



## Consulate General of Mexico in Vancouver

### Guidelines 2020 for Employers

### Seasonal Agricultural Workers Program

**Please read these Guidelines thoroughly as they contain important information.**

411 – 1177 West Hastings Street, Vancouver, BC V6E 2K3

Tel.: (604) 682-7617 / Fax: (604) 684-2485

<b>arrivals, transfers or health insurance invoices</b>  604-684-1859 ext. 3055 <a href="mailto:sawpmobilityvan@sre.gob.mx">sawpmobilityvan@sre.gob.mx</a>	<b>Health and Medical Cases</b>  604-684-1859 ext. 3040 <a href="mailto:sawphealthvan@sre.gob.mx">sawphealthvan@sre.gob.mx</a>
<b>Taxes, payments, TD1, TD4 formats, pensions and paternity</b>  604-684-1859 ext. 3135 <a href="mailto:sawpcommunityvan@sre.gob.mx">sawpcommunityvan@sre.gob.mx</a>	<b>Housing, bullying and work harassment</b>  604-684-1859 ext. 3055 <a href="mailto:sawpwrightsvan@sre.gob.mx">sawpwrightsvan@sre.gob.mx</a>

To be used only by SAWP parties recognized by the Consulate General of Mexico in Vancouver. Reproduction of these forms and documents is prohibited, unless written authorization is issued by the Consulate General of Mexico in Vancouver.

## Contents

<b>Introduction .....</b>	<b>3</b>
<b>Planning and Following Up on Your Labour Needs .....</b>	<b>4</b>
<i>Requests for Named Workers .....</i>	<i>5</i>
<b>Receiving Workers upon Arrival .....</b>	<b>6</b>
<i>Social Insurance Number (SIN) .....</i>	<i>6</i>
<b>Housing &amp; Everyday Living .....</b>	<b>7</b>
<i>Housing Standards .....</i>	<i>7</i>
<i>Access to a telephone and Wi-Fi .....</i>	<i>8</i>
<i>House Rules .....</i>	<i>8</i>
<i>Driver's License .....</i>	<i>8</i>
<b>Worker Mobility .....</b>	<b>9</b>
<i>Double Arrival .....</i>	<i>9</i>
<i>Contract Extension .....</i>	<i>10</i>
<i>Transfers .....</i>	<i>10</i>
<b>Labour Market Impact Assessment (LMIA) .....</b>	<b>11</b>
<i>Travelling from Farm to the Airport .....</i>	<i>13</i>
<b>Work Safety Standards .....</b>	<b>13</b>
<i>Bullying and Harassment .....</i>	<i>13</i>
<i>Human Rights .....</i>	<i>14</i>
<i>Consular Visits .....</i>	<i>15</i>
<b>Wages &amp; Payment Methods .....</b>	<b>15</b>
<b>Payroll .....</b>	<b>16</b>
<i>Deductions .....</i>	<i>16</i>
<i>Income Tax .....</i>	<i>16</i>
Federal and BC TD1 Forms .....	16
T4 Slip .....	16
<i>Assisting Workers with Income Tax Preparation .....</i>	<i>17</i>
<i>Canada Pension Plan &amp; Employment Insurance .....</i>	<i>17</i>
<b>Health and Medical Coverage .....</b>	<b>18</b>
<i>Accidents/Medical Assistance – Non-work related .....</i>	<i>18</i>

---

<i>Cowan Billing Cycle</i> .....	20
<b>WorkSafeBC</b> .....	21
<i>Accidents/Medical Assistance – Work Related</i> .....	21
<i>Alcohol and Illegal Substances</i> .....	22
<b>End of Employment Agreement</b> .....	22
<i>Early End of Employment</i> .....	22
<i>Terminating Medical Coverage</i> .....	23
<i>Evaluation &amp; Report by the Worker and Employer</i> .....	24
<b>By the Worker</b> .....	24
Annex 1 Double arrival request .....	26
Annex 2 Contract extension acceptance .....	27
Annex 3 Worker transfer acceptance .....	28
Annex 4 Early return request.....	29
Annex 5 Zero tolerance alcohol and drugs .....	30
Annex 5- Zero tolerance alcohol and drugs Spanish Version .....	31
Annex 6- Authorization for release of personal information .....	32
Annex 6- Authorization for release of personal information Spanish Version.....	33
Annex 7- Cowan Insurance return form .....	34

---

## Introduction

The Consulate General of Mexico in Vancouver has made these guidelines for British Columbian employers hiring Mexican workers from the Seasonal Agricultural Worker Program (SAWP) to inform employers about the body of regulations, policies, and procedures regarding Canadian federal and provincial agencies regulating SAWP.

In order to have a successful season for workers and employers, the Consulate outlines standards and best practices expected from employers to respect the rights of Mexican SAWP workers.

We encourage employers to review all documents referenced in these guidelines and any other regulations regarding SAWP. We would like to emphasize the importance of knowing in detail the **Contract for the employment in Canada of Seasonal Agricultural Workers from Mexico-2020**, the bilateral agreement between the government of Canada and the government of the United Mexican States in which the terms and conditions of the employment of workers are stated.

As per the Agreement, the government of Mexico through its Embassy and Consulates, serves as a facilitator to ensure optimal implementation of the program. It is the mandate of the Consulate to provide consular assistance and protection to Mexican SAWP workers. Therefore, employers deciding to participate in SAWP agree to the terms and conditions and accept the participation of the Consulate in SAWP for the purpose of fulfilling its mandate to protect and assist Mexican workers.

## Planning and Following Up on Your Labour Needs

Employers should begin the request process through Service Canada as early as possible in the season. *Please be aware that Labour Market Impact Assessment (LMIA) applications take approximately 4 weeks for Service Canada to comprehensively process.*

It is your responsibility to anticipate and plan for your season, including the climate variability, the labour demands of your company, and the anticipated decline in work as the season ends. This planning affects the process of biometrics and work permits, travel arrangements, and Cowan insurance invoices.

