

Research Submission: Ministerial Roundtable on Housing Standards for Temporary Foreign Workers – July 2022

C. Susana Caxaj, PhD, RN, Assistant Professor, School of Nursing, University of Western Ontario
Anelyse M. Weiler, PhD, Assistant Professor, Department of Sociology, University of Victoria

I. Background

In 2018, the federal government funded a national housing study that affirmed the need for ‘uniformity’ in the quality of farm worker housing as part of the Temporary Foreign Worker Program.ⁱ Yet four years later, Canada is still lacking a set of consistent, enforceable national housing standards for migrant agricultural workers. Before the COVID-19 pandemic, agricultural industry groups had pushed back against the establishment of national housing standards for workers.ⁱⁱ Our research, echoed by many others, shows that migrant agricultural workers’ housing is inconsistent, overcrowded, and often profoundly inadequate.^{iii,iv,v} For this population, employer-provided housing is not only a key determinant of health, but also a key determinant of death.^{vi} The government’s renewed commitment to developing stronger criteria for employer-provided housing provides a promising opportunity to finally ensure that migrant agricultural workers consistently have high-quality housing that supports their health, safety, and dignity.

II. Methods

Since the spring of 2021, our research team has been carrying out in-depth research to understand migrant agricultural workers’ perspectives on housing quality in Ontario and British Columbia and the broader policy landscape that shapes their experiences. We have recruited and interviewed migrant farmworkers of diverse social positions (e.g. varying gender, status, work program, ethnicity, nationality) to better understand the unique and common housing issues that determine this populations’ health and safety. So far, we have interviewed over 50 migrant agricultural workers (Central American, South American, Caribbean) and over 20 service providers based in British Columbia and Ontario. To consolidate prior research, we have also conducted a systematic scoping review of all relevant academic and grey literature publications since 2000.

III. Key Findings

Our preliminary analysis suggests several cross-cutting challenges facing migrant agricultural workers in relation to their housing conditions while living and working in Canada. We outline what is first known from prior scholarship, and then, what has been communicated to us directly through our ongoing research.

A. Common Themes from Prior Studies & Reports

Based on our scoping review, prior research has raised six key areas of concern:

1. *Sanitation, food security and water supply*

Lack of access to adequate washrooms, laundry facilities, hand-washing stations, refrigeration, food storage and cooking appliances were commonly reported. Inadequacy of these resources threatened individuals' hygiene, food security/nutrition, and illness prevention efforts.^{vii} Prolonged waits to use limited shared laundry, kitchen or washroom facilities had significant consequences for workers' rest periods, opportunities for recreation, and even their sleep. Studies also reported a lack of potable/clean water in workers' accommodations.

2. *Thermal environment, electricity and utilities*

In several reports and investigations, participants reported ineffective or lacking ventilation, cooling and heating. In some cases, no electricity was available to workers. Some workers faced illegal deductions or had to directly pay for heating or other utilities. A lack of internet and phones was significant for workers as it could prevent them from communicating with their families back home, creating a greater sense of isolation.^{viii, ix}

3. *Habitability of structure, air quality and exposure to hazards*

Several studies described housing structures in disrepair.^x Common concerns were inadequate installation of washrooms, kitchens and bedrooms and a lack of basic furniture (e.g. beds, chairs). Workers' accounts across several reports indicated minimal maintenance of housing quarters. Numerous studies documented that migrant agricultural workers were exposed to hazards (e.g. agrochemicals) via their living quarters. Reports also identified challenges related to pest infestations (e.g. rodents). A lack of smoke detectors was also identified, although this was less common. Shared dwellings, general overcrowding, and poor ventilation were identified as key sources of risk for general illness transmission and COVID-19 specifically.

