

BC Fruit Growers' Association Friday File



May 11, 2018

Labour

SAWP issues

Horticulture operations across the nation are facing significant delays in the arrival of workers under the Seasonal Agricultural Worker Program. There are four main problem areas with the approval and recruitment system this year, and the delays are often compounded when there are multiple problems. Many growers are reporting that workers have still not arrived 1-2 months after their expected arrival.

Some progress has been made in reducing delays, but growers are still faced with field work not getting done on time. These delays on the farm are costing the industry millions of dollars in lost revenue, as well as hitting the income of vulnerable foreign families who depend on their SAWP earnings.

The Canadian Federation of Agriculture and Canadian Horticultural Council have been working urgently to resolve issues. CFA organized a national Labour Workforce Roundtable, held on May 2 in Ottawa, to address the issues and get an update on the Temporary Foreign Worker Program.

The meeting was attended by Minister of Labour Patricia Hajdu, Agriculture Minister Lawrence MacAulay, and Rodger Cuzner, Parliamentary Secretary of Labour. The Ministers definitely understand the issue and have committed to find solutions, including some immediate improvements. However, no 'quick fix' has been identified due to the broad-ranging problems with the Mexico program this year. The first step of the process, LMIA review, can be expedited. Contact Glen Lucas if you experience undue delays.

The Caribbean program has been hit with several slowdowns in a prior year. This year there are no recruitment or Work Permit delays.

The BCFGGA through its involvement with WALI [has made a clear point of the distress caused that is being caused to producers](#). The issue was raised at an April 4 meeting with federal Agriculture Minister Minister McAulay.

Meetings have been held with:

- Donna Blois, Director of Integrity Policy and Program Intelligence Division, Temporary Foreign Worker Directorate, March 17.
- Provincial committee on SAWP (Ministries of Labour, Health and Agriculture, with WALI and Mexico Consulate), April 3.
- Agriculture Minister MacAulay, April 4
- Stephen Fuhr, MP (twice); Richard Cannings, MP; Wayne Stetski, MP, May 2.
- Mexican Consulate, April 12.
- Quarterly conference calls of Service Canada, Foreign consulates and Ministries of Labour, and Employer Groups (FERMES, FARMS and WALI).
- BCAC Labour Committee, April 16.
- National Labour Roundtable, attended by Reg Ens and Glen Lucas on behalf of WALI, May 3
- Temporary Foreign Worker Program - Primary Agriculture Review, May 4 and 10.
- CHC and CFA Labour Committees and staff have been active.
- The BCFGAs have also responded to several media inquiries.

So far, all of this activity is making an impact on the recruitment and approval processes, but much work unfortunately remains to be done before delays are eliminated.

[Sample of house rules and other SAWP related documentation is available on our website.](#)

Due to delays and administrative mix-ups in the SAWP program, some growers are not getting the 'named' or returning workers they expected. If you do not want to receive 'unnamed' workers who are unfamiliar with your farm, even though there may be a delay or unavailability of your named worker, call Mi Tierra Travel Agency right away to make this request.

Temporary Foreign Worker Program Review - Primary Agriculture Review **Review to improve the LMIA processing**

Grower attendance at the May 10 meeting was very good - about 40 growers attended and participated in a session to discuss and improve the LMIA processing. Topics included:

- Program Eligibility and Structure (e.g. "employment within borders of farm", the eligible commodity list)
- Wages and Deductions (e.g. BC deducts housing from pay, where other provinces allow airfare to be deducted).
- Housing
- Labour Market Impact Assessment Process

The growers at the meeting provided great feedback for government staff to improve the ongoing administration of SAWP and TFWP-Ag Stream, as well as highlighting the crisis in administration of the program this year.

Grower Alert - Be Aware of Radical Labour Activists

Be in Control

A new threat has been noted in the “protection of workers” initiative of the federal government. It appears that the initiative is to engage directly with radical labour activist groups. We are closely monitoring this situation - please contact BCFGGA staff Glen Lucas 250-212-8828 if you need assistance or advice.

The BCFGGA works with the provincial government agencies responsible for much of the workplace regulation to protect workers. The federal government is hyper-sensitive to any ‘bad press’ on the Temporary Foreign Worker Program, and it is up to all growers to maintain a higher standard in housing and treatment of workers in order to protect the program

This summer, beginning immediately, we anticipate that radical labour activists will trespass and “sneak” onto your farm to disrupt your business. These activists wish to identify and even create problems with SAWP workers on your farm.

Here are some rules for your workers that are based on Biosecurity and Food Safety Regulations.

Rule #1. No visitors to the farm during working hours, unless authorized by you the owner or your manager. Workers are not to invite or talk to strangers while at work, unless there is an emergency situation.

Rule # 2. Workers are to report visitors during working hours to the owner or manager immediately, and inform the visitor to wait to meet with the farm owner/manager.

Rule #3. The owner must provide permission for workers to stop working and talk visitors during working hours, unless there is an emergency situation. Workers will be given permission to talk with Canadian government officials, and these officials are to be trusted and workers should feel free to answer any questions the government officials may ask.

Rule #4. At all times, all visitors to the farm property must sign-in using the food safety sheet before entering the farm.