Employers should clearly state travel date for expected workers to Service Canada on their application. **December 15 should not be used as a default date.** According to the SAWP contract, the hours that workers receive must be no less than 240 hours over a period of six (6) weeks. It is recommended that the 240 be distributed as evenly as possible through the six week period in order to avoid excessive strain on workers.

**WALI** (Western Agricultural Labour Initiative), is a stakeholder that works with employers and governments to enable employers to find adequate domestic workers and continually improve working conditions for temporary workers.

**WALI** will receive relevant information about your application and will forward it to **Mi Tierra Holidays**. For more information go to <https://walicanada.ca/>

**Mi Tierra Holidays** is the travel agency chosen by **WALI** to perform travel logistics. At this stage, you have the option to send **Mi Tierra Holidays** a copy of your application for their reference. For more information please visit <http://mitierraholidays.com/vacations/sawp.html>

It is the responsibility of the worker to verify his/her final scheduled date of travel by calling the Mexican Ministry of Labour representative in their state of origin.

## *Requests for Named Workers*

To secure the return of named workers, employers should include the following information in the LMIA application for the Mexican Ministry of Labour to identify the worker correctly:

- Worker's file number (first letter of last name followed by 3-4 digits)\*
- Full name of the worker(s) as stated on their Mexican passports.
- If it is an UNNAMED WORKER, please specify their gender.
- In case the original worker is not available, please specify if you will accept substitute workers.

\*The worker's file number remains the same each year.

The Consulate does **NOT** have contact with workers in Mexico for recruitment/reassignment purposes. The worker is responsible to follow-up on the administrative process that will prepare them to travel back to Canada for the following season.

The workers make the decision regarding their choice of employer and the length of their stay prior to signing their contract.

The workers receive information from the Mexican Ministry of Labour by phone about their employer LMIA application, biometrics appointments, Canadian working visa authorization, and flight information. The toll-free number for Mexico's Employment Centre in Mexico: 1(800)841-2020. If the worker is in Canada they can dial: 1(877)496-2003.

SAWP workers are required by the Canadian Federal Government to have their biometrics done before applying for a work permit.

In order to travel to Canada, a worker must have:

- A valid Mexican passport.
- An approved medical examination.
- Paid & approved biometrics (new requirement of the Canadian government).
- *Paid for and received a Canadian working visa.*

**Note: Biometrics and working visas expenses are paid by the worker. Workers have to do their biometrics only once every 10 years.**

## Receiving Workers upon Arrival

The use of a translator is highly recommended to avoid misunderstandings during the season. Refrain from using workers as an interpreter (especially for giving out instructions). BCFGA/ WALI and the Consulate have Spanish speaking staff that can also assist you.

Upon arrival, it is recommended to take the workers to have a meal since some have travelled for more than 24 hours.

If it is necessary to advance money to the workers, make sure to have the worker's written authorization to deduct the advance in subsequent pay periods. We highly advise not to deduct the advance in one pay period to avoid affecting the worker's possibility to cover their expenses and send money to their families. The recommended amount is \$300.00 CAD.

Employers should assist workers in opening a bank account, preferably a savings account that does not incur maintenance fees and supports cashing of payroll cheques. **Please try to avoid local credit unions** because it is difficult for the workers access to their accounts if they are assigned to a different province in future seasons.

**Note: Workers should keep their bank accounts open to make it easier to receive future tax returns or health issue deposits from Cowan, WorkSafeBC, or any amount owed to them.**

### *Social Insurance Number (SIN)*

Before SAWP workers start performing their activities, it is the responsibility of the employer to take the workers to the nearest Service Canada office to apply or renew their SIN number. SIN numbers remain the same every season. Please make sure that all related documents are legible when obtaining the SIN number.

Employers must keep a copy of the worker's Work Permit and SIN number to credit mandatory deductions, and to promptly respond to Canada Revenue Agency inquiries. Additionally, we recommended keeping a copy of the documents that workers bring from Mexico in their yellow envelope, including a copy of the signed contract. This document might be required by ESDC/Integrity Services during an audit.

**Note: Please be advised that the Consulate does not keep a copy of T4 documents. Employers should have workers fill out "[Annex 6](#)" to know who to send the T4 at the end of the season.**

## Housing & Everyday Living

Housing is a crucial aspect in SAWP since your facilities become a second home for the workers. Although accommodations have been inspected and approved by provincial certified inspectors, the Consulate has the right to verify at any moment that housing is in compliance with British Columbia Agricultural Council (BCAC) standards in accordance with the Contract of Employment.

**As stated in the BC Housing Guidelines: “Passing a housing inspection, does not in any way infer or imply that all legal obligations of the employer have been met”.**

### *Housing Standards*

Inspection and approval may be required by federal and provincial authorities having jurisdiction (i.e. planning, building and fire).

Ensure that the following conditions are met and are in accordance with BCAC Housing Guidelines during the season. For more information go to: <https://walicanada.ca/workerhousing/>

The most common deficiencies that have been found by consular officers are:

1. Overcrowding
2. Lack of storage space
3. Inadequate mattresses, bedsheets and pillows
4. Junk around the houses
5. Lack of fire alarm systems
6. Insufficient amount of garbage containers
7. Not enough distance between beds (minimum distance: 75cm)
8. Dysfunctional/lack of laundry facilities ( dryer and washer)
9. Lack of side tables
10. Lack of appropriate fans during hot weather or heaters in cold weather.

**Substandard housing conditions for Mexican SAWP workers will not be tolerated and any violation to the housing guidelines will be reported to the federal and provincial authorities in charge.**

**Note: Service Canada has determined that as of January 1<sup>st</sup> 2018, the only regulation applicable to SAWP Housing are the BCAC guidelines.**

**Be advised that inspections that have any observations will not be accepted by Service Canada.**



### *Access to a telephone and Wi-Fi*

- It is essential for the workers' well-being to be in touch with their families. Therefore, we highly recommend providing access to a local telephone service and Wi-Fi free of charge.
- Workers should be able to communicate with their families, and be provided with the numbers of emergency services, WorkSafeBC, Service Canada, Employment Standards Branch and the Consulate of Mexico.

