on which many migrants to offset job demands, this employment strain created anxiety among the workers and undermined their sense of well-being, as discussed in the section that follows.

▶ 5 COVID-19 and its Impact on the Well-being of Migrant Farmworkers

5.1 Mitigating Risk in Dangerous Work Environments

As outlined in Parts 2 and 3 of this report, Canadian federal, regional, and municipal authorities adopted many measures to protect workers in frontline jobs from the spread of the COVID-19 virus, but implementation of these health provisions has been inconsistent and below expectations. Most migrant farmworkers participating in our study reported that their employers provided disinfectants and tried to enforce such measures as wearing masks, gloves, physical distancing, and plexiglass separators in cafeterias. Yet some interviewed migrants admitted that it was arduous to wear masks all day long, and this regulation was not strictly enforced. Andrew was the only interviewed worker who told us that his employer rigorously enforced the use of masks, and a worker caught without a mask, was sent home without pay. At the same time, some explained that they tended to work individually, with each worker assigned a different row. Therefore, they felt they did not require masks. Masks, physical distancing, or other protection measures were not reported by any workers on small farms in Quebec that employed two or three workers (and in one case 5-7 workers). In one case, a worker told us that the strawberry farm in Quebec where eighty workers were employed also did not use any COVID protection measures.

In Ontario, some workers shared that their employers would take their temperature and asked them to monitor their health conditions. Once vaccination was available, some employers tested only those workers who were unvaccinated. Some workers said that employers chose not to hire local workers and move some migrant farmworkers into the positions held by non-migrant farmworkers prior to the pandemic, such as packing. However, many interviewed workers reported they worked side-by-side with national workers, whether vaccinated or not, particularly in packing, where national workers are usually employed¹⁹.

When asked if they feared contracting COVID-19 at their places of work or in Canada in general, most workers expressed confidence that the protection measures their employers used at work protected them. Furthermore, confined to their homes (discussed below), they felt they had limited exposure to community-based spread of the virus. All of the migrant farmworkers interviewed felt that they were well informed about the risks, in part because their employers provided them with relevant information, and in part because they sought and found the information they needed on internet. However, this sense of safety from infection was not universal. Some workers were concerned about the lack of proper protections in place at work or elsewhere. Donald, a worker who identified himself as an immuno-compromised person felt that the workers needed to be informed about infections in his workplace so that others could take precautions by washing their hands:

▶▶ *I was afraid when somebody was diagnosed with COVID, and they didn't tell us. They didn't tell us that, 'Oh, this person is diagnosed with COVID.' But because we take precautions by washing our hands and we use sanitizer and sanitize our tools...nobody had contracted the virus from the person who had it. But I mean, it should be mandatory to say immediately as you find out that somebody was positive for COVID and mandatory that you tell immediately to the people that work here... So that's the only thing I was afraid of and upset about it. I was upset. And now I'm afraid of people that are not vaccinated around me. Okay, because as I have asthma, I just never feel comfortable with people that are not vaccinated around me.*

¹⁹ Migrant farmworkers are usually employed in production and national workers and international students in packing where working conditions are not as demanding.

Donald's concerns went beyond the lack of information about infected co-workers. He told us that originally the employer gave them a box of gloves and masks for free, but subsequently, if they needed more, the cost was deducted from their pay. Some workers preferred to use a kerchief, instead of purchasing a proper mask. Donald was also concerned about social interaction between workers from different houses. He told us that on his farm, there were four bunkhouses with eight workers in each. Yet when they went shopping, they shared taxi rides with workers from other houses.

Among the workers we interviewed, ten told us that they had COVID-19 cases at work, all but one of such cases were in Leamington. Two of the interviewed workers, both female, had contracted the disease. Rene, a worker interviewed in Niagara, Ontario told us about the spread of the virus from one region to another when his brother and his co-workers employed on a farm near St. Catharines, Ontario were sent to work on a farm owned by the same farm owner in Leamington. As it turned out, some of the workers were already infected without knowing it. Eight days after their arrival in Leamington, some members of this group started exhibiting COVID-19 symptoms, at which point they had already spread the virus to other workers. Instead of engaging in contact tracing, the employer told the workers to conceal information about their travels. In Rene's retelling of his brother's story he tells us that the supervisor advised the workers, "*if someone from the government comes and asks you where you got infected, you just tell them you don't know.*"

As discussed in Part 3, under the federal regulations, all migrant workers entering Canada during the COVID-19 pandemic in 2020 and 2021 were required to remain in quarantine for 14 days prior to commencing work. A number of workers died in isolation (see Part 3). Furthermore, some workers shared that if they tested positive or were exposed to co-workers with a positive test, they were then placed in isolation. Sam, a Jamaican worker, who had to spend time in complete isolation told us that he felt like he was "on death row." He elaborates on the mental strain this isolation had on him:

▼▼ *If I feel lonely? I feel like I was in jail, and I've never been to jail before. Yes, I feel lonely. You wanna hear something? Yes, I did feel very lonely I feel like I wanted to step out of the hotel. I got lonely 'til my head hurt cause I'm not used to being in a place for so long not seeing anyone or don't have anyone to talk to...The quarantine was rough, it was very rough.*

Most workers told us that very little was done to prevent the spread of the virus in employer-provided houses. They did use disinfectants, but it was hard to distance themselves from other workers in overcrowded houses where they had to share bedrooms, bathroom, and kitchens. Only one worker told us that their employer rented additional housing to divide up the workers to reduce overcrowding during the pandemic. And while in two cases, fewer workers than usual were expected to share housing during the pandemic, this was not common. From our interviews, we found that the main strategy used to contain the spread of the virus during the pandemic was to keep workers confined to their house and prevent others from visiting them.

5.2 Trading Off Earnings and Public Health Measures

The COVID-19 pandemic amplified migrant farmworkers' deportability and fears of deportation for medical reasons or non-compliance. Medical repatriations were already common among migrant farmworkers before the pandemic (Orkin et al. 2014). And unsurprisingly, some workers in our study and their co-workers were afraid that if they were to contract the virus, they would be returned to their countries of origin. Consequently, to avoid deportation and the associated loss of income, they tried avoiding such measures and testing or monitoring, particularly if they did not experience any symptoms or their symptoms were mild.

In addition, workers who participated in our study were also worried about the possible temporary loss of earnings. They suspected that if they were to test positive, even if they were asymptomatic, they would be asked to quarantine and would not be paid any form of income support while in quarantine, despite the fact that, in reality, they were formally entitled to at least some compensation, as discussed in Part 3.

