

EMPLOYER ACKNOWLEDGMENT AND RELEASE RE: COVID-19 PROTOCOLS FOR TEMPORARY FOREIGN WORKERS (“TFWs”) ENTERING CANADA AFTER MARCH 26, 2020

EMPLOYER NAME: _____ (the “Employer”)

WHEREAS:

A. On March 26, 2020, the Government of Canada granted an exemption to the general restriction on non-residents entering Canada previously put in place due to the COVID-19 pandemic (the “Pandemic”) for certain non-residents, including TFWs in agriculture. As a condition of such exemption, Canada imposed additional requirements of and responsibilities for employers bringing TFWs into Canada, which requirements and responsibilities may change at any time; and

B. My Planet Mi Tierra Holidays By Arturo Ltd. (“Mi Tierra”), Western Agriculture Labour Initiative Corporation (“WALI”), and the BC Agriculture Council (“BCAC”) provide, or may provide, services or information to the Employer in relation to the organizing and processing of travel arrangements for TFWs to enter Canada and the Province of British Columbia (the “Services”);

THEREFORE, IN CONSIDERATION OF, AND AS AN EXPRESS CONDITION OF, MI TIERRA, WALI AND/OR BCAC PROVIDING THE SERVICES, THE EMPLOYER HEREBY EXPRESSLY ACKNOWLEDGES AND AGREES AS FOLLOWS:

1. All federal and provincial laws and regulations applicable to the Employer’s employment of TFWs remain in full force and effect notwithstanding the Pandemic, and such Pandemic circumstances do not in any way decrease the Employer’s obligations to comply with all such laws and regulations.

2. The Employer is responsible for complying, at its sole cost, with all federal laws and regulations of Canada and all provincial laws and regulations of British Columbia applicable to the Employer in relation to the Pandemic, including without limitation requirements for TFWs to self-isolate upon entry to Canada and for employers to provide accommodations for TFWs meeting prescribed criteria in relation to the Pandemic. Without limiting the generality of the foregoing, the Employer acknowledges and agrees it will be responsible for familiarizing itself with and complying with all amendments and additions to such laws and regulations from time to time.

3. The Employer HEREBY REMISES, RELEASES and FOREVER DISCHARGES Mi Tierra, WALI and BCAC, together with their respective directors, officers, employees, agents, successors and assigns (collectively, the “Releasees”) of and from any and all manner of actions, causes of action, suits, proceedings, debts, dues, profits, expenses, contracts, damages, claims, demands and liabilities of every nature and kind whether under statute or otherwise at law or in equity (collectively, the “Actions”), whether asserted or unasserted, which the Employer, alone or together with others, now has or at any time hereafter can, shall or may have arising out of or connected in any way with the Employer’s obligation to comply with all federal and provincial laws and regulations, as amended from time to time, in relation to the Pandemic, travel arrangements for TFWs during the Pandemic, and/or the Employer’s employment of and provision of accommodations to TFWs during the Pandemic.

AGREED TO AND ACCEPTED THIS _____ day of _____, 2020.

EMPLOYER NAME: _____

AUTHORIZED SIGNATORY NAME (if corporation): _____

SIGNATURE: _____