### *House Rules*

It is up to the discretion of the employer to establish house rules. It is strongly recommended to have a printed version, in Spanish and English, of house rules and work safety standards. The use of an interpreter is recommended to avoid misunderstandings.

- Upon arrival of workers, discuss the house rules.
- Provide a Spanish version of the house rules to the workers regarding cleanliness, safety, and discipline regulations. This document must be signed by the workers. Rules should be posted on a visible space for workers to read.
- Provide workers with a Food Safety and Health Presentation. Workers may not be aware of the dangers of mishandling food, which could create unhygienic kitchen environments.
- Establish a consistent shopping schedule so workers may purchase the necessary amount of food and personal items. Facilitate transportation from the farm to grocery store at least every 2 weeks.
- The Consulate has a zero tolerance policy concerning drugs and alcohol. It is recommended that workers acknowledge and are in compliance with standards of the farm concerning drugs and alcohol. Please refer to [\(Annex 5\)](#) Zero tolerance policy in the work site.

### *Driver's License*

- The Motor Vehicle Act allows SAWP workers to drive in BC with a valid Mexican driver license during the length of their work period without the need to get a BC driver licence. Additionally, workers have to obtain proper driving insurance.
- Workers must carry their work permit with them when driving to prove that they are SAWP workers if stopped by transit police.

For more information in regards to driver licensing visit: <https://www.icbc.com/driver-licensing/moving-bc/Pages/Moving-from-another-country.aspx>

**Note: Employers must refrain from employing any SAWP worker as drivers. Employing a SAWP worker in activities that are not considered agricultural work is in contravention of Canadian Federal Law. In accordance to the SAWP contract 2020 Section III.3 “That when an EMPLOYER asks a WORKER to drive, the WORKER will be compensated for their time and when WORKERS are required to relocate from one work site to another during the workday, travel time should be included as part of the working hours”.**

## Worker Mobility

### *Double Arrival*

A double arrival occurs when a worker goes to Mexico for a period of time and returns the same season. It can be requested by the worker or employer.

To schedule a double arrival please proceed with the following steps:

- Inform the Consulate about the departure and tentative dates of travelling.
- A *Double Arrival Request form* ([Annex 1](#)) must be completed and signed by the worker and employer.
- The form must be sent within 24 hours to the Consulate to [sawpmobilityvan@sre.gob.mx](mailto:sawpmobilityvan@sre.gob.mx) to formalize the “double arrival” and to inform Cowan and avoid overcharges.
- If a worker is injured beyond Canada as a double arrival, the insurance will not cover treatment costs while in Mexico.

**Employers** may request a double arrival for workers for any reason dividing the contract in two separate periods of time in the season which must not exceed eight months.

**Workers** may request a double arrival to attend a personal matter in Mexico. Workers should get the employer’s consent and fill out a *Double Arrival Form* ([Annex 1](#)). If the worker requests a double arrival, the time that he/she spends in Mexico will count towards their eight month contract. **The airfare to and from Mexico should be paid by the worker.**

The Consulate does not guarantee the worker's return to Canada, as it is a private agreement between the employer and the worker.

### *Contract Extension*

A contract extension occurs when work at the farm needs to be extended beyond the original date stated in the LMIA. To complete a contract extension please proceed with the following steps:

- In the event that a worker agrees to extend his/her work contract, a *Contract Extension Form* ([Annex 2](#)) must be completed and signed by the worker and employer.
- The form must be sent within 24 hours to the Consulate to [sawpmobilityvan@sre.gob.mx](mailto:sawpmobilityvan@sre.gob.mx) to formalize the “contract extension” and to inform Cowan to avoid overcharges.

**A worker is only eligible to extend his/her contract if he/she has not exceeded the 8 month period established in the SAWP employment agreement.** Exceeding this time period is considered a violation of the temporary work permit and would be subject to penalties.

### *Transfers*

**“Lending” SAWP workers is a violation of the Canada Immigration Act and is strictly forbidden.**

The transfer of workers is only permitted when:

- Both the sending and receiving employers are SAWP stakeholders located in British Columbia and are endorsed by the Mexican Consulate.
- The proposed transfer worker(s) has agreed to it.
- The Consulate of Mexico must be advised by the worker and the employer about the transfer request at the beginning of the process.
- The receiving employer has obtained a Transfer LMIA from Service Canada for the worker(s) requested and has one available spot in their original LMIA.
- A *Worker Transfer Acceptance Form* (Annex 3) must be completed and signed by the worker and the employers. The form must be sent to the Consulate for authorization at [sawpmobilityvan@sre.gob.mx](mailto:sawpmobilityvan@sre.gob.mx) before the transfer takes place.

**There is a trial period of 7 days which after, the worker will be considered a named worker of the receiving employer who will be responsible for funding the workers' return airfare to Mexico.**

Housing deductions may be shared by both employers as stated in the agreement, and cannot exceed the maximum amount of \$826.00 CAD total per season.

The sending employer must send a copy of all earnings and deductions made to the transferred worker to the receiving employer.

**Note: An available spot in an LMIA occurs only when the position was never used by a worker.**

## Labour Market Impact Assessment (LMIA)

- Beginning April 1<sup>st</sup>, 2016, all approved LMIAs are sent to WALI and then forwarded to Mi Tierra Holidays to perform travel logistics.
- To keep your LMIA within a normal processing time and to avoid unnecessary changes, be advised to keep changes to a minimum pertaining to the arrival date of your worker(s). Modifications may generate additional charges.
- When requesting changes, remember workers are not allowed to remain in Canada past 8 months, and cannot remain in Canada past December 15.
- Arrivals will always begin from the date approved by Service Canada.
- No changes will be allowed to your LMIA within the 28 days prior to the scheduled arrival date of your worker(s).
- Service Canada must be contacted directly for any specific questions regarding the LMIA process at 1 (800) 367-5693.
- Contact WALI regarding the LMIA process and housing inspections at (604) 854-4483 or [LMIA@walicanada.ca](mailto:LMIA@walicanada.ca).
- You may also contact the Embassy of Canada in Mexico at Mexico-im-sawp@international.gc.ca

## Travel Arrangements

Mi Tierra Holidays (Mi Tierra) is the liaison travel agency between employers and the recruitment offices of the Mexican Ministry of Labour.

