

# Research explores state of migrant worker protections

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Western Nursing professor Susan Caxaj's recent research looked at migrant agricultural workers' experiences in Canada, and the impact on these individual's health and wellbeing. Credit: Paul Mayne//Western News

Federal protections lacking in clarity, accessibility and enforcement are

leaving thousands of migrant workers across Canada open to exploitation, and in some cases putting their health and lives at risk to maintain employment, according to a Western researcher.

Through on-the-ground interviews with migrant workers, Nursing professor Susana Caxaj discovered huge gaps in how, where and even if migrant workers are able to access information on employment standards, occupational health and safety and workplace compensation through the federal government's Seasonal Agricultural Worker Program (SAWP).

SAWP allows employers to hire temporary foreign workers from participating countries when Canadians and permanent residents are not available. The program also outlines a series of worker protections, including wages, working conditions, housing, insurance, safety, and others, that must be followed by participating employers.

"The program is set up a little naively—it assumes the employer can, and will, take care of all these things. But these individuals experience so many larger structural barriers to actually asserting those rights," said Caxaj, whose recent research paper, "I Will Not Leave My Body Here: Migrant Workers' Health and Safety Amidst a Climate of Coercion," was published in the *International Journal of Environmental Research and Public Health*.

"The things we espouse about these programs are not actually happening in practice."

While a fair amount of research has expressed concerns about how SAWP is enforced, Caxaj wanted to give voice to the migrant agricultural workers' experiences through her work.

"There is a chilling affect for workers," she said, adding 75 percent of

Canada's agricultural workforce is made up of migrant workers.

"Sometimes an incident wouldn't even have to happen on their farm. It was enough just knowing that at some other farm a worker told their boss that housing conditions were inadequate and that person wasn't brought back the next season.

"There are lots of ways coercion is really at play in both subtle and explicit ways, even when a worker is ready to say, 'I'm entitled to workplace compensation, I was injured on the job, I know my rights.'"

Caxaj interviewed a dozen migrant agricultural workers, followed by a public consultation with more than 100 workers in the Okanagan region of British Columbia. She was surprised to the degree their life in Canada was strictly work.

"It's not just a stint of work—living and working on the farm is their life," she said. "It's one of the most hazardous occupations. Now, couple that with not speaking the language and no orientation to their legal protection as workers. They are not aware of (their rights) and, even if they are, there are a lot of risks."

Participants in the study described numerous barriers to accessing something as simple as medical care, including transportation, geographic isolation, language, limited clinic hours, demanding work hours and fear of job loss.

Related to that final barrier, many of the migrant workers spoke to Caxaj of the need they had to "man up"—that somebody else would be happy to replace them.

"Many of these individuals feel like they have to normalize risk. And not just risk. They feel like they need to normalize the possibility they'll get injured, normalize the possibility they could die on the job because of

that need to keep this employment," she said.

Caxaj found many migrant workers felt uncomfortable refusing unsafe working conditions. They wanted to stay in their employer's "good books" and be able to return the following year.

"Sadly, this means that workers' bodies are on the line because they are accepting conditions that are sometimes exploitative and hazardous," she said. "There is a paradox here, because the more workers risk their bodies to keep their job in the short-term, the more physical risk they might put themselves through, which may cost them their way of making a living (through manual labor)."

She also found numerous ways SAWP failed these workers.

"Workers want Canadian agencies to play more of a role in carrying out unannounced inspections that can flag problematic workplace and living conditions," Caxaj said. She added that too much onus is placed on the individual to risk everything to correct a problem on a farm.

"They want their employers to be more responsible to maintain workplace safety and protection."

Caxaj is currently piloting a model in British Columbia that would include an outreach [worker](#) and legal advocate for the workers as a way to bridge the barriers to access.

There is a growing interest among Canadians to want to do things differently, she continued. They want to see [migrant workers](#) treated as equals in the workplace.

"The only thing they have that is different is they are from a different country. That speaks to the disconnect of the value Canadians have and

how Canadian policy is implemented here," she said.

"It speaks to discrimination and that's something Canadians don't stand for. Until we recognize the ways we are writing them out of our community, we are doing a disservice to the type of world I hope we all want to live in."

**More information:** C. Susana Caxaj et al. "I Will Not Leave My Body Here": Migrant Farmworkers' Health and Safety Amidst a Climate of Coercion, *International Journal of Environmental Research and Public Health* (2019). [DOI: 10.3390/ijerph16152643](https://doi.org/10.3390/ijerph16152643)

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