As mentioned in Part 1, in the summer 2020, when outbreaks on farms started increasing, the Windsor-Essex County Health Unit recommended that all migrant farmworkers be tested. Ricky explains why many

migrant farmworkers were reluctant to do so, making it evident that the possibility of losing income or even their jobs was an important consideration:

- ▶▶ *What happened was that there were rumours that if you were to have a test, you would get the virus entering your body, and if you were to test positive, you would be sent back to Mexico. They would lock you up and then send you back to Mexico, with your contract terminated and not being able to stay in Canada. There were lots of rumours. And that's why we were afraid to get tested, because if we tested positive, the company wouldn't pay you, isolate you, and if you were to die, it would be very complicated, and the government wouldn't help in any way.*

For Matías explains that the reluctance to get tested was attributed to some irrational fears:

- ▶▶ *They were saying that the test was making them sick. They were saying that they had friends on other farms, and on other farms they were testing workers and they were testing positive even though they had been locked up in their houses with no contact with the outside. They didn't even go out shopping. They had no contact with the outside. And so they were saying why do it if they were going to test positive?*

He also points out that those who did not comply with employer-mandated testing were disciplined:

- ▶▶ *And when they were forcing us to do it, two or three refused. It was not mandatory, when since they refused, they were sent to do 14 days of self-isolation without pay.*

All of the Spanish-speaking workers we interviewed received vaccination in Canada. Most of them considered vaccination to be valuable in increasing their protection from the COVID-19 virus. At the same time, some mentioned that they would not be allowed to work if they did not consent to being vaccinated. In fact, vaccination hesitancy among some Caribbean workers interviewed in our study and their co-workers made them deportable for non-compliance with the employers' expectations. Unvaccinated workers were advised that they were to depart by November 30, 2021.²⁰ Ella, a Jamaican worker employed in a Leamington greenhouse, blames the Canadian authorities for this decision even though, in fact, Canada does allow unvaccinated migrant workers to return to work in agriculture (see for e.g., Ontario Ministry of Health 2022). She says:

- ▶▶ *If you're not vaccinated, then you can't return back. [Question: did the government give you trouble in coming back?] They did. They come up with the law. The rules, if you're not vaccinated, then you are not allowed in the country anymore. A lot of workers had to leave the country by the 30th of November. Because they weren't vaccinated and they choose not to be vaccinated, so they have to leave the country before by that date. So that's the thing that I am really strongly against... Because the government says it's not about being tested anymore. It's about being vaccinated. If you're not vaccinated, then you can't travel on the plane or the train.*

At the same time, Ella justifies her refusal to get vaccinated by saying that it has not been adequately tested:

- ▶▶ *I don't think that should be used against you as a worker. For me, I think, whether you want to be vaccinated or not, it's a choice. So, I don't think that they should use all that against you. Right? I don't really approve of that statement because being vaccinated is supposed to be a choice, right? So just like the flu shot, it's a choice. So I think getting vaccinated should be a choice because for me, it is still undergoing a trial.*

Loss of income was another concern that arose during the pandemic. When workers took leave from work due to side-effects, in most cases they were not paid for the missed hours of work. Donald might have been

²⁰ This requirement to depart coincided with the introduction of Public Health Agency of Canada regulations that made vaccination a requirement for travel within and out of Canada (PHAC 2021b).

an exception to the rule. Unlike many other migrant farmworkers, he was aware of income replacement available through Ontario's Workplace Safety and Insurance Board, which provided coverage for a three-day leave following vaccination for the workers who experienced side effects (WSIB 2022).

Incomes received while in quarantine were lower than what workers could earn on a farm. Except for six workers who were already in Canada when the COVID-19 pandemic started, all other workers had to spend two weeks in quarantine upon arrival. Furthermore, if they (or their co-workers) tested positive, they were placed in quarantine again. Some were placed in hotels, some stayed in employer's houses or trailers. They were paid wages equal to thirty hours of work and provided food. In many cases, the cost of food that the employer provided without consultation with the workers was subsequently discounted from their paycheque. In cases of the workers who were placed in the Isolation and Recovery Centre in Windsor, Ontario, it was the Red Cross that provided food to them. The quality of the food they received varied. The Red Cross provided food that was generally good, although it did not correspond to the workers' cultural preferences. Some workers disapproved of the frozen food they received and would have preferred their food to be fresh. Some complained that they had the same food every day. And in some cases, the delivered food was rotten. Alberto comments on the food they received from the employer:

▶▶ *The food was horrible. Their employer ordered it from a Latino restaurant in Leamington. But the food we received was rotten. Instead, we asked for fruit. And that's how we survived, eating just some rice and fruit.*

Gisella was frustrated to see her paycheque being used to cover her additional living expenses when in quarantine:

▶▶ *We were paid for 30 hours a week during the quarantine but with this money we had to pay for the hotel, food, and swabs; there was nothing left. With that money we paid for everything.*

As mentioned in Part 3, infected workers and their co-workers placed in quarantine were entitled to receive Ontario's Workplace Safety and Insurance Board benefits. However, only one interviewed worker mentioned that he received WSIB coverage while in quarantine. In Quebec, none of the workers interviewed had been infected while in Canada (and only one asymptomatic worker tested positive for COVID-19 upon arrival). Therefore, these workers were not eligible for any COVID-19 income support. No income support existed for migrant without legal status; one non-status migrant farmworker, her sister, and her two parents, all of whom tested positive for the COVID-19 virus, received no financial aid, and had to rely on her uncle for survival while remaining in quarantine for two weeks.

Only Alberto told us that workers on his farm were able to make up for the lost income while in quarantine. Upon return to work, they were asked to work longer hours than usual, and all workers were invited to stay for an extra month. Alberto found these long hours to be exhausting and an extra month of separation from his family difficult. Yet, similarly to the pre-pandemic times, he and his workers put up with these additional job demands in order to secure their families' well-being. Many other workers were not able to compensate for the lost wages. Furthermore, in the case of some workers (for example, on dairy farms in Quebec), hours of work and consequently incomes were lost due to the reduced market demand for their produce during the pandemic.

5.3 Costs of Isolation -Confinement to Employer- Provided Housing during the Pandemic

Prior to the pandemic, many workers residing on farm in remote rural communities spent most of their time outside of work in their dwellings. However, the town of Leamington, where many of our interviews were conducted, is within a bicycle ride of many farms, and taxi rides, particularly when shared, are relatively inexpensive. Workers often ride their bicycles into town of Leamington enjoy sports activities, as well as culinary, social, cultural, and recreational opportunities (see Basok & George 2021, for instance). These activities provide release from job demands to the workers. However, being confined to their houses during

the pandemic, even when many COVID-19 restrictions were lifted, not only violated the workers' rights to the freedom of movement but also deprived them of the resources they needed to buffer the employment strain. Furthermore, having to spend all their free time in the company of their co-workers amplified pre-existing tensions between them. Finally, these restrictions made the workers who found the confinement difficult to bear more precarious when employers used minor infractions as grounds for dismissal or other forms of discipline that resulted in the loss of income.