### ***Mi Tierra Holidays***

**Arturo Hernandez, Manager**

**Phone: (604) 689-5571 / Emergencies: (604) 837-8410**

**Email: [info@mitierraholidays.com](mailto:info@mitierraholidays.com)**

When calling the emergencies number, leave a message if necessary as the staff checks the agency's voicemail during the weekends.

Mi Tierra Holidays provides:

- Negotiated fares for SAWP with several carriers.
- Travel date changes.
- Name changes.
- Connecting flights.
- Land transportation from YVR to farm.
- Prepaid luggage.
- Prepaid meals at YVR.
- Hotel overnights.
- Rescheduling in case worker did not arrived on original date.
- Refunds, credit when applicable.

Once the LMIA is approved by Service Canada, the employer will be contacted by Mi Tierra to confirm travel dates, gender of the workers, and preference for substitutes.

Mi Tierra Holidays services for return travel to Mexico are:

- Flexible fares for SAWP are offered on high season.
- Pricing of low restricted fares.
- Land transportation from farm to airport.
- Prepaid luggage.
- Connecting flights to other cities beyond Mexico City for a low fare.

**Note: SAWP workers are not allowed to fly to Canada via transit from the USA,** even if the worker has an American visa. If the worker is rejected by the airline, the farm which he/she is assigned to, will be responsible for arranging a new direct flight to Mexico and covering the expenses. Employers are not supposed to buy the workers' flight until the work permit has been authorized.

### *Travelling from the Farm to the Airport*

- Ensure that workers are at the airport 3 hours prior to their scheduled departure time.
- Provide the workers with their flight schedule 7 days in advance, as per the contract, as well as any pertinent information so they can make arrangements.
- It is the employer's responsibility to provide cash for transportation if the worker is travelling alone to the airport.
- As luggage is now an additional cost paid by credit card only. We strongly suggest prepaying this cost by checking-in on-line 24 hours before or assisting workers to check and paid at the counter with a credit card.

## **Work Safety Standards**

Creating a safe and healthy environment for your workers is a legal obligation for all employers in British Columbia.

Preventing work-related accidents or injuries may save time and money, as well as improve your relationship with the worker.

We suggest contacting WorkSafeBC and AgSafe to perform a preventative inspection and to receive further guidance and suggestions on how to keep your workers safe throughout the season. Requests can be made at 1 (888) 621-7233 to WorkSafeBC and AgSafe at 604-881-6078.

Although Mexican agricultural workers have been assigned based on their experience, we highly recommend that workers receive proper training to ensure that they clearly understand the details of their tasks. Please provide an interpreter to effectively explain their duties.

Ensure that your foreman/supervisor develops a relationship with the workers that involves equal and fair treatment among all workers in regards to distributing duties.

A SAWP worker may not supervise others SAWP workers. ***Hierarchy between SAWP workers is prohibited.*** If you wish to promote one of your workers, hire him/her in a program other than SAWP.

### *Bullying and Harassment*

The Occupational Health and Safety Regulations established policies that protect workers from mistreatment, bullying and harassment in the work place. The personal and physical integrity of workers are integral values of the SAWP and the Consulate.

Employers should ensure a safe environment for workers free of bullying and harassment. Mistreatment of workers will not be tolerated.

All employers in BC are required to train workers on the ***Bullying and Harassment Policy-Procedure-Training Program (PPT)*** according to WorkSafeBC to be able to resolve issues through an internal process. This training must be done before they start working, in Spanish and English, to ensure a clear understanding of the policy. Staff must be trained in Spanish on the procedure and must sign an acknowledgement. Please find the template that you may use for this purpose in the following link:

<https://www.worksafebc.com/en/resources/health-safety/books-guides/bullying-harassment-training-legal-duties?lang=en>

**Note: Please send the Consulate a copy of the PPT in English and Spanish signed by the workers to confirm employees have been trained.**

Any report received by the Consulate in regards to mistreatment and bullying and harassment will be reported to Integrity Services and WorkSafeBC for their assessment. For more information in regards to bullying and harassment please visit [www.worksafebc.com](http://www.worksafebc.com)

### *Human Rights*

Mexican SAWP workers in BC are protected by the BC Human Rights Code against all forms of discrimination under section 7, clause 1 (a) & (b) **“because of the race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or that group or class of persons.”**

Any discrimination or report of physical bodily harm against a SAWP worker will be sent for review as such to the BC Tribunal of Human Rights and RCMP for intervention.

For more information in regards to the BC Human Rights Code, please visit the following link: <https://www2.gov.bc.ca/gov/content/justice/human-rights/human-rights-protection>

**Note: The Government of Mexico reserves its right to refrain from endorsing farms to hire Mexican SAWP worker if serious cases of human rights abuses are reported.** Any alleged violation committed against a SAWP worker will be reported to the Canadian federal and BC authorities including Integrity Services of Service Canada, which review abuses to the temporary foreign worker programs.

## Consular Visits

To strengthen communication among all parties involved, staff from the Consulate conducts regular visits to farms where they have a chance to interview workers to identify possible concerns. In a similar manner, Consular visits are viewed as an opportunity for employers to exchange information. The Consulate **reserves the right to perform visits unannounced or on short notice.**

- Consular officer's staff will always identify themselves.
- A report of each visit will be completed by the consular agents to convey their observations and possible suggestions.
- Telephone interviews will be conducted as well. Compliance and respect are considered essential components of the relationship between the employer and the Consulate.

