

Report to the 2020 BCFGGA Convention
From the
Labour Committee

It's no secret that farming is typically more than a one-person job, from large-scale operations with several moving parts to smaller operations requiring seasonal help in a timely manner. Our industry has a high requirement for manual labour to carry out detailed management of the trees including pruning, training, thinning and harvesting. The labour requirement varies significantly for different crops depending on picking frequency, pruning and training requirements. It is essential to have enough labour available to carry out key operations at critical production times. Labour continues to challenge the agriculture community due to aging demographics and fewer number of young people pursuing farming jobs. In addition, labour presents an even greater challenge when many sectors such as the food service industry and hospitality industry are also struggling with labour shortage. According to Canadian Agricultural Human Resource Council (CAHRC) it is estimated that by 2025, 11,200 positions could be at risk of being filled due to a lack of domestic labour in British Columbia. In Ontario, the number is just over 46,600 jobs. For Quebec it is close to 10,600 positions...and...coast to coast the number is well over 100,000 positions.

For the past 15 year BC has been able to meet labour shortages through the Seasonal Agricultural Worker program, also known in short as (SAWP). The SAWP applies to TFW's from Mexico and select Caribbean countries. From less than 50 workers in 2004, that number has grown. For the 2019 season we had approximately 1350 workers from the Caribbean countries and approximately 6100 workers from Mexico. Roughly 7500 SAWP workers came into BC for the 2019 season, with half supporting agricultural activities in the lower mainland and the rest being in the Okanagan/ Similkameen Valley.

SAWP has been relatively smooth this past year, however, BCFGGA continues monitor and address key concerns which might impact worker arrivals into BC. BCFGGA continues communication and discussion in relation to Biometrics, LMIA application progress, housing inspection and other issues as they arise. BCFGGA Labour specialist Bunvir Nijjer is a Registered Canadian Immigration Consultant and is able to communicate on questions relating to LMIA, Service Canada and any other labour inquiries from the membership body.

With some agriculture operations requiring workers year round, there has been an increase in hiring temporary foreign workers (TFW) under the Agricultural Stream, which allows workers to obtain work permits from several months to up to 2 years and be from any source country. It is important that employers follow all the necessary steps and submit all of the required documentation. Since program changes have occurred under this stream, farmers now incorporate workers from this stream to help in year round operations.

BCFGGA continued its Farm Labour Project during the 2019 season. Ron Forrest provided

- training/information sessions throughout the valley in French, English and Spanish.
- coordinated job postings between farm labour agencies and farmers. The Labour matchmaker
- provided general orientation and farm safety training sessions for new and returning workers.

It is estimated that approximately 4500 workers, especially youth, come from Eastern Canada to assist in the agricultural activities during the growing season. During the past few seasons Ron Forrest has also been able to provide much assistance to growers on communication of Bullying and Harassment and other WorkSafeBC workplace awareness. We have had a positive response to this service from our growers, consulates and thank all those that helped make this successful and effective.

SAWP EMPLOYER INFORMATION SESSIONS

On January 8 and 9th, 2020 we had two information sessions in the Okanagan Valley. One was held in Kelowna and the other was in Osoyoos, BC. This was the fourth year these sessions have been held which contribute to strengthening labour relations. This year various topics were discussed and this provided an opportunity for employers to ask questions and make comments.

Service Canada provided information update and highlighted

- *LMIA Process and online system and new measures for 2020

Integrity Service Branch

- *Audit triggers
- *compliance visits
- *post Audit

WorkSafeBC

- *Work related injuries and Reporting

Mexico Consular and Jamaica Liaison Services

- *shared their observation of the 2019 season
- *discussed Biometric, housing/house rules, alcohol/health concerns, payroll, training/orientation, SIMOL, Cowan Insurance

Kelowna Fire Department

- *Smoke and Fire Alarms
- *Fire Safety Plans
- *Permits

BCAC / WALI

- *Biometrics
- *House Inspection forms and Guidelines
- *HUB connect

Fair Wage Commission- Piece Rates Study.

The Fair wage Commission originally recommended that agriculture piece rates be phased out on January 1, 2019. The provincial government did not immediately accept this recommendation and suggested that The province hired a consultant to further study the piece rate system. That was undertaken in the 2018 season. We all know Piece rates allow workers to self-regulate their effort and frees the grower from managing workers to attain a minimum productivity per hour. Workers like piece rate as it provides workers the freedom to work at their pace and generates a higher economic rate. Many Canadian workers, especially the youth from eastern provinces of Quebec and Ontario would explore other employment if piece rate changes because many earn considerably more than the minimum wage. The piece rate study was released December 10, 2019, and the report was favourable to the fruit sector keeping the current piece rate compensation in place for tree fruits.

Important General Reminders for 2020 Season

Under federal law every worker you employ is required to receive a T4 slip confirming their employment income. In the case of Caribbean workers the T4 is to be mailed to the applicable source country. In the case of Mexico it

is the worker's responsibility to advise the employer of who will be preparing the tax filing in order to mail the T4 slip to that source. In addition, Under provincial law every worker you employ is entitled to receive a Record of Employment (ROE) at the end of their term of employment.

Workers must present themselves to Service Canada and make an application for a SIN every year; the SIN now has an annual expiry date for non-residents. Workers receive a piece of paper every year with their active SIN on it, replacing the old plastic cards. It is employers' responsibility that workers have the opportunity to activate their SIN within the first week of arriving.

Employers must keep a copy of every worker's employment contract signed by the worker and the employer. The employer must ensure the worker is given a copy. In the case of a worker arriving without the signed contract the employer is required to ensure one is signed and retained. This has been in place for several years and is not a new requirement.

Employers are reminded they must give each employee a written wage statement that includes the information of employer's name and address, the number of hours worked, the employees' wage rate, outline of all deductions or advances. Pay slip should have gross and net wage amounts.

Labour and Temporary Worker Related WEBSITES

- ❖ GOV'T of CANADA- www.hrsdc.gc.ca/eng/jobs/foreign_workers/agriculture/seasonal/index.shtml
- ❖ Employment Standards Branch - www.labour.gov.bc.ca/esb/
Western Agriculture Labour Initiative (WALI) - wali.bcac.bc.ca/index
- ❖ WorkSafeBC - www.worksafebc.com/
- ❖ Canadian Association of Home and Property Inspectors (CAHPI) - www.cahpi.bc.ca/
- ❖ British Columbia Agriculture Council *BCAC* - www.bcac.bc.ca/
- ❖ MiTerra Holidays - miterraholidays.com/
- ❖ Mexico Ministry of Labour – BC Employer Survey of SAWP worker - <https://simolint.stps.gob.mx/>
- ❖ Ministry of Agriculture - Province of British Columbia - gov.bc.ca/agri
- ❖ Farm Practices Protection (RighttoFarm) Act - <http://www.bclaws.ca/civix/document/id/lc>
- ❖ AGSAFE– <http://www.agsafebc.ca/>
- ❖ Canadian Horticultural Council (CHC)- <http://www.hortcouncil.ca/>
- ❖ Fair Wages Commission |Government of BC- <https://engage.gov.bc.ca/fairwagescommission/>
- ❖ International Experience Canada - www.cic.gc.ca/english/work/iec/selections.asp

Please also take the opportunity to review the BCFGA website for any changes and upcoming events. Furthermore, FRIDAY FILES are available on the BCFGA website and contain current information of industry related news. Please contact the BCFGA office for any questions.

I hope we all have a successful 2020 Season

Respectfully Submitted,
Pinder S. Dhaliwal
BCFGA Labour Committee