Virtually all workers interviewed in Windsor-Essex were not allowed to leave the farm during the COVID-19 pandemic, in some cases up to a year-and-a-half, despite the fact that the regional health unit (WECHU) lifted many original restrictions as the region progressed through various stages of re-opening businesses and public spaces and institutions that were ordered to stop in-person activities and service at the beginning of the pandemic.²¹ Those who were allowed to go shopping once a week, were allotted a limited amount of time to purchase groceries. Some were given only 30 minutes while other could spend up to one hour in the store. In most cases, workers were transported to a store in a company van. In other reported cases, workers had to take taxis to travel into town in groups. On one farm, only three people from the workers' house purchased food for the rest of them. The three people in charge of shopping were rotated each week. There were also some farms on which workers were not allowed to leave at all. Instead, they filled out shopping lists, and their food was ordered for them by their employer and delivered to their doorsteps. When it was someone else purchasing food for them, they did not always get what they had selected. Some found that the food was purchased at a store where the prices were either higher than they would have preferred, or the selection of ethnic food was more limited.

Yet, many workers accepted these restrictions. As Daniel puts it, *"it was as if we were in prison, but for our own good, right? Well, we didn't have the right to leave, because, if we were to leave, we would endanger the company, and other co-workers and who knows how many other families."*

Not everyone could tolerate the isolation but, if these rules were violated, workers were disciplined, as Matías explains, *"If someone went into town to do shopping or something, they were sent to do quarantine, and they were not paid while they were not working."* Similarly, Abel comments, *"During the pandemic, you couldn't leave the house to go anywhere. It was prohibited. And if you were to leave, he [the employer] got angry and reprimanded you,"* a measure that Abel fully approved, because, as he explained *"it was for our own good."* Only some farmers allowed their workers to ride bicycles along the road, without visiting towns. Other farmers did not allow workers to get off the farm premises for any reason. Ricky's disobedience was not tolerated:

▶▶ *Before we got vaccinated, I left the farm one day. It was just one kilometer from the house. It was just along the road. There was nothing but farmland. I rode my bicycle. I just cycled one kilometer from the house and came back. I just needed to clear my head... But since the employer lives close to the farm ... he saw me as he drove by. He stopped and asked me, "what are you doing here?" I told him that I was very bored in the house, and I needed to ride my bicycle. He asked me if I was going into town, and I said 'no, I am not going there, boss.'"*

Still, Ricky's employer ordered him to return to the house immediately. Even after the workers received two vaccines, his employer did not want the workers to go out to socialize with any community residents. When Ricky disobeyed, he paid a high price. While on vacation after the first year of this second two-year contract, he received a message from his employer telling him that he was not to return to work in Canada. Among the reasons for firing him, his owner mentioned that Ricky "went out with girls in town," and that in his employer's view, this act constituted a violation of the COVID-19 restrictions.

²¹ After a months-long shut down of businesses and public institutions, as well as restrictions on social gatherings, on 19 May 2020, the province of Ontario started easing stay at home orders, expanding capacity limits, gradually lifting some other restrictions in a staged and regional process. When Windsor-Essex moved to Stage 2 of this reopening, Leamington and the nearby town of Kingsville that also receives many migrant farmworkers, were to maintain more restrictive Stage 1 requirements on account of large on-farm outbreaks in both towns. On 7 July 2020, Leamington and Kingsville were allowed to move to Stage 2, being the last ones in the province of Ontario to progress to this stage. For the chronology of stages of re-opening in the Windsor-Essex region see Borrelli 2021.

One worker reported that they were not allowed to even step outside their house, something that, as he told us, triggered his depression. Only some workers questioned the legality of confinement. Donald did when he searched the internet sources to see if this policy was in violation of Canadian laws. So did the workers on Andrew's farm, as he narrates:

▶▶ *You know when it was like at Stage 4 [of the re-opening of the province of Ontario], you know everybody could meet up like five persons? We had to like search the internet to get that kinda information, they didn't come out and say "oh you know you can go out and stuff like that, stay safe, we're not gonna keep you here" so they did not give us that information we have to do that and go out on our own. And then there was kind of tension because there are people that if you go out they are gonna tell the supervisor. So then that's when we had to tell the supervisor that hey the law say that people can go out and that no employer should restrict their workers from going out and stuff like that.*

The confinement impacted the mental health of many migrant farmworkers, workers who were already concerned about the health and well-being of their families left behind. Many mentioned that the workers felt stressed, depressed, restless, sad, tense, or simply bored while staying at home all the time. Some compared it to being in jail and resented that there was no opportunity for them to take their minds off work. The following are examples of the emotional impact the confinement had on some workers:

▶▶ *We no longer had the liberty to spend time with our friends, to go out as we did before the pandemic. I think it really impacted us. (Ezequiel).*

▶▶ *In such a free and sovereign country, slavery felt like death. Many left. Many left the job. Many fell into depression. There were all kinds of things. Some of us endured. Some of us needed a psychologist. I met with a psychologist. There was a moment when I said: "f... it". And I locked myself up, I wasn't going to work anymore, I stayed locked up, drinking. and I already said: "f... it." And in May of last year, precisely on May 10, my mother passed away, so I said: "Yes. It's over. I'm going". And three very important people here in this company went personally to greet me and talk to me. And they encouraged me to hang in and I went to see a psychologist. (Ron).*

▶▶ *It was a drastic change. We were all used to going into town when we finished work early. We would go into town. Go to a café. Or just walk, to clear my head (divagar mi mente)... And when we couldn't go out anymore, being at the house all the time, just walking around the house on the farm property, and nothing else, not going into town, well this was a drastic change. I am one of those people who likes going for coffee or to a park, or something else, to see friends, go to a supermarket to buy clothes or whatever, but just to change the environment, get away from work, to get your mind off it. So it was difficult to be confined and not be able to go out. But we also understood that it was best for everyone, right? This way we would not get infected. If no one got infected, then we could all continue to work as all of us would be healthy... the truth is that in the first few months it was very hard to get used to the life we had; we were just allowed to go to a supermarket for half an hour and then back. The truth is that it was too stressful. Very stressful. We felt confined, we felt imprisoned. (Ricky)*

For some workers, having to work long hours without rest meant that they had no time to miss social life, as Donald outlines:

▶▶ *Not being able to socialize with other people was kind of tense. Yeah, kind of tense. So we never have time to worry about it because we were working long hours, right? So when we leave work, come home, prepare food and take a shower, go sleep. So we never miss anything.*

Some workers felt being confined to their houses during the pandemic was not much different from the seclusion prior to the pandemic, as Matías explains it:

- *The change was not that we were locked up and could not leave. In general, we only go out once a week to do shopping. Of course, they say let's go and you can only go out for a limited time. So all people were shocked and alarmed and many started complaining. Why? Well, but looking at it from the perspective of how things were before the pandemic, well, it was just one day per week that we could go out, so it wasn't a problem.*