## Wages & Payment Methods

- The SAWP worker must be paid the minimum provincial wage per hour. If a worker agrees to be paid by piece work, the wage must be equal or greater than the fixed hourly wage.
- According to **BC Employment Standards**, the minimum wage salary in BC for SAWP workers is \$13.85 per hour. Note that by June 1, 2020, the minimum wage will increase to \$14.60 per hour. Refer to <https://www2.gov.bc.ca/gov/content/employment-business/employment-standards-advice/employment-standards/wages/minimum-wage>
- According to BC Employment Standards, workers are to be paid at least twice per month and a pay period can be no longer than 16 days. Inform your workers in advance of the pay dates.
- Add 4% Vacation Pay. This percentage may vary over time.
- Avoid advances as replacement for pay.

**Note: As per subsection 3 of clause III of the SAWP 2020 Contract, workers must receive an average of 40 work hours per week.**

**As stated in subsection 7 of clause VIII, “in the absence of compensation for lack of work at the end of the contract and in order to avoid days of labour unproductivity of workers prior to their return to Mexico, the maximum waiting period should not be greater than 96 hours”.**



## Payroll

Employers should send a hard or electronic copy of the payroll **within 7 days** upon the request of the Consulate. Payroll stubs must be clear, legible, and state the following information:

- Wage per hour, number of hours worked, gross and net earnings.
- Deductions must be clearly stated, with year-to-date and total figures.

## Deductions

Private and medical insurance and other deductions

- For private medical insurance, the employer deducts a daily rate of \$0.90 including days off. Premiums are subject to changes every season.
- Housing deductions must not exceed \$826.00 per season. Employers deduct \$5.36 per working day (minimum four hours of work).

**Note: State in every paystub the total deductions for accommodations and collect copies of the worker's TDIs in order to withhold tax deductions in accordance to the workers tax credits.**

## Income Tax

Federal and BC TD1 Forms

Workers arrive in Canada with their TD1s (federal and provincial) fully authorized, and stamped by the Mexican Ministry of Labour. Please ask them for their TD1s, which come in their "yellow envelope," be sure to make a copy for your records, and return the original to them.

If you notice a stamp missing from the TD1, notify the Consulate to request a stamped TD1. Family members such as spouses and children under the age of 18 are eligible to be claimed in the workers' TD1s.

## T4 Slip

In order to comply with CRA regulations, please ensure the workers' T4 2019 slips are ready by the end of February 2020. If you cannot distribute the T4s to the workers, send a copy to their authorized representative and tax service providers (see Annex 6).

**It is the employers' responsibility to give the workers or their representatives their T4s and Record of Employment (ROE) as requested. In addition the employers should keep copies of the T4s for a period of 6 years.**

Please refer to the **Guide RC4004** by CRA at the link below for more information on SAWP employee-employer tax and deduction obligations.

<https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/rc4004.html>

### *Assisting Workers with Income Tax Preparation*

As per the Contract, under section IX clause 5, the workers are obligated to file an income tax return every year whether they had income tax deducted or not.

Workers are free to hire any tax providers, and employers should not impose tax preparation services on the workers. If the employer wants to assist the workers with filing their taxes by referring them to a third party, the employer must ensure that the third party is familiar with the taxation regulations for the SAWP workers.

If the employer offers tax preparation services to the workers and plans to charge them a service fee, the employer must obtain written authorization dated and signed by the worker specifying the cost of the service. **Employers must always make clear to workers that tax preparation services offered by the employer are optional.**

**Note: Employers must obtain a signed authorization form for release of personal information and the authorization of representative from their workers.** Please refer to (Annex 6) Workers' Authorization for release of personal information.

### *Canada Pension Plan & Employment Insurance*

Most participants in the program return to Canada every year where many of them contribute to CPP. CPP and EI contributions are the same for Mexican SAWP workers as for Canadian workers.

Workers are entitled to benefits, which may include: retirement pensions, post-retirement benefits, disability benefits, death benefits, children's benefits and survivor benefits and paternity/maternity benefits.

**The worker can apply for and receive a full CPP retirement pension at age 65. He/she can also receive it as early as age 60 with a permanent reduction, or as late as age 70 with a permanent increase.**

CPP benefits are administrated by Service Canada. The Consulate and the Ministry of Labour in Mexico, are available to inform the workers about CPP benefits.

Consult Service Canada and Canada Revenue Agency (CRA) at 1 (800) 959-2221 or visit their websites:

CPP <http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/cpp-rpc/cnt-chrt-pf-eng.html>

EI <http://www.servicecanada.gc.ca/eng/ei/information/maximum2014.shtml>

**Note: Ensure you fill out an electronic ROE with CRA for the workers at the end of the season, and provide a copy to the worker. However, if you fill out a ROE by hand, ensure the worker receives an original copy of the ROE. A copy of a hand-filled ROE is not valid when a worker applies for social benefits.**

## Health and Medical Coverage

Workers are fully covered from the moment they arrive to YVR.

Medical assistance must be provided when the worker requires it. You must notify the Consulate of any health issues in no later than **24 hours**.

Workers with health problems *must not* return to Mexico until they have reported the incident to the Consulate. **If the worker needs continuous medical treatment, the worker cannot go back to Mexico until they are given approval by their doctor in BC and the Consulate is sent a copy and is in agreement.**

Please make sure that the worker can communicate their needs properly and understand the doctor's instructions. Interpretation can be provided 24/7 by consular officers at 778-668-1242

### *Accidents/Medical Assistance – Non-work related*

The Consulate of Mexico is responsible for the enrollment of the workers by sending an arrival list to Great West Life (GWL)-Cowan insurance. Once Cowan receives the names of your workers, they will validate the medical insurance from the contract period **indicated in the SAWP contract agreement. Cowan Cards can be downloaded in a digital format.** Instructions can be found at [www.cowangroup.ca](http://www.cowangroup.ca) or by downloading the following document: [Cowan e-card access instructions](#).

The farm will receive a physical medical insurance card through the mail. Make sure mailing addresses are accurate in order to receive documents from Cowan and the Consulate. It is your responsibility to make sure all workers have a physical card or their certificate number, which never changes.