4. *Adequate space and privacy*

Prior literature often described migrant agricultural workers' housing as either on or near farm operations, which was often also where the employer lived. Under these conditions, individuals struggled to find a respite from work, and in several studies, workers reported a sense of being constantly 'on call.' In this context, interpersonal conflict between workers was more common, further undermining the quality of workers' living conditions. Overcrowding was one of the most common concerns, with consequences for workers' privacy, dignity and mental health.^{xi}

5. *Accessibility, location and adequacy of neighbourhood*

Migrant agricultural workers are often located in smaller towns and/or remote neighbourhoods lacking in accessible services, amenities, ethno-cultural diversity, and public transportation.^{xii} As a result, individuals often were forced to rely on employers for transportation, which in some cases proved to be unreliable (e.g. if the employer refused or delayed) or inappropriate (e.g. having to disclose intimate medical information). A lack of an independent source of mobility,

compounded by strenuous work schedules and geographic isolation, also limited workers' access to recreation and other opportunities for social connection off of the farm (e.g. places of worship, exercise). In several studies, workers also reported being targets of racial profiling or hostility by local community members, which amplified their alienation from Canadian society.

6. *Surveillance, restrictions and a lack of freedom*

Several studies identified severe limitations on migrant agricultural workers' freedom to engage in important, life-affirming activities outside of work. These included restrictions on workers' ability to travel and live alongside their families in Canada, and obstacles to participating in off-farm community life (e.g. transportation, long working hours).

Studies commonly documented inappropriate employer control and surveillance of workers, such as prohibition of visitors and/or alcohol use, and curfews. Discrimination and segregation on the basis of race, country of origin, and gender were also identified as factors contributing to poor housing. During the COVID-19 pandemic, additional restrictions on workers' freedom of movement were implemented across Canada, resulting in even more extreme isolation and the potential for significant mental health consequences.

Researchers also reported sexual harassment and fear for one's safety.^{xiii} Adherence to employer control in living quarters and under-reporting of housing concerns was linked to workers' precarious, temporary work/immigration status. Workers' ability to live freely and comfortably in their housing was limited by their dependence on employers to nominate them for rehiring the subsequent season, and some reported employer threats of being 'replaced.'

B. Emerging Themes from Interviews with Migrant Agricultural Workers

Through interviews, migrant agricultural workers shared with us recent housing experiences and recommended improvements. Our preliminary analysis identified several themes:

1. *Mistreatment and poor working conditions*

Migrant agricultural workers reported that they experienced prejudice because of not speaking English. Others reported discrimination in the community and in their living quarters based on their nationality and/or skin colour. Several workers described intense work demands that interfered with their quality of life.

2. *Feeling watched or controlled*

Several informants discussed being heavily surveilled in their living quarters by employers, and sometimes, co-workers on behalf of employers. Migrant agricultural workers described restrictions on their movement off the farm, with some prohibited from having visitors, and being instructed to keep the doors of their bedrooms open at all times. In some cases, bosses entered workers' living quarters with no prior notice, resulting in significant invasion to workers' privacy.

3. *Isolation and transportation*

Migrant agricultural workers discussed limited access to services, amenities and social connections as a result of the location of their housing and because of a lack of transportation. A reliance on employers, bicycles or friends in the community could complicate timely access to necessary support. In some cases, workers told us they lacked a reliable form of transportation to access services. Some individuals biked more than 1 hour to access recreation or basic services. Living away from family further added to many individuals' sense of isolation.

4. *Unsafe and crowded housing*

Most migrant agricultural workers we interviewed did not believe their housing was dignified. Common problems raised included a lack of air conditioning and heating, and close proximity to hazards, including chemicals like pesticides. Often, informants reported that they lacked enough stoves, fridges, and washrooms to accommodate all residents. Most commonly, migrant agricultural workers described their housing in Canada as overcrowded and uncomfortable. Many reported sharing a bedroom with multiple roommates, and limited space in shared living quarters. This resulted in little sense of privacy and overall discomfort.