And yet, later in the same interview, Matías admits that the forced confinement impacted the workers' mental health:

- *It was very stressful. We all live in the same house and even though we don't go out much, but the fact of knowing that we could not go out on Fridays to do shopping or on Sunday, the day to do shopping, it made us feel stressed out, feel locked up here, as if we were in prison. We were saying, why do they not let us go out as if we were in prison? Why do they not let us go out? We are just here in the house and at work, and from work to the house and that's all. It was very stressful. And it caused problems among the co-workers, and it was because we could not go out... We used to live like this before as well, but we felt even more confined during the pandemic... And so people felt very unhappy that they had to share the house with other workers, because they had to spend too much time with them without leaving, and so they felt unhappy.*

The migrant farmworkers we interviewed listed a few coping strategies to overcome the mental stress of being placed in isolation or quarantine. Among them were: “not thinking about it”, drawing, listening to music, reading, talking to family and friends, helping their children with their homework over the phone, studying, praying, reading the Bible, attending religious services online, watching TV, focusing on work, listening to motivational podcasts, exercising, and developing hobbies. These coping strategies reduced the stress and loneliness caused by isolation and confinement to a shared space that further blurred (or virtually eliminated) the separation between work and home. However, without community or any other social support (as discussed in the next section), for most workers the strain was particularly difficult to bear.

5.4 Wider Community: Source of Support, Buffer, or Strain?

While migrant farmworkers experienced additional job strain during the COVID-19, including the psychological and social impacts of being confined to their houses, they received very little support in local communities to reduce this strain. Even prior to the pandemic, in the Leamington area and Quebec migrant farmworkers were excluded from the life of the wider community and felt that they did not belong (see, Basok & George 2021; Bélanger & Candiz 2015). As discussed in Part 3, due to their temporary status, until recently these migrants had been excluded from settlement services. As also mentioned therein, there are, moreover, limited formal and informal social supports to reduce this strain.

Some communities in Ontario, such as Windsor Essex were able to draw on federal and provincial funding initiatives to provide short-term support in response to COVID 19, such as mental health support, and there was modest advancement in healthcare access through mobile clinics and language translation services. A cross-Canada initiative funded by ESDC and led by KAIROS, a faith-based advocacy group, provided information, education, and welcoming to workers and additional resources to grass-roots organizations in Ontario and Atlantic Canada. A Migrant and Temporary Worker Initiative funded by IRCC moreover permitted the Windsor Essex Partnership Immigration Council to include migrant farmworkers in their mandate and advance community support. None of these initiatives, however, have generated a sustainable system of support. Rather they mirror the strategic and targeted approach to COVID-19 that appears to reflect and reinforce rather than transcend the structural arrangements of the TFWP and its subprograms in agriculture. Moreover, as workers' accounts illustrate, these initiatives were not sufficiently robust to reach a fraction of the 10,000 migrant farmworkers in Windsor-Essex.

During the pandemic, the workers' sense of isolation was particularly pronounced. There were some exceptions. Some interviewed workers mentioned church-based organization (and a bakery, in one case) that dropped off food, as well as masks and disinfectants. But the workers we interviewed also wished they received more emotional support from community organizations or professionals during these difficult

times, as well as more PPE, transportation, translation of pamphlets written in English, and pharmaceutical drugs. Ron elaborates on the need for psychological support:

- ▶▶ *Well, they failed us. If they had put a permanent therapist here, this one, things would have been easier for several of us. We were left on our own to seek information, not knowing English, not being from this country. I feel they failed us, and if we had had that attention, that moral support for the workers, so many people would not have left. It's my point of view, right?*

Matías also suggests that social and emotional support would have been helpful:

- ▶▶ *The workers needed someone to talk to. A lot of workers did not talk about what was happening or they did not have anyone to talk to, they did not feel comfortable telling others how they were feeling.*

Given the frequent reference to migrant farmworkers as “essential workers” in the media, we wanted to know if the workers we interviewed felt that the community had started treating them with more appreciation and respect. Given how little migrants, forced to stay in confinement, were allowed to interact with the community, it is hardly surprising that most workers were unable to notice the change. However, some workers (e.g., Orlando & Ricky) did remark on this new sense of appreciation (albeit limited to only some residents):

- ▶▶ *Well, I think some people did treat us differently. This year I was helping out my employer at his store. And one lady told me: 'Thanks to you, Mexicans, we have food, because you come to work here.' So, she told me she appreciated us. But for others, it was the same as before. (Orlando)*
- ▶▶ *A few times a bakery, I don't remember the name, they brought us a basket of bread, because we were not allowed to leave during the pandemic. And it's not so much the products, but the people saw it as a way of showing to us that we mattered to them. That's how I saw this support. That after all, that they were interested in us as human beings in addition to recognizing the important work that we do. (Ricky)*

These rare expressions of appreciation dulled the strain that COVID-19-related fears and restrictions placed on the migrant farmworkers. On the other hand, the community also became a source of additional strain. Hostilities expressed by local communities towards migrant farmworkers pre-existed the COVID-19 pandemic (Basok & George 2021; Horgan & Liinamaa 2017; Perry 2016; Smith 2015). Yet during the pandemic, as some workers recalled, some local residents became even more fearful of them. Ron saw it as racist: “They saw all Mexicans as ugly or something. As if we bring the disease.”

Donald concurs with the portrayal of the way migrant farmworkers were treated by Leamington residents, but he is reluctant to call it “racist:”

- ▶▶ *I witnessed migrant workers walking in the street. And I see Canadian community members. They're going down and they walk to the street where a car could hit them because they don't walk past the migrant workers. And I was like, 'oh, this is so bad. They have unmasked and the migrant workers are unmasked. But yet you don't have to walk on the street where vehicle can hit you.'*

When asked to explain why it was happening, he says:

- ▶▶ *To me, it's not racist. No, it's not. I wouldn't say it's racist...They think that, oh, they're coming from countries that have virus. I see it happen on several occasions and one time it happened to me and I stopped the person, I said. It hurts when you do stuff like that, because one I would think that you're racist. Two, I think that you scorn me. Three, it looks like I have a disease. And the person said, No, no, no. It's just my thing because you guys are from a different country. You just came here. But some of us are here for two years. Yeah. All of us is here before COVID came*

and we're still here. You don't know. Yeah, I can't. What would you feel if you were walking on the sidewalk and [I] pitched into the bush because I don't want you to walk past me? How would you feel? And then near the end, when she said I would feel that way because I would think that you scorn me. So, I said, that's how I feel, with what you did a while ago.

The lack of community resources dedicated to meeting the migrant farmworkers' needs combined with amplified strain result from the hostile environment, are important components of the environment in which temporary migrants work.