Additionally, Cowan provides online services that can be accessible through their Group Benefits Member Access Centre. The workers can sign up to take advantage of all the user-friendly tools. For more information go to: [www.cowangroup.ca](http://www.cowangroup.ca)

Workers are entitled to wage coverage benefits from Cowan for a period of up to 8 weeks. In order to receive the benefit "short term disability," the employer has to submit the proper documents/forms and the physical medical note signed by the doctor clearly stating how many days off work are required.

The worker should also be aware that Cowan coverage ceases when there is evidence of having suffered an accident while under the influence of intoxicating or illegal substances.

Please note the following changes in insurance coverage, effective January 1<sup>st</sup>, 2020:

Category	2019 Policy	Changes 2020 Policy	Description
Maximum medical coverage.	\$200,000	\$300,000	50 % increase from previous year medical coverage
Coverage for companions in case of medical emergency.	\$1,500	\$2,500	Coverage for food and accommodations in the case of a medical emergency. Authorization to bring a second companion will be decided in coordination with Mexican authorities.
Dental emergencies	\$250	\$1,000	
Coverage period for medical cases treated upon arrival in Mexico.	90 days	120 days	It provides coverage for medical cases which originated during their stay in Canada or medical issues diagnosed upon arrival but within the mentioned period.

**Note: Medical coverage in Mexico is valid for a maximum of 120 days beginning as soon as the worker returns to Mexico. Life insurance covers workers in Canada and for 30 days upon returning to Mexico.**

Great West Life Insurance	Address	Contact information
<i>Administrative contact:</i>	Cowan Insurance Group	613-741-3313   Ext. 52238
<i>Agent</i>	700-1420 Blair Place	<a href="mailto:SAWP@cowangroup.ca">SAWP@cowangroup.ca</a>
Carolynne Doiron	Ottawa, Ontario	<a href="mailto:clients@cowangroup.ca">clients@cowangroup.ca</a>
<i>Group Benefits Admin</i>	K1J 9L8	

Refer to the following forms on the Cowan website for more information:

- Application for Group Short Term Disability Benefits
- Cowan Pre-Authorized Direct Deposit Form
- Health Care Claim Form

### *Cowan Billing Cycle*

The employer will receive an invoice every month for each worker. The employer is responsible to make a direct payment to Cowan to cover the insurance which the worker will pay through payroll deductions.

Cowan processes and finalizes the worker changes in the system prior to the cut-off **date of the 11<sup>th</sup> of each month**, so please ensure that any changes to the employers account, regarding new enrollments/termination/transfer are sent to the Consulate. Any change after this date will show up on the following month's billing statement.

The Consulate must be notified of the transfer of workers, early returns, contract extensions, and double arrivals to avoid unpaid bills or overcharges with Cowan.

**Note: Work-related injuries must not be reported to Cowan. These claims should be directed to WorkSafeBC.**

**Both WorkSafeBC and Cowan Insurance covered short term disability. Employers must support the workers during the process to claim the short term disability benefit.**

## WorkSafeBC

### *Accidents/Medical Assistance – Work Related*

It is the responsibility of the employer to ensure the safety of workers and the immediate medical assistance when necessary. Under *provincial legislation*, a worker may refuse any duties that could pose a threat to his/her safety. It is against the law for an employer to discourage a worker from reporting a work-related injury or disease.

In the event of a work-related injury or occupational disease, WorkSafeBC must be promptly notified by calling **1(888)967-5377** through which the worker can obtain a claim number. To ensure a fast transaction of such claims, verify that the worker has made this phone call and that the WorkSafeBC form has been appropriately completed. **Workers can request for a Spanish translator by saying, “Spanish please” to the representative. The claim number must be provided to the worker and the Consulate for follow up within 24 hrs.**

A worker cannot return to Mexico if in need of continuous medical treatment due to work-related accidents until they are given written approval by their doctor in BC.

**Note: If the workers needs assistance to make a claim to WorkSafeBC, the Consulate can provide guidance in this process.**

<i>Mailing Address</i>	<i>Call Centre</i>	<i>Fax</i>	<i>Website</i>
<b>WorkSafeBC</b> <b>PO Box 4700 Terminal</b> <b>St</b> <b>Vancouver, BC V6B 1J1</b>	(604)231-8888 1 (888)967-5377 Hours: 8AM-6PM PST Monday - Friday	(604)233-9777	<a href="http://www.worksafebc.com">www.worksafebc.com</a>

These are the WorkSafeBC documents that employers and workers might be required to fill out:

- Worker's Authorization for Release of Personal Information  
<https://www.worksafebc.com/en/resources/claims/forms/workers-authorization-for-release-of-personal-information-form-69w1?lang=en>
- WorkSafeBC Authorization of Representative  
<https://www.worksafebc.com/en/resources/health-care-providers/forms/worksafebc-authorization-of-representative-form-63m4?lang=en>

## *Alcohol and Illegal Substances*

Alcohol and illegal substance use is strictly prohibited for any worker who is participating in SAWP. Workers who are under the influence of alcohol or drugs cease to be covered by GWL-Cowan Insurance and WorkSafeBC.

Informing the workers about the dangers and consequences of alcohol consumption and other illegal substances is an important step towards preventing accidents.

In the event that a worker shows up to work under the influence of any intoxicating substance, please inform the Consulate in order to prevent him/her from performing any work that may put his/her health and safety at risk. Please provide a written report in English and Spanish for your files and for the Consulate.

**Note: There is zero tolerance for alcohol and illegal drug use.** Please refer to ([Annex 5](#)).

## **End of Employment Agreement**

Workers should not be idle and without pay while waiting for a transfer or return flight home. Workers must be notified at least 7 days in advanced of their return date to Mexico.

Full payment of all services rendered should be covered before the worker returned to Mexico.

