



Temporary Foreign Worker Program
Employment and Social Development Canada
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Gatineau, Quebec K1A 0J9

Submitted by email to: edsc.dgce.tet-tfw.seb.esdc@hrsdc-rhdcc.gc.ca

September 6, 2024

RE: Discussion paper on employer-provided accommodations for new Foreign Labour Program for Agriculture and Fish Processing

To Whom It May Concern:

On behalf of the Canadian Produce Marketing Association (CPMA), we are appreciative of the opportunity to provide comments to Employment and Social Development Canada on its discussion paper regarding employer-provided accommodations under the new Foreign Labour Program for Agriculture and Fish Processing.

About CPMA

Based in Ottawa, CPMA is a not-for-profit organization representing companies active in the marketing of fresh fruit and vegetables in Canada, from the farm gate to the dinner plate, spanning the entire produce industry. The Association's members include major growers, shippers, packers and marketers; importers and exporters; transportation and logistics firms; brokers, distributors and wholesalers; retailers and foodservice distributors; and fresh cut operators and processors. Founded in 1925, CPMA is proud to represent 880 domestic and international members who are responsible for 90% of fresh fruit and vegetable sales in Canada, including more than 200 Canadian-based grower/shipper organizations.

General comments

Bridging the labour gap is critical to ensuring the success of the Canadian fresh produce industry in both the short and long-term. CPMA's 2021 report, *Workforce Needs in the Produce Supply Chain* found labour shortages reported by 92% of growers, 75% of wholesalers, and 100% of retailers, with the most significant gap reported in warehouse labour. A 2023 Royal Bank of Canada report found that, by 2033, 40% of Canadian farm operators will retire, leaving a shortfall of 24,000 general farm, nursery and greenhouse workers¹.

Labour shortages are reported in both urban and rural areas of Canada, with impacts to businesses' productivity, sales, profitability, access to products and new business development. In fact, the Canadian Agricultural Human Resource Council (CAHRC) has found that labour shortages have cost the fruit and vegetable industry hundreds of millions of dollars².

¹ [Farmers Wanted: The labour renewal Canada needs to build the Next Green Revolution](#), Royal Bank of Canada, 2023

² AGRI LMI, Canadian Agricultural Human Resource Council (CAHRC), 2019

In addition to our domestic workforce, the fresh fruit and vegetable industry relies upon thousands of workers coming into Canada as part of the Temporary Foreign Worker Program (TFWP) and the Seasonal Agricultural Worker Program (SAWP) to plant, cultivate, process, harvest and pack our products. Canadian horticulture relies more heavily on international workers than do other segments of agricultural production, with 43% of horticultural workers coming from outside Canada, (compared to 17% for the rest of agriculture), and 61% of horticultural farmers hiring foreign workers, (compared to 35% of the rest of agriculture). Our sector can therefore be acutely impacted by changes to the requirements of the TFW Program.

CPMA and its members are committed to ensuring that all international workers who come to Canada through the TFWP and SAWP are provided with safe, clean and comfortable housing. In addition to the feedback provided in this submission, we would like to express our strong support for the submissions made on behalf of Canada's fresh produce sector by the Fruit and Vegetable Growers of Canada (FVGC), the Canadian Federation of Agriculture (CFA), the Ontario Fruit and Vegetable Growers' Association (OFVGA) and the Ontario Greenhouse Vegetable Growers (OGVG). The TFW Program is critical to the ongoing viability of many fruit and vegetable growing operations across Canada, and we urge the government to give serious consideration to these comments to avoid unintended negative consequences to fresh fruit and vegetable production and food security in Canada.

As noted by FVGC, a more permanent solution is required to both maintain agriculture streams to support our sector's seasonal and temporary needs, while also ensuring that the TFWP supports pathways to permanent residency for experienced temporary foreign workers in sectors such as agriculture that demonstrate chronic labour shortages.

Proposed policy on employer-provided accommodations and discussion questions

CPMA is supportive of ESDC's aim to create consistent housing standards across all streams of the TFW program and we share the hope of other stakeholders that this policy will serve to increase Canadians' confidence in the program and ensure that all TFWs are guaranteed access to adequate and safe housing.

12 proposed requirements (Discussion questions 1 & 2)

CPMA agrees with our partners that the government's proposed list of 12 requirements is clear and formalizes best practices that have developed in various regions, particularly within the Agricultural Stream of the TFWP and the SAWP program. As noted above, these requirements will provide a common minimum standard across Canada and will enhance public confidence in program oversight. To support a streamlined and consistent compliance process and reduce administrative delays, CPMA recommends the adoption of a standardized and universally accepted 12-point checklist of requirements for use during housing inspections.