In sum, before the pandemic, migrant farmworkers interviewed in the study faced such job demands as exposure to unsafe working condition, work pressure, extended hours of work, workplace harassment, and substandard housing conditions. Their replaceability and deportability limited the degree to which they could question or challenge these conditions. Furthermore, their employment insecurity added additional strain to an already long list of job demands. At the same time, the resources to mitigate the impact of these job demands and employment strain on their well-being were limited. Most had little control over their work environment. Those who told us that they did influence some of their employers' decisions admitted that such examples were rare among migrant farmworkers in Canada. Leaving their families behind contributed to additional emotional strain for these workers. Yet, the ability to use Canadian earned remittances to improve the lives of their families was also seen as a resource that helped migrant farmworkers interviewed in this study to alleviate some effects of the employment strain. It is only when we take a holistic view that includes the broader environment that we can understand the employment strains that these workers experience as well as potential and actual resources to buffer these strains.

During the pandemic, some of these employment strains were amplified. The risks of COVID-19 contagion at work and in employer-provided housing, fear of medical repatriation who those who tested positive, reduced incomes during quarantine, and prolonged forced isolation from the community, added new employment strains to the long list of the strains that pre-existed the pandemic. Unfortunately, no community resources were made available to the workers we interviewed to relieve them from the anxieties triggered by the health crisis.

▶ 6 Lessons Learned and Recommendations

6.1 Summary of Findings

In this study, migrant farmworkers told us that prior to the pandemic, job demands in agriculture including occupational hazards, such as high risk of injury, extended hours of work, high work pressure, workplace harassment, and substandard employer-provided housing, were exacerbated not only by the seasonality and lack of permanency characteristic of migrant farm work, but that supplementary and/or modified existing government and community resources failed to counter high levels of employment strain. Consistent with these trends, many COVID-19-specific interventions and supports that aimed to protect migrant farmworkers during the pandemic, such as mandatory quarantine periods, guidelines on congregate employer-provided housing, on-the-job health provisions, testing and vaccine clinics, and income supports were often either ignored, limited in their implementation, ill-enforced and/or had contradictory effects. We found that such outcomes were linked to these job resources' failure to address deeply-rooted factors contributing to migrant farmworkers' vulnerability, such as their institutionalized dependency upon employers, the insecure character of their employment in agriculture, and their precarious legal status. As discussed in Part 3, during the pandemic Canadian policymakers recognized migrant farmworkers as "essential" to maintaining Canada's food supply and agricultural industry more broadly. Accordingly, migrant farmworkers were exempt from large-scale international travel restrictions. Akin to other essential workers during the pandemic, they were compelled to shoulder new and intensified job demands. Uniquely, however, migrant farmworkers' exclusion from certain protections linked to employment relationships and residency status further compromised their physical, emotional, social, and economic well-being.

More specifically, interviews with migrant farmworkers, as well as media reports, revealed that many workplaces, including employer-provided housing, were not adequately protected during the COVID-19 crisis. For instance, the use of masks and protective equipment and the physical distancing requirements were not strictly enforced, and onsite housing and labour inspections were largely absent. Instead of creating safe working and living environments, many employers required that "their" workers remain in isolation during the off-work hours. Yet this strict confinement to living quarters had a detrimental impact on workers, preventing or severely limiting the time they were allowed to rest and rehabilitate away from the worksite and spend time off-farm. Working and living conditions experienced by migrant farmworkers during the pandemic amplified many of the pre-existing problems, such as violations of occupational health and safety provisions, overcrowded housing, lack of adequate inspections, employers' control over migrants' personal lives and leisure time, and "social quarantining." Furthermore, without access to guaranteed income replacement and fearful of medical repatriation, limitations prevailing prior to the pandemic, workers, at times, "preferred" to avoid testing for the COVID-19 virus, thus putting their own health and that of their co-workers at risk.

Moreover, the COVID-19 pandemic amplified global inequities shaping labour migration in agriculture as regional economic gaps grew due to insufficient vaccine availability in lower-income countries (ILO 2021). The heightened risks affecting migrant farmworkers during the COVID-19 pandemic - not to mention their relatively high rates of infection -- reflect such entrenched global inequalities reinforced by immigration and labour laws and policies that institutionalize migrant farmworkers' insecurity of presence. These fundamental features of migrant farmworkers' residency augment employment strains they experience on account of their temporary/fixed-term contracts.

As such, Canada's "model" managed migration programs in agriculture - and similar programs elsewhere - require deep and fulsome reform. In the immediate term, workers require more meaningful interventions, resources, and supports that counter their deportability and transcend, or at a minimum compensate for, the seasonal and temporary nature of their employment contracts in order to alleviate some of the effects of their employment strain. By way of conclusion, we enumerate a series of policy directions

and recommendations, informed foremost by the experiences and recommendations we heard from the workers themselves, that aim to foster more sustainable working and living conditions.

6.2 Recommendations

6.2.1 Protecting Workers from Arbitrary Dismissals Prompting Repatriation

As temporary residents with closed work permits, many of the migrant farmworkers we interviewed told us they tolerated unsafe employment practices and employer harassment and did not complain about sub-standard and crowded housing conditions for their fear of losing their jobs and being sent home or denied future employment. As Matías, a Mexican worker employed in a Leamington greenhouse put it in his call for changes that would “*give workers an opportunity to express their concerns,*”

►► *Sometimes, people have the need to tell the boss about their needs or something else they want to tell their boss, something that they don't like. You need to have the right to express your views. (el derecho a opinar).*

Migrant farmworkers indicate that they would feel less fearful of expressing their concerns to employers if certain protections were put in place, including open work permits for agricultural work or the ability to seek and receive transfers to other employers. Alternatively, an independent tribunal (Vosko 2019; Basok, Tucker, Vosko et al. forthcoming) should be established to adjudicate cases of dismissal. Such a tribunal would only authorize a dismissal where the employer can establish just cause on a balance of probabilities. Arguably, permanent residency upon arrival (to be discussed in more detail below) would grant farmworkers the strongest protection by extending to them security of presence, or the ability to live and work without fear of deportation.