**Note: According to the Contract in section VIII, clause 7, “ in the absence of compensation for lack of work at the end of the contract and in order to avoid days of labour unproductivity of workers prior to their return to Mexico, the maximum waiting period should not be greater than 96 hours”.**

## *Early End of Employment*

Please provide the workers and the Consulate with a copy of the Early Return Request ([Annex 4](#)) as notice of termination at **least 7 days before the workers’ departure to Mexico so that they can organize their finances to return home or request a transfer.**

In such case, the **Early Return Request form** ([Annex 4](#)) must be filled out and signed by the employer and worker and sent to the Consulate by email to [sawpmobilityvan@sre.gob.mx](mailto:sawpmobilityvan@sre.gob.mx).

This information will be shared to Cowan to terminate the medical coverage of the worker.

If an employer decides to prematurely terminate the contract, the reason must be brought to the attention of the Consulate **before buying a return ticket**. The Consulate is readily available to resolve any conflicts or misunderstandings.

**Note: Under all circumstances, it is the responsibility of the employer to purchase the return flight for the worker. As stated in section X.7 of the 2020 SAWP contract “The EMPLOYER is responsible for the cost of two-way airfare for the WORKER, regardless of any early termination of the contract, whether by EMPLOYER or WORKER, and for any reason”.**

### *Terminating Medical Coverage*

It is the employer’s responsibility to ensure that Cowan bills them in accordance to the workers’ actual stay in Canada. **Mi Tierra Holidays is responsible only for booking flights and is not related to Cowan and the cancelation of medical coverage.**

In order to terminate the medical coverage of SAWP workers, the proper information must be relayed to the Consulate by email. Refer to the chart below as an example of how to organize the information of the workers. The Consulate can provide a Microsoft Excel template for your convenience (See Annex 7).

**Example SAWP Departure Chart for Cowan: 2020**

Employer Name:	Worker file number	Last name	First Name	Arrival Date in Farm	Return day to Mexico	Transfer/double arrival/non-transfer	Reason
ABC Farms	P452	Perez Zapata	Heriberto	dd/mm/yyyy	22/11/2019	Transfer from X Enterprises Ltd	Lack of work

Employers should retrieve the contact information of their workers before their departure such as file number, phone number, and home address. The employer also bears the responsibility of any pending matter they have with their employees while they are in Mexico.

**Note: The return date of a worker is not the day that they stop working. It is the day of their return flight back to Mexico.**



---

## *Evaluation & Report by the Worker and Employer*

### **By the Worker**

Upon their return home, SAWP workers must report to the Mexican Ministry of Labour (STPS) local office and provide the following information:

- Income & Expenses Analysis.
- Workers' interest to return to Canada to work at the farm of his/her preference.
- Employers' Evaluation.

### **By the Employer**

Employers should fill out their evaluation online. You may do so by accessing SIMOL at <https://simolint.stps.gob.mx>. Please note that this requires internet Explorer 6.0 or higher and requires a username and password.

For assistance regarding this matter or requests for usernames and passwords, contact the following at the Mexican Ministry of Labour, *Secretaría de Trabajo y Prevision Social* (STPS): Maria Fernanda Sanchez Pantoja: [fernanda.sanchez@stps.gob.mx](mailto:fernanda.sanchez@stps.gob.mx)

The Mexican Government is respectful of the requirements of the Canadian Government and is not involved in the issuance of work permits, visas or in taking the biometrics.

For any other issue please direct your questions to the following authorities:

**Approval and processing of LMIA**

ESDC/Service Canada

<https://www.canada.ca/en/immigration-refugeescitizenship/corporate/contact-ircc.html>

1-800-622-6232

1-888-242-2100

**Processing of Workpermits and Biometrics**

Canadian Visa Applications Centre

Senior Manager: Joselin Gamez

Email: joseling@vfsglobal.com

**Canadian Embassy in Mexico City**

Mexico-im-sawp@international.gc.ca

**Immigration Refugees and Citizenship Canada in Mexico City: IRCC**

Delphina Ocquaye

Email: Delphina.Ocquaye@international.gc.ca

**Institutions representing employers during the process WALI/BCAC SAWP**

Project Manager: Verónica Moreno

Email: vmoreno@walicanada.ca



## SOLICITUD DE DOBLE ARRIBO/ DOUBLE ARRIVAL REQUEST (2020)

Nombre Completo de Trabajador/Full Name of Worker

No. Expendiente/Worker File Number	Granja/Farm

Fecha de Llegada a Canadá / Arrival date to Canada	Fecha de partida a México / Date of departure to Mexico	Fecha de regreso a Canadá / Date of return to Canada

Exponga con detalle la razón por la que desea regresar a México:  
Please provide the reason for the double arrival:


Requested by:

Employer	
Worker	

\_\_\_\_\_  
**Firma del empleador/Employer Signature      Firma del trabajador/Worker Signature**

## ACEPTACIÓN DE EXTENSIÓN DE CONTRATO CONTRACT EXTENSION ACCEPTANCE (2020)

Si usted está interesado en extender su contrato de trabajo complete este formato. Si usted NO está de acuerdo en la extensión de su contrato, NO firme este documento y comuníquese al Consulado: (604) 682-7617. / If you are interested in extending your contract with your employer sign this document. If you do NOT want to extend your work contract do not sign this document and call the Consulate at (604) 682-7617. **Recuerde que no puede permanecer más de 8 meses en Canadá. Please remember that you cannot remain in Canada for more than 8 months.**

Nombre Completo de Trabajador/Full Name of Worker

No. Expendiente/Worker File Number	Granja/Farm

Extension del/From Which Date	Al/Until Which Date

\_\_\_\_\_  
**Firma del empleador/Employer Signature      Firma del trabajador/Worker Signature**



## **ACEPTACION DE TRANSFERENCIA POR EL TRABAJADOR WORKER TRANSFER ACCEPTANCE (2020)**

Si NO está de acuerdo con transferirse, NO firme este documento y comuníquese al Consulado al (604) 682-7617 / If you disagree with the transfer, do not sign this document and get assistance from the Consulate by calling (604) 682-7617.