5. *Factors contributing to poor housing & policy solutions*

Migrant agricultural workers' experiences with poor housing provided them with unique insight into the causes of substandard living conditions, and to potential solutions. Some highlights included:

a. *Affordable alternatives to employer-provided housing*

Migrant agricultural workers raised concerns about their housing being determined by their employers, and within the boundaries of their employer's property. Options for housing other than employers' property were raised as a solution. Some noted that to ensure that this option was feasible, policies to keep rent prices affordable for migrant agricultural workers were necessary.

b. *More robust and frequent housing inspections*

Several migrant agricultural workers shared that housing inspections by Canadian officials were ineffective because employers were notified beforehand of the visit. This provided employers with the opportunity to conceal substandard housing conditions, and even stage or misrepresent the housing units that workers were living in. Migrant agricultural workers thus emphasized the importance of unannounced inspections to identify problematic housing conditions alongside meaningful engagement with migrant worker residents/tenants.

c. *Greater support from Canadian authorities*

Several migrant agricultural workers reported that they did not feel confident that housing concerns raised to their country-of-origin representatives would be addressed. As a result, some informants identified a need for more support and involvement by Canadian authorities to

ensure the safety and dignity of workers' housing while in Canada.

d. *Open work permits and permanent status to facilitate freedom to refuse unsafe housing conditions*

Migrant agricultural workers expressed that reporting concerns related to their housing posed a great deal of risk to their employment and permission to work in Canada. Most workers noted that a significant deterrent to voicing concerns about their housing or related issues was their employer's power to nominate them to return to the program the next year; without this, they might not be able to return. Individuals also described how their status and work permits being tied to one employer limited their freedom to refuse unsafe housing and workplace conditions. Thus, many participants suggested that if they had open work permits or permanent residence, they would be more able to refuse substandard housing conditions.

e. Family unification while working in Canada

Some migrant agricultural workers described their time living and working in Canada as very isolating and difficult. Separation from family in particular was a source of stress and loneliness. Some suggested that being permitted to bring their families with them while they worked would significantly improve their quality of life.

Conclusion & Recommendations

Research has confirmed that migrant agricultural workers' housing continues to be inconsistent, lacking in adequate oversight, and often of poor quality.^{xiv} Cross-cutting issues across our study include overcrowding, employer restrictions on mobility, isolation, inadequate appliances and facilities, and threats to basic sanitation and food security. Housing is a key determinant of health. Without adequate housing, these men and women will continue to face significant threats to their health and wellbeing. The COVID-19 pandemic, as well as recent cases of workers being killed by motor vehicle drivers, make evident that poor housing conditions are also a key determinant of untimely death.^{xv} To enable these vital members of our community to live with the same health and dignity owed to any Canadian worker, we recommend the following:

1. Cross-jurisdictional coordination and consistency for National Housing Standards that align with evidence-informed housing quality criteria

The federal government should take responsibility for coordinating comprehensive, consistent national migrant agricultural worker housing standards across all jurisdictions (e.g. provincial, municipal). Standards should be significantly raised for physical housing conditions (e.g. no bunk beds), health and safety, freedom from employer control, and security of tenure by drawing on recommendations from workers, advocates, and researchers.^{xvi}

2. Proactive, unannounced inspections and enforcement (with high penalties for non-compliance)

The federal government should fund a well-trained enforcement body to conduct unannounced inspections at multiple points throughout the season to ensure compliance. Inspections should involve

workers' meaningful participation at arms' length from employers (e.g. enlisting an independent translator as required). Penalties for non-compliance should be sufficiently high to promote deterrence.

3. Government-funded housing that promotes inclusion and access to community services

The federal government should consider funding and coordinating migrant farmworker housing in urban/residential areas (possibly co-funded with employers), along with safe transportation to farms. This would facilitate workers' access to goods and services (e.g. health care) while reducing employer control over their non-work lives.

4. Investment into rural public transit, protected cycling infrastructure, and clearer/enforceable expectations of employer's duty to provide transportation in case of medical emergencies

Providing workers with multiple independent transportation options would significantly improve their freedom of mobility in accessing vital services (e.g. groceries, banking, health care).

5. Permanent residency, open work permits, and a fair grievance procedure prior to a removal order

Providing workers with a secure immigration status (e.g. permanent residency on arrival) would significantly attenuate the power imbalance with employers and enable them to live in their housing with less fear and stress of potential deportation and loss of livelihood.

6. Dedicated government outreach and support to communicate with migrant workers and enlist their decision-making power

Such engagement should include policies to protect workers' freedom to collectively organize and assert autonomy regarding their living conditions.