6.2.2 Permanent Residency Status for Injured Workers

Migrant workers who are injured are often repatriated to their countries before they fully recover. Furthermore, workers who with disabilities may lose the opportunity to return to work in Canada. Manuel, a Guatemalan migrant employed on a farm in Quebec, spoke about how permanent status would be beneficial, particularly in the context of workplace injuries. He told us about a serious accident on his farm that left him with multiple debilitating fractures. Seven months after the accident he was still at the hospital, in pain and unable to return to work, underscoring the risks workers take, and their effects in the absence of permanency. He narrates:

►► *Well, everything happened so fast. I remember someone shouting and when I turned around to see what was happening, a whole pile of boxes hit me and I lost consciousness. Then I remember that someone covered me with a blanket because I felt cold. Then someone talked to me and turned me around. I vomited blood and then I started to breathe. When I started to breathe, I did feel relief. But when I heard the sound of the ambulances, I knew I was safe. And that was when I closed my eyes and from there, I woke up fifteen days later. When I came to, I saw there were four doctors in front of me, I had a tube in my throat, I had needles in my right hand and my left hand. I had a round thing near my chest that had four outlets. I don't know what it was for, but I only saw that it had four types of liquids. And I had a bunch of things stuck all over my body*

Manuel is now permanently disabled and knows that he will not be able to survive if he returns to Guatemala. He notes, “*In my country, I will not be cured; I will not receive anything, I will just die... no one will employ me.*” He hopes to be able to stay in Canada as a permanent resident but, at present, there is no indication that it will be possible. Migrant farmworkers who are injured should be granted the opportunity to obtain permanent residency in Canada.

6.2.3 Regular and Unannounced Labour Inspections of Farms

As we have illustrated, the federal government's responsibility for immigration laws and policies and thus the administration of the SAWP and the AS alongside provincial governments' responsibility for the administration and enforcement of workplace laws, as well as the compliance orientation of enforcement prevalent in both domains, produce jurisdictional gaps. These gaps impede the provision of basic employment standards and worker rights more generally. It is thereby necessary to strengthen both federal and provincial enforcement of workplace and immigration laws in concert. This entails giving the federal inspection regime primary responsibility for enforcing regulations of the *Immigration and Refugee Protection Act* and (where applicable) the SAWP contract through unannounced in-person inspections and the necessary power to compel provincial/territorial authorities to enforce workplace laws where there is evidence of their breach. Such inspections should, moreover, engage workers in the absence of employers and/or management and maintain worker anonymity.

Referring to the need for both on-farm inspections and the importance of protecting workers' anonymity, Viviana notes:

►► *What they need now is for someone to inspect each farm. [They need] to see that the necessary regulations are complied with and that they do not only look at it, but that they ask the workers how they feel. Because many times they just have a survey that has to be filled out or something like that. But they need to come without the boss knowing that they are there. Well, I believe that no one will know if a person is well without asking, because many working people, whether they are foreigners or from here, do not speak out of fear, they do not say things out of fear that if they were to say something they would be fired or not asked to come back. But, if the complaints are made anonymously or done more directly [to inspectors], that's what would help a lot.*

6.2.4 A National Housing Standard

Many migrant farmworkers interviewed discussed how their poor and crowded housing conditions compromised their health prior to and during the global health pandemic. While crowded and poorly ventilated bunkhouses increase the risks of COVID-19 transmission, migrant farmworkers also told us how limited capacity and poor-quality sleeping quarters, kitchens, bathrooms, and showers negatively impacted their physical and mental health. As noted in Section 3, although the federal government did conduct housing inspections during the pandemic, an Auditor General's Report found these inspections to be too infrequent, inadequate, and ineffective. Ensuring sufficiency in housing in Canada, as elsewhere, requires no less than a permanent well-enforced national housing standard. Canada should develop standards in this domain that, at the very least, meet the following criteria outlined by UN: security of tenure; availability of services, materials, facilities, and infrastructure (including safe drinking water, energy and space for food storage and preparation, etc.); affordability; habitability (namely, protected against cold, damp, heat, wind, other threats to health, with provision for privacy); accessibility; location (namely, not cut off from health-care services, grocery stores, and social facilities); and cultural adequacy (OHCHR 2014, 3–4; for detailed recommendations, see specifically UFCW 2020; MWH-EWG, 2020). Additionally, akin to those proposed with regard to the enforcement of workplace laws and policies, Canada's federal labour and immigration authorities should mandate unannounced and regular inspections of housing, informed by confidential and anonymous participation of employees protected and by a firewall between housing inspectors and the Canadian Border Services Agency to ensure that workers' health is not compromised, that their standard of living can be sustained both at work and when they require recuperation from injury or illness, and that they can speak candidly about housing conditions without fear of reprisal.

Decency in housing not only improves migrant farmworkers' lives outside of work, but also, as one migrant farmworker we spoke to pointed out, provides an integral job resource in dangerous jobs. Accordingly, Alberto suggests that if the migrant workers enjoyed more privacy in their houses, their overall stress would be reduced, and they would be less likely to have accidents at work:

- ▶▶ *We need more privacy because in each house there are always problems between the workers, always, always, there are problems. ... And I say it because this would be better for the employers also. When accidents happen at work it's because someone has a problem and keeps thinking about them and not paying attention. It always starts there, because of the problems that happen in the house.*

6.2.5 Adequacy in Wages

In addition to such supports, many migrant farmworkers participating in our study spoke to the need for improvements in their remuneration, including a much-needed increase in minimum pay requirements (by commodity) for this essential work together with providing greater opportunities to work in other higher-paying jobs in other sectors and occupations²² In calling for improvements in their remuneration and opportunities to work in other jobs, Rene notes:

- ▶▶ *The government says we are essential for our jobs, for Canada's economy. Well then, they need to improve our salaries. There are jobs in Canada that are not as demanding and pay better.*

He continues:

- ▶▶ *If I was a [government] Minister, I would change all this... For me, it would be ideal if I didn't have to go to another country to work and leave our families behind. But, of course, it's difficult because of the differences between the economy in Mexico and Canada...*

6.2.6 More Cultural Activities

As discussed in Parts 4 and 5, social and cultural activities are important sources of support for migrant farmworkers and their specific job demands in a transnational context. Daniel felt that since migrant farmworkers have contributed to the local economy, they deserved more appreciation and more social and cultural activities:

- ▶▶ *We would like the government, or the municipality, or whoever, now that we are the majority of workers, migrants who are working in this town, it would be nice if they organized more events for us. For examples, a horse race or tournament or something like this. Somewhere where we could go to have fun in a town like Leamington. They used to have a rodeo here, for example, but one is already bored with it. We would like something else, some auctions.... There are lots of us, and Leamington is growing. And it is largely due to Latino workers, right? Well, not just Latinos but all migrant workers.*

6.2.7 Opportunities for Better Jobs and Full and Meaningful Access to Wide-Ranging Services

Recruited under programs for lower-skilled workers, migrant farmworkers are precluded from applying for jobs that are classified as higher-skilled jobs in agriculture or in other sectors. Yet many workers participating in the SAWP or the AS have skills and qualifications (or seek opportunities to obtain such skills) so that they could transition to other jobs. Ron, for instance, wants to have opportunities to work in and be trained for higher-level positions at the same farm where they have been employed for a few years in a lower-level position:

²² As groups such as the Migrant Worker Health-Expert Working Group (MWH-EWG) contend worker participation in the negotiation of wages through SAWP contracts, which are negotiated between Canada and participating sending states, is vital. That said, given the significant growth of the less regulated Agricultural Stream, which is not regulated on the basis of bilaterally-negotiated agreements, across the board increases in minimum pay requirements by commodity in the domain of agriculture whilst opening other job opportunities for migrant workers would ensure that workers participating in this stream are not left behind.