Nombre Completo de Trabajador/Full Name of Worker	No. Expendiente/Worker File Number
Firma del Trabajador/Worker Signature	Fecha/Date

### **EMPLEADOR ACTUAL/SENDING EMPLOYER**

Nombre de la compañía/Company Name

\_\_\_\_\_

Fecha de transferencia/Worker's Transfer  
Date

\_\_\_\_\_

\_\_\_\_\_  
**Sending Employer Signature**

### **NUEVO EMPLEADOR/RECEIVING EMPLOYER**

Nombre de la compañía/Company Name

\_\_\_\_\_

Fecha de terminación contrato/ Contract  
End Date

\_\_\_\_\_

\_\_\_\_\_  
**Receiving employer signature**



## SOLICITUD DE REGRESO ANTICIPADO/EARLY RETURN REQUEST (2020)

Sólo llene este formulario si usted regresa a México antes de la fecha del término del contrato/ Only fill out this form if the worker returns to Mexico before the end of their contract date. Please ensure the worker receives this form at least one week before his departure date.

Nombre Completo de Trabajador / Full Name of Worker	
No. Expendiente/Worker's File Number	Granja/Farm
Fecha de Llegada/Arrival Date	Fecha Regreso Anticipado/Early Return Date

**Seleccione y explique las razones de su regreso a México/Select and explain the reasons for the early return to Mexico:**

- ☐ **Emergencia médica**/Medical emergency
- ☐ **Problemas familiares**/Family issues
- ☐ **Falta de trabajo**/Lack of work
- ☐ **Problema personal**/Personal problema
- ☐ **Accidente de trabajo**/Work accident
- ☐ **Muerte de familiar**/Family death
- ☐ **Otros**/Other (please specify):

\_\_\_\_\_  
**Firma del empleador/Employer Signature      Firma del trabajador/Worker Signature**



## **ZERO TOLERANCE FOR ALCOHOL AND DRUGS POLICY IN THE WORK SITE (2020)**

I \_\_\_\_\_ (worker's name) acknowledge that there is Zero tolerance for alcohol and drugs at \_\_\_\_\_ (farm's name) in the work site premises. Therefore, the following behaviors can be consider ground for immediate dismissal.

- To show up to work under the influence of any alcohol or drugs.
- To consume any alcohol or drugs on the work site premises.
- To operate any machinery or automobiles while impaired by alcohol or drugs.
- To allow my drinking habits outside of working hours affect the quality of my work.

If I become ill or injured due to the effects of drugs or alcohol, I acknowledge that I do not qualify for any medical insurance coverage through WorkSafeBC or COWAN Medical Insurance.

---

**Worker Signature**





## **POLITICA DE ALCOHOL Y DROGAS EN EL TRABAJO (2020)**

Yo \_\_\_\_\_ (nombre -trabajador) estoy enterado que la empresa \_\_\_\_\_ (nombre -empleador) tiene cero tolerancia al consumo del alcohol y/o drogas en las áreas de trabajo por ser parte del Programa de Trabajadores Agrícolas Temporales.

Reconozco que las siguientes conductas son causales de recisión de mi contrato laboral:

- Presentarme a trabajar bajo los efectos del alcohol y/o drogas.
- Consumir alcohol y/o drogas en las áreas de trabajo.
- Manejar ni operar maquinaria bajo los efectos del alcohol y/o drogas.
- Permitir que el consumo del alcohol en horas de descanso afecte la calidad de mi trabajo.

Adicionalmente, si me lesionó o sufro un accidente estando bajo los efectos del alcohol y/o drogas, tanto Cowan y WorkSafeBC no harán valida la cobertura médica a la que tengo derecho por ser parte el programa de Trabajadores Agrícolas Temporales.

---

**Firma del trabajador**





## AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

### Worker's information

Worker's last name	First name	File number
Farm Name		
Farm Address	Farm Phone Number	

### Accountant's information

Name	Email
Address	Phone Number

### Please read carefully

I authorize \_\_\_\_\_ (accountant) to view or obtain a copy of records pertaining to all areas concerning my taxes (T4s, TD1s, SIN number) from any source. I understand the information is collected, used, and disclosed under the authority of the *Freedom of Information and Protection of Privacy Act*. I acknowledge that \_\_\_\_\_ (employer) will release this information to \_\_\_\_\_ (accountant) for the purpose of assisting in filing my taxes in accordance with the law, including the *Freedom of Information and Protection of Privacy Act*.

Worker's signature	Date signed (yyyy-mm-dd)
--------------------	--------------------------

## AUTORIZACIÓN PARA LA DIVULGACIÓN DE INFORMACIÓN PERSONAL

### Información del Trabajador

Apellidos	Nombre	Número de expediente
Nombre de la Granja		
Dirección de la Granja		Teléfono de la Granja

### Información del Contador

Nombre	Correo Electrónico
Dirección	Teléfono

### Lea cuidadosamente

Yo \_\_\_\_\_, autorizo a \_\_\_\_\_ (Contador), revisar u obtener copia de todos los documentos relacionados con mis impuestos (T4, TDIs, Número de Seguro Social). Entiendo que la información será recolectada, usada ante las autoridades correspondientes, acorde a la Ley de Libertad de Información y Protección de Privacidad del Gobierno de Canadá.

Estoy enterado que mi empleador \_\_\_\_\_, compartirá la información con \_\_\_\_\_ (contador), el propósito de hacer la declaración de mis impuestos acorde a los lineamientos del Gobierno de Canadá bajo la Ley de Libertad de Información y Protección de Privacidad.

Firma del Trabajador	Fecha
----------------------	-------



Annex 7-

## COWAN INSURANCE DEPARTURE CHART

In order to notify Cowan Insurance we require the chart to be completed in its entirety. Please download the [Excel version](#) of this chart if you need more space. Charts can also be copied and included in the body of your e-mail. Please DO NOT send this chart as a PDF document. This chart can only be sent to [sawpmobilityvan@sre.gob.mx](mailto:sawpmobilityvan@sre.gob.mx).

Employer	Worker file number	Worker last name	First name	Arrival date (dd/mm/yyyy)	Return date to Mexico	Transfer/Double arrival/non-transfer	Reason