See Page 35-36 of the [English-Spanish Food Safety Forms](#) provided by the BC Vegetable Marketing Commission (note: some forms may be different for Tree Fruits).

Grower and managers should ask unknown visitors for photo id to verify their identity. We have requested government agencies to provide us with samples of their official government id so that you may know when a legitimate officer of the government is asking access to your farm or records. (Obviously, police and ambulances are permitted on the farm due to emergency). The radical activists may impersonate government officials, so please take your time record and look at the identification. If uncertain, ask the visitor to arrange for their supervisor to call you immediately before proceeding to admit the visitor to the farm.

It is your farm, and only you determine when or how visitors are able to enter the farm due to food safety and biosecurity risks. During non-working hours, visitors may be invited by the worker into their residence, but they still must sign in for Food Safety and Biosecurity reasons.

City of Kelowna

Ag Plan and Ag Bylaws

Sukhdev Goraya, Karm Gill and Bunvir Nijjer attended an April 17 update by City of Kelowna staff on the proposed farm bylaws. BCFGA will continue to work with city staff. Your input is welcome - contact Pinder Dhaliwal, Sukhdev Goraya or Glen Lucas.

Updated Canadian Organic Standards

Clarifications, some additional products permitted

The Canadian General Standards Board (CGSB) has officially updated its Canadian Organic Standards:

- [CAN/CGSB-32.310-2015, amended March 2018](#), Organic production systems - General principles and management standards.
- [CAN/CGSB-32.311-2015, amended March 2018](#), Organic production systems - Permitted substances lists.

Organic operators will have until April 12, 2019 “to comply” with these updated requirements. The process of updating the regulations is periodic, and a new review has been launched with changes from that review expected in about two years.

ALR Review

Your Input Welcome

The province is currently reviewing the ALR. The BCFGA has [submitted a brief](#) with recommendations based on feedback from members and experience in ALR regulatory issues. The BCFGA requested that the Advisory Committee take urgent action on Mega Mansions in the ALR. The Advisory Committee is expected to report later in the year and the Minister of Agriculture will decide on the recommendations afterwards, likely following further consultation with the sector. Contact your BCFGA director if you have any comments on the ALR review.

Mexico SAWP Delays?

Gathering information

If you are getting the runaround regarding your application from Service Canada, please send [Bunvir an email](#) with the following:

- Your Name
- Date you sent in your LMIA
- Any response from Service Canada
- Whether you sent in a request to Expedite

- How many workers
- When you need them
- If Service Canada has called you with unusual questions.

BCFGA, CHC and CFA are following up on these delays. There is an expedited LMIA review process available - contact Bunvir Nijjer at the BCFGAs office 250-762-5226 ext 4, if you have undue delays.

Species at Risk

Workshop report

A Species at Risk workshop was attended by staff from several agricultural associations. The provincial Ministry of Environment is collecting information from stakeholder groups. Further consultation will occur and a 'policy intentions paper' will be drafted in the future.

BCFGA is concerned that the definition of species at risk is not geographic in nature. Sometimes an area in Canada is at the 'margin' of species habitat, for example in the Okanagan- Similkameen which is the Northern tip of the Great Basin desert. However, the Canadian definition of Species at Risk means that this 'tip' is looked at independently of the connected geographic area to the South. A species may be plentiful and not at risk South of the Canada-US border, but its limited populations North of the Border are considered 'at risk' in the current definition used by Canada. We asked that the definition be applied to geographic areas when assessing priorities for species at risk.

Meetings and Events - check the [BCFGA Calendar](#) on our website for more information

Date	Meeting	Details
April 11	Species at Risk and Wildlife Management	Deep Brar, Glen Lucas
April 12	BCIAF Annual Meeting / BCAC AGM	Pinder Dhaliwal, Glen Lucas
April 19	BCFGA Board Meeting	
April 30	ALR Review - deadline for input	
April 30 - May 1	Labour Lobby Days	Pinder Dhaliwal, Glen Lucas
May 11	SIR Board	

BCFGAs Office 250-762-5226 Toll free -1-800-619-9022 	<ul style="list-style-type: none"> • Brenda Jorde, Member Services and BC Tree Fruit Replant Program, local 1. • Glen Lucas, General Manager, local 2. • Sheila MacGregor, Accountant, local 3. • Bunvir Nijjer, Corporate Secretary and Seasonal Agricultural Worker Program, local 4.
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Note: BCFGAs has a very small office with limited staff. With many activities undertaken on behalf of our 487 members, Members should call to make an appointment to be sure of staff being present to meet with you (staff are often away on business related to the BCFGAs). You may call your local director so that the BCFGAs Board can take your information on how to best represent the tree fruit growers of BC.

BCFGA Board of Directors

Name		Telephone
Bhupinder (Pinder) Dhaliwal - President	Oliver	Cell/text 250-490-7198
Peter Simonsen - VP	Naramata	Cell/text 250496-5156
Ravinder Bains	Keremeos	Cell 250-499-0512
Sukhdeep (Deep) Brar	Summerland	Cell/text 250-462-5687
Karm Gill	Kelowna	Cell 250-863-9737
Sukhdev Goraya	Kelowna	Cell/text 250- 859-1229
David Machial	Oliver	Cell/text 250-485-2636
David Dobernigg	Vernon	Cell/text 250-550-8999