- ▼▼ *I think that if from the beginning the company should have trained us for different job positions, it would have worked better for them. Give me a higher position and give me more respect. But they don't respect all the sacrifice that one makes, and it's not fine with us. In my case, I don't like it that people come to occupy certain positions that I sweated for.*

Rene also calls for opportunities to move to non-agricultural jobs:

- ▼▼ *There are other good jobs in Canada that require workers. And if they gave us an opportunity to work for better wages, it would be ideal. It would help.*

To provide more opportunities to migrant farmworkers, access to French and English language training is imperative since language can be a significant barrier. So too is wide-scale access to training for higher quality jobs, such as that provided to other workers via EI benefits from which migrant agricultural workers are, at present, effectively excluded (see Part 3).

Language barriers also mean that communication between workers and their current employers is sometimes fraught and ineffective. As Ricky explains:

- ▼▼ *What we need is better communication between the employer and the workers. The language barrier is a big problem for us, and we need to learn English to express ourselves better. ... It's important for us to talk to our employers and tell them about the things that concern us and share ideas that we have to build a healthy work environment.*

In making these remarks, Ricky sought to improve access to a range of services, from those related to health and legal aid to language training, currently accessible only to applicants enroute to permanent residency or permanent residents as they are deemed settlement services. Access to such services is arguably necessary for all migrant workers regardless of entry category and whether they aim to remain in agriculture or move into other industries.

In addition to the recommendations articulated explicitly by the migrant farmworkers interviewed, on the basis of this research, informed by mixed methods, we forward the following recommendations that aim to strengthen rights and protections for this vital workforce with difficult and dangerous job demands.

6.2.8 Universal Access to Income Support

The experiences of the workers interviewed for this study support proposals we offer elsewhere with regard to income support (Vosko & Spring 2021); specifically, the need for universality in income support programs of the receiving state. All workers, regardless of citizenship status and duration in Canada, should be entitled and enabled to access EI and other income-related benefits (Tucker et al. 2020). This principle would reduce pressure on households of workers labouring transnationally in the Global South to bear the burden of labour renewal during and beyond the life of employment contracts. Its implementation would mean supports in the face of illness, injury, unemployment, and other interruptions in employment, reducing pressures migrant farmworkers face to suppress concerns around their personal and collective health and safety on-the-job. One OECD (2020, 22) report, addressing effects of COVID-19 on immigrants and migrants globally, recommends that government policymakers ensure that “economic and employment support measures do reach migrants” so that “the contributions of migrants are not forgotten.” To achieve this end, requirements, such as a non-expired work permit, which can make migrant farmworkers holding employer-tied time-specific work permits ineligible for most income supports to which they are otherwise entitled, should be eliminated. Given that, as the COVID-19 pandemic has illustrated, the transnational character of migrant farmworkers’ labour is integral to sustaining the food supply and Canadian agriculture over the long-term, migrant farmworkers should also be able to collect income support during and in-between contracts regardless of their geographic location, especially during periods of seasonal unemployment mandated by bilateral agreements.

6.2.9 Access to public healthcare

The high health risks migrant farmworkers face (both during the pandemic and beyond it) highlight the need for secure (namely, unmediated) and immediate access to public health insurance upon arrival and after an employment contract ends. In certain provinces, many migrant farmworkers are only eligible for provincial public healthcare after a three-month waiting period required to demonstrate residency and must rely on private health insurance that is often limited and difficult to access in the interim. As essential workers with significant job demands that can compromise workers' health and well-being, migrant farmworkers should be exempt from this waiting period. Other impediments to immediate access to public healthcare, such as Ontario's requirement to have an employer confirm 6 months of full-time employment, should also be lifted. Additionally, ongoing access to public health insurance in-between jobs or in case of injury should be provided to migrant farmworkers, given especially the significant risks they undertake to perform essential work. To access primary care and attend to work-related injuries, migrant farmworkers, moreover, require a sustainable system of services and supports such as language translation services, transportation, and medical clinics that attend to the specific needs of workers, including the assurance of privacy and confidentiality, as well as the availability of flexible scheduling. Finally, migrant farmworkers should be provided with free independent transportation to clinics or hospitals. Some workers interviewed in our study mentioned that their employers refused to bring them to a clinic, thus denying needed medical care to the workers. At the same time, when employers are willing to transport and accompany workers to a clinic, fear of being repatriated for medical reasons (Orkin et al. 2014) prevents many migrant farmworkers from seeking the medical attention they require. Free independent transportation to clinics would allow migrant farmworkers to overcome both issues.

6.2.10 Collective Bargaining Rights for Agricultural Workers

To align with the ILO's Declaration on Fundamental Principles and Rights at Work (1998) as well as ILO conventions on the right to freedom of association and collective bargaining falling within its ambit (see ILO 1949; ILO 1978; ILO 1981), labour laws should be reformed in order to further protect agricultural workers' right to freedom of association and facilitate access to collective bargaining, specifically in jurisdictional contexts in which agricultural workers are excluded from laws protecting their rights to form union and bargain collectively. Moreover, to address fissuring within unionized agricultural workplaces on the basis of residency status and/or program of entry (on the possibility of attrition among a SAWP-only bargaining unit through the recruitment of AS participants, see Vosko 2019), relevant memoranda of understandings, operational guidelines, standard employment agreements, and template employment agreements should mandate adherence to labour relations laws and policies by all involved parties (receiving and sending state officials, employers, and union representatives), while Canada's federal immigration and labour departments (namely, IRCC and ESDC) governing temporary labour migration programs should establish and enforce strict penalties for non-adherence.

6.2.11 Security of Presence

Finally, Canadian immigration policy should be reformed to ensure migrant farmworkers' security of presence (namely, the ability to live and work without fear of deportation). Permanent status upon arrival, a key demand among migrant workers and migrant worker advocacy organizations in Canada (see for e.g., Migrant Rights Network 2022; MWAC 2021), would help to address the pressure migrant farmworkers face as closed work permit holders who are excluded from a number of social and economic resources and supports and whose residency is dependent on their employment with a single employer. Well-designed pathways to permanent residency, would thwart repatriation as a means of employer retaliation, on the basis of discrimination, including against workers compelled to complain. As a bridge to these reforms, but not an end in and of itself, fully open work permits for all migrant agricultural workers would reduce barriers to voicing complaints about unsafe work and/or living conditions in the knowledge that there are exit options beyond repatriation. As our field work has underlined, a subset of migrant farmworkers, as workers in other sectors, are non-status; avenues for regularizing this group are imperative for the sake of their health and well-being, as well as that of those workers holding different status alongside whom they labour (Goldring & Landolt 2022; Borras, Goldring, & Landolt 2021).

