



Annual SAWP Review Process

To: BC Employers accessing temporary foreign workers through SAWP **Date:** September 28, 2018
From: Veronica Moreno, WALI Program Manager and
Glen Lucas, WALI Assistant General Manager
Topic: Annual SAWP Review Process

The Seasonal Agricultural Worker Program (SAWP) is program that provides temporary work permits for foreign workers from the Caribbean Commonwealth Countries and Mexico. The foreign governments are responsible for recruitment (ministries of labour) and the safety/disposition of workers in Canada (consular and liaison services).

The Canadian government provides **work permits** (and biometrics) through Immigration, Refugee and Citizenship Canada. The Canadian government also approves applications for workers (**Labour Market Impact Assessments** or LMIAs) and audits of compliance through Service Canada, a department of Employment and Skills Development Canada (ESDC).

Employers are represented when the Caribbean and Mexico SAWP programs are reviewed annually. The Canadian Horticultural Council (CHC) is the representative, via its Labour Committee. Employer service delivery groups in each region, FERMES in Quebec, FARMS in Ontario, and WALI in British Columbia are members of the CHC and these three service delivery groups are also identified in the SAWP Employment Agreements as facilitators (or agents) of the grower. Specifically, the terms of the standard **employment contract** are negotiated annually.

Other requirements of the program are set by ESDC, including housing inspections (currently delegated to WALI) and setting of the minimum wage. ESDC also has an Integrity Branch which performs audits and more recently is about to launch the Migrant Worker Support Network. Other employment requirements (Employment Standards, WorkSafeBC, Industrial Workcamp regulations - currently delegated to WALI, and health regulations) are set by the province. These other requirements are beyond the scope of this memo on the annual SAWP review process.

Annual Review Process

1. Employers, Consulates and ESDC gather information based on their experience throughout the year. Contact Veronica Moreno (vmoreno@walicanada.ca) if you have an item in the agreement that needs review.
2. BC Agriculture Council's (BCAC) Labour Committee meets in early Fall to discuss employer requests for changes to the employment contract. The performance and other aspects of the program are also discussed at this time.
3. A regional annual review meeting is held with employers, consular/liasion services as well as BC and Canadian government department representatives. ESDC has not been a consistent participant at regional meetings but appears to be engaging in current meetings.
4. National annual review meeting – typically, in October for Mexico SAWP and November for Caribbean SAWP.

Other Details of Note

FERMES (Quebec) and FARMS (Ontario) are full-service organizations, either completing or reviewing LMIAs prior to submission to ESDC. FARMS and FERMES also have travel agency status and organize flights for all SAWP workers.

In BC, the travel for Mexico SAWP employers is organized by Mi Tierra Travel Agency, under an agreement with WALI. The foreign government liaison services assist growers in making flight arrangements for the Caribbean SAWP program. The Caribbean liaison services are structured essentially as Crown Corporations, responsible to a board of directors.

The 5,500 Mexico SAWP workers are distributed quite equally between the Lower Mainland and Okanagan farms. WALI /BCAC regularly engages with the Mexican Consulate in Vancouver. The Jamaican Liaison Service (with the most Caribbean employees in BC) is located in the Okanagan, and almost all of the 1,700 Caribbean workers are located on farms in the Okanagan. As a result, the BC Fruit Growers' Association (BCFGA) has been more directly engaged with the Caribbean SAWP program through regular contact with the Jamaican Liaison Service and liaison services of the other Caribbean Commonwealth Countries.

As a result, two organizational changes were recently made to reflect the Okanagan's involvement in the Caribbean program and participation in CHC.

1. Glen Lucas was 'deputized' by WALI (BCFGA continues to pay his entire wage) to allow his participation at meetings as a representative of WALI.
2. WALI has joined the Canadian Horticulture Council to make the program more consistent.

New WALI Staff Announcement

We're pleased to welcome Veronica Moreno as the new WALI Program Manager.

Veronica will be:

- participating in the annual SAWP review process.
- preparing education materials and doing outreach on SAWP and human resource management.
- assisting with the development of SAWP policies and procedures.
- liaising with BCAC's Manager of Community Trust to ensure labour news is balanced.
- liaising with BCAC's communications department, to provide member organizations and producers with current information on labour programs and regulations.
- assessing labour regulation changes and developing farm labour policy for consideration of the Board.

Veronica can be contacted by email at: vmoreno@walicanada.ca

Additional Information – Mi Tierra Contact Details

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ALL REQUESTS WILL ONLY BE PROCESSED VIA EMAIL