ⁱ National Home Inspector Certification Council (2018). National Housing Standard for Primary Agriculture Review: <http://www.nationalhomeinspector.org/NHICCreportRsum.pdf>

ⁱⁱ <https://www.thestar.com/business/2020/05/11/a-study-urged-better-standards-for-migrant-workers-housing-nothing-was-done-now-covid-19-has-struck.html>

ⁱⁱⁱ Cohen, A. (2019). "Slavery hasn't ended, it has just become modernized": Border Imperialism and the Lived Realities of Migrant Farmworkers in British Columbia, Canada. *ACME: An International Journal for Critical Geographies*, 18(1), 130-148.

^{iv} Haley, E., Caxaj, S., George, G., Hennebry, J., Martell, E., & McLaughlin, J. (2020). Migrant farmworkers face heightened vulnerabilities during COVID-19. *Journal of Agriculture, Food Systems, and Community Development*, 9(3), 35-39.

^v Weiler, A. M., Sexsmith, K., & Minkoff-Zern, L. A. (2020). Parallel Precarity: A Comparison of US and Canadian Agricultural Guest Worker Programs. *International Journal of Sociology of Agriculture and Food*, 26(2), 143-163.

^{vi} Lee, R. S., Collins, K., & Perez-Brumer, A. (2022). COVID-19 violence and the structural determinants of death: Canada's seasonal agricultural worker programme. *Global public health*, 17(5), 784-793.

-
- ^{vii} Weiler, A. M., McLaughlin, J., & Cole, D. C. (2017). Food security at whose expense? A critique of the Canadian temporary farm labour migration regime and proposals for change. *International Migration*, 55(4), 48-63.
- ^{viii} Basok, T., & George, G. (2021). "We are part of this place, but I do not think I belong." Temporariness, Social Inclusion and Belonging among Migrant Farmworkers in Southwestern Ontario. *International Migration*, 59(5), 99-112.
- ^{ix} Caxaj, S., & Diaz, L. (2018). Migrant workers'(non) belonging in rural British Columbia, Canada: storied experiences of Marginal Living. *International Journal of Migration, Health and Social Care*.
- ^x Tomic, P., Trumper, R., & Aguiar, L. L. (2010). Housing regulations and living conditions of Mexican migrant workers in the Okanagan Valley, BC. *Canadian Issues/Thèmes Canadiens*.
- ^{xi} Preibisch, K., & Otero, G. (2014). Does Citizenship Status Matter in Canadian Agriculture? Workplace Health and Safety for Migrant and Immigrant Laborers. *Rural Sociology*, 79(2), 174-199.
- ^{xii} Horgan, M., & Liinamaa, S. (2017). The social quarantining of migrant labour: everyday effects of temporary foreign worker regulation in Canada. *Journal of Ethnic and Migration Studies*, 43(5), 713-730.
- ^{xiii} Cohen, A., & Caxaj, S. (2018). Bodies and borders: Migrant women farmworkers and the struggle for sexual and reproductive justice in British Columbia, Canada. *Alternate Routes: A Journal of Critical Social Research*, 29.
- ^{xiv} Office of the Auditor General of Canada (2021). Report 13: Health and safety of agricultural temporary foreign workers in Canada during the COVID-19 pandemic. https://www.oag-bvg.gc.ca/internet/docs/parl_oag_202112_02_e.pdf
- ^{xv} Caxaj, C.S., Tran, M., Tew, M., Mayell, S., McLaughlin, J., Rawal, S., Cole, D., & Vosko, L. F. (2022). Key findings and recommendations from a study of Coroner's Files of migrant agricultural workers' deaths in Ontario from January 2020 to June 2021: http://www.migrantworker.ca/wp-content/uploads/2022/01/Jan.29_Coroner-Study-Key-Findings-and-Recs_Final.pdf
- ^{xvi} Caxaj, C. S., Hanley, J., Hennebry, J. L., Mayell, S., McLaughlin, J., Tew, M., Vosko, L. F., & Weiler, A. (2020). Migrant Worker Health Expert Working Group (2020). Federal consultation on the housing conditions of migrant farmworkers: http://www.migrantworker.ca/wp-content/uploads/2021/06/Submission_National_Consultation_Housing_MWHEWG_2020.pagenumberscorrected-WEBSITE.pdf