► Conclusion

Through engaging an expanded understanding of the employment strain model as a framework for analysing immigration and employment laws and policies pre- and post-pandemic, together with interviews with migrant farmworkers in Ontario and Quebec, this study reveals that the imbalance between job demands and job resources long experienced by migrant farmworkers engaged in precarious employment and holding tenuous residency status in Canada persisted and, in many respects, intensified during the COVID-19 pandemic.

As the foregoing analysis demonstrates, in the case of migrant farmworkers, job demands cannot be separated from the social conditions of life outside of employment (congregate living, limited mobility etc.), terms of an employment contract (“seasonal” temporary employment), and the regulatory context which defines transnational migrant farmworkers as non-citizens. Rather, an expanded conception of employment strain, attentive to employment relationships, household insecurity (see especially Lewchuk et al 2005; Vosko 2005), as well as the transnational context, exposes how strains of employment are shaped by a multitude of relationships and conditions. For instance, job resources derived from the social benefits to which migrant farmworkers are formally entitled (such as public health insurance, temporary income benefits in case of injury or illness, and COVID-19 interventions) and workers’ access to them are often controlled by the employer (such as workers’ ability to leave the farm) despite terms and conditions established under TFWPs. An expanded conception of employment strain points, moreover, to the way supports, such as non-profit and civil society organizations and/or public agencies, which could, in theory, buffer strains (for example, through the provision of health care and language services), are non-existent, insufficient, or inaccessible to migrant farmworkers. To address migrant farmworkers’ vulnerabilities caused by the transnational employment strain, it is vital to rethink Canada’s approach to temporary migration, expand community support for these migrants, strengthen workplace protections for all agricultural workers, and ensure that workers who require housing on farms live in healthy and dignified conditions.

Annex

Appendix 1: Interview Guide

1. Socio-demographic background, occupational background and farm characteristics:

- gender
- age
- do you consider yourself an indigenous person?
- which of the two temporary migration programs are you working under?
- family status
- number of children or other dependent family members
- level of education
- years of work experience in farms in Canada and as farm workers in your home country
- how long have you worked on this farm?
- farm size (by approximate number of employees)
- do you work mainly with women or men, or a combination of the two
- do work mainly from migrant workers, other immigrants residing in Canada, Canadian workers, a combination of all (please describe)
- are you supervised by the farm owner, Canadian supervisor, or capataz who is a migrant worker?
-

2. Working environment before the pandemic

3. Before the pandemic, were you exposed to work related-risks, such as physical environment, risks of strain related to lifting heavy loads; requirements to operate machinery, dangerous tools, ambient risks, (including noise, temperature), biological and chemical risks
4. Were you concerned about these risks?
5. Work organization
 - Does your job involve working at high speeds and to tight deadlines?
 - How often do you have to interrupt a task you are doing in order to take on an unforeseen task? Are these interruptions disruptive or is it not a concern?
 - Do you have scope to change the way work is organized? Do you work in a group or team that has common tasks and can plan its work?
6. Work-life balance
 - How many hours do you usually work per week in your main paid job? How many hours per week would you prefer to work?
 - In general, how do your working hours fit in with your family or social commitments outside work?
7. Working time flexibility
 - How many hours do you work per day/per week on average and during the peak season?
 - During the workday, how many breaks do you get and how long are they?
 - How easy is it for you to take off an hour or two off during working hours to take care of personal or health-related matters?

6. Social environment

- How much support do you receive from managers, colleagues; appreciation from management and colleagues
- Is your farm unionized and covered by a collective bargaining agreement?
- How comfortable do you feel about raising concerns about your working environment?
- Is there anyone to represent your concerns to management?

7. Earnings

- Do you feel like your earnings are commensurate with your skill level and with the demands (cognitive, physical, emotional) put on them?
- Do you have debts in your home country? Are you able to send remittances?

8. Housing

- Where do you live (on the farm or in town)?
- Is your housing provided by your employer?
- Are you satisfied with your living conditions? If not, what are your major concerns?
-

9. Working conditions during the pandemic

- Describe your experience in working during the pandemic, including your perception of the risk of being exposed to infection from the COVID-19 pandemic.
- Are you well informed about potential risks?
- Do you feel that your health or safety is at risk because of your work?
- Have you received new tasks or duties that were unexpected as a result of the pandemic? Were you able to influence how these new tasks or duties could be completed? Were you provided training and support in completing these tasks? What is your reaction to these changes?
- Did your farm make adjustments to the work environment to ensure the safety and health of staff? What were these measures and were they sufficient? More specifically, were physical distancing requirements enforced? Did you wear a mask? Did others? Were disinfectants provided? Were you notified when your co-workers were infected? Were you tested? Where? Did you get vaccinated? Were your co-workers vaccinated?
- Were any measures taken to protect you from the spread of the virus in your houses?
- What resources were made available to the workers (extra staff brought in, physical distance measures enforced, adequate personal protective equipment (PPE) made available)? How did management, colleagues or your union/association support you, or not, during this period?
- Did you at any time need to be quarantined? If so, were you receiving wages? Were you receiving any other financial support from the government while in quarantine?
- How did working during the pandemic affect your earnings? Did earnings/income increase because of hazard pay or increased business? Did you receive hazard pay or any additional compensation? Did it impact remittances?
- How were your working hours affected? (this can include both length of hours but also arrangements, for example if you were expected to come in at short notice because of the pandemic or to work paid or unpaid overtime).
- Do you have (or did you at any time have) any concerns regarding your physical health? Were there any changes with respect to pre-covid? Did the virus infect you? Did you have any reactions to disinfectants or other materials used to carry out their work?

- Were you allowed to leave your farm during the pandemic? If not, how did you obtain food? If food was provided by your employer, was it the food that you preferred? Was it affordable?
- If you were not allowed to leave the house, did you feel isolated, lonely?
- Did the pandemic impact your psychological health (feeling lonely, anxious, unable to sleep, restless, sad)? How is it similar or different from the way you felt before the pandemic?
- Did any community organizations provide help to you during the pandemic (PPE, food, information social support)? How similar or different was it to the pre-pandemic times?
- Has this type of support assisted you in any way? Please explain.
- What kind of social support, do you think you need?
- Has the treatment of migrant workers by the local community changed during the pandemic? In what way?
- What personal strategies have you used during the pandemic (and before) to help you cope with the difficulties and hardships you might have encountered at work in Canada, in your houses, or in the community at large?

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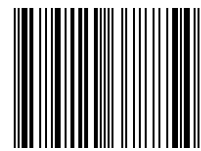
Contact details

Research Department (RESEARCH)

International Labour Organization
Route des Morillons 4
1211 Geneva 22
Switzerland
T +41 22 799 6530
research@ilo.org
www.ilo.org/research



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