At the same time, it is essential to ensure that these requirements are adaptable across different jurisdictions. While national standards are essential, it is crucial that these standards are adaptable to the diverse conditions across Canada's provinces and territories, including seasonal housing shortages, varying climate conditions, and unique rural infrastructural constraints that necessitate flexible and region-specific standards. Regional authorities should therefore have the flexibility to augment the national standard based on the specific needs and risks in their local communities without adding further burden or challenges to the sector.

Communicable disease control (Discussion question 3)

Governments at all levels must build on the lessons learned from the COVID-19 pandemic to further develop emergency preparedness protocols to be able to adapt to future pandemics or similar public health events. It is important to recognize that rigid additional requirements to address communicable disease concerns may quickly become outdated. Therefore, there must be flexibility for regional authorities to continue to leverage provincial and local public health guidance and allow tailored responses based on the local nature of the threat.

In addition, as noted in previous submissions to ESDC, improved sharing of best practices, more timely information on outbreaks, sharing of culturally appropriate information for workers in applicable languages, as well as enhanced government supports for off-farm housing for the purpose of quarantining, should all be considered in efforts to mitigate risks associated with communicable diseases.

Communication (Discussion question 4)

CPMA strongly recommends the development of a comprehensive communication strategy and education to support employer compliance under the new program. Detailed guidance documents, educational offerings such as workshops and webinars, and dedicated support lines to address employer questions should all be considered to ensure that employers are aware and have a clear understanding of the requirements. Online resources should be maintained and updated with current information at all times.

CPMA emphasizes the particular importance of this communication strategy to support employers who currently have no obligations to provide housing, including those employing Low Wage/High Wage TFWs in post-farm gate segments of the fresh produce supply chain, such as standalone packing, grading, wholesale and/or processing facilities. These employers are likely to have a steeper learning curve in transition than those currently using the SAWP or Agricultural Stream, necessitating dedicated communications and educational resources to support compliance.

In addition to the communication mechanisms noted above, CPMA agrees with our partners that existing channels, including consulates, employer associations, ESDC mail-outs, and worker support organizations, should be used to their fullest potential to raise employer awareness of the requirements and to communicate updates or new information.

Implementation cost and timeline (Discussion questions 5 & 6)

As we have noted in our previous submission, significant time, resources and financial costs will be required of employers to meet any new housing requirements. Therefore, the implementation timeline for these changes must be reasonable and take into account the length of time required to obtain the necessary permits and/or environmental assessments, to hire contractors and purchase supplies, as well as to make any modifications needed to meet additional provincial/territorial requirements that fall outside of the proposed 12-point standard.

CPMA reiterates that the most significant impact will be incurred by employers along the fresh produce supply chain using the TFW Low Wage/High Wage streams, who currently do not provide housing. These

employers may need to construct or secure new housing to comply with the new program. Construction costs can be significant, and the regulatory approval process may differ, depending on the jurisdiction. Therefore, a phased implementation period, with a longer transition period of up to 4-5 years for Low Wage/High Wage stream employers, is essential to support continued access to the program and avoid these employers being excluded due to administrative or logistical delays.

Finally, with many Canadians continuing to struggle with the cost of food, it is essential that the Government of Canada not unnecessarily add to the costs of food production. CPMA therefore recommends that the government explore measures to ease the economic burden of implementing the housing requirements under the new program, including cost-sharing programs and/or financial assistance to support employers in meeting the new housing standards and ensure workers have access to adequate housing. We also agree with our partners that an indexed housing-related wage deduction system is needed for employers outside of the SAWP – a system that accounts for inflation and reflects regional economic realities and housing markets would ensure fairness and adaptability to economic changes.

Thank you for taking the time to review our comments above. On behalf of its members, CPMA is appreciative of the opportunity to provide feedback on the department's discussion paper on employer-provided accommodations under the new Foreign Labour Program for Agriculture and Fish Processing. We would be pleased to answer any questions you may have in regard to these comments and look forward to working with the government to ensure this new program can deliver on its objectives.

Regards,

A handwritten signature in black ink, appearing to be 'RL' followed by a long horizontal line.

Ron Lemaire
President
Canadian Produce Marketing Association