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• (1535)

[English]

The Chair (Mr. Sukh Dhaliwal (Surrey—Newton, Lib.)): Welcome to meeting number 85 of the House of Commons Standing Committee on Citizenship and Immigration.

For the first hour, we are continuing our study of closed work permits and temporary foreign workers.

I am pleased to welcome two witnesses who are with us today: from the Canadian Agricultural Human Resource Council, Ms. Peggy Brekveld, chair, and from the Western Canadian Wheat Growers Association, Mr. Kenton Possberg, director.

Welcome to the committee.

Ms. Brekveld, you have five minutes for your opening statement.

Ms. Peggy Brekveld (Chair, Canadian Agricultural Human Resource Council): Thank you.

Mr. Chair and members of the committee, thank you for the invitation to participate in this committee's study.

I am Peggy Brekveld, chair of the Canadian Agricultural Human Resource Council. My comments today will focus on the value of temporary foreign workers to the Canadian agriculture industry.

The Canadian Agricultural Human Resource Council, or CAHRC, has been examining the workforce needs of the Canadian agriculture sector for more than 15 years. CAHRC, along with the Canadian Federation of Agriculture and Food and Beverage Canada, is leading the national workforce strategic plan for agriculture and food and beverage manufacturing. Together, we have engaged industry stakeholders on ways to address workforce shortages.

CAHRC's most recent labour market research, released on November 1, illustrates the critical role the agriculture sector plays in the Canadian economy in fulfilling both domestic and global food, fuel and fibre demands. In 2022, the Canadian agriculture sector generated \$38.8 billion in GDP, or 1.9% of the national total. Canada has established itself as a major producer of diverse and high-quality agricultural products. It ranks among the world's largest exporters, with \$92.8 billion in agricultural and processed food exports in 2022.

Secure access to an affordable, safe and reliable food supply both for Canadians and for the world relies on a skilled and motivated workforce. The success of agriculture and its sector does as well. The data is impressive. In 2022, the agricultural sector, including

crops and animal production, support services and agricultural wholesale, employed over 351,000 Canadian workers and 71,000 temporary foreign workers, including the seasonal ag worker program workers. Even with these additional workers from other parts of the world, the industry still experienced 28,200 job vacancies in the same year.

Over the next decade, expanding global markets for Canadian food products are expected to drive substantial growth in this sector. The challenges to meet this growth will need strategic responses. There are several ways that the industry is planning to address this. Part of that response will need to address a labour shortage that is already present and likely to grow. The national workforce strategic plan is examining this issue.

The care and well-being of agriculture workers, both domestic and foreign, are the top priority of agriculture employers. Agriculture employers work very closely with Immigration, Refugees and Citizenship Canada, Employment and Social Development Canada and Service Canada to ensure the oversights and regulations are in place to protect workers and employers, the processes continue to improve and bad actors are rooted out.

The industry's goal is for workers, both domestic and foreign, to choose agriculture as a place to work. Having a stable, predictable and fully functioning workforce will benefit employers, employees and our food system. We know that Canada and Canadians deserve a stable food system, but as well, so do the countries around the world that depend on us for food.

I look forward to questions from the committee. Thank you.

The Chair: Thank you, Ms. Brekveld.

Now we'll go to Mr. Possberg for five minutes, please.

Mr. Kenton Possberg: Thank you for the opportunity to speak regarding the temporary foreign worker program.

My name is Kenton Possberg. My wife and I own and operate a grain and oilseed farm in Humboldt, Saskatchewan. I'm also a director with the Western Canadian Wheat Growers Association. Besides that, I have been sitting on several working groups and committees relating to the temporary foreign worker program for the last 10 years.

Our farm currently has six full-time staff. During the growing season, we hire an additional 10 people. On a grain farm, the peak periods of employment are during the growing season, which is April through October.

Of our seasonal staff, we have been successful in finding some residents to fill these roles, but we are always left with several positions unfilled. To fill this void, we have been using the temporary foreign worker program to hire seasonal workers since the 2007 crop season.

Our farm uses the agriculture stream. Under the current temporary foreign worker program, the LMIA needs to be submitted six months or more in advance to get all of the approvals in place. Not only do we need to get the LMIA approved, but we also need to get the application for the work permit approved. The processing time for LMIA's has improved substantially in recent years, but the work permit processing time continues to be unpredictable. Depending on the country of the resident, it takes up to six months to be approved. It also takes time and money to attract and recruit these individuals.

One of the bigger issues with the current structure of the foreign worker program is that under the current NOC code classification, machinery operators continue to be classified as low skill. This shows that the department does not understand the skill required to operate modern farm equipment.

Where grains and oilseeds have a high-skill requirement, and high wage, our program rules get lumped into the same lower-skill, lower-wage positions. Housing is a good example. We really need a sector-specific and, more importantly, a regionally specific program.

With regard to implementing open work permits, I have some concerns. There's already a process in place that allows any foreign worker in Canada to change employers. The only requirement is that the new prospective employer must have a valid LMIA. There's a dedicated processing centre to deal with these situations, and they get priority processing.

If TFWs are given an open work permit upon arrival, it circumvents the whole process of employers recruiting Canadian workers for a specific job in their operation. Moreover, it could put employers, particularly those in the agriculture sector, at risk of losing employees when they are needed the most.

I also have a concern that workers could lose the protections that are built into the system, such as rules surrounding hiring the worker, their wages, working conditions and housing.

This will lead to some significant unintended consequences. As an employer, rather than taking the time, effort and cost of recruiting the individual and paying for the flights, I would be better off waiting for my neighbour to do this and then trying to poach that individual.

Open work permits would likely lead to a significant numbers of TFWs leaving their rural employment to move to higher-populated urban centres. In the grains and oilseeds industry, we have issues with finding people due to our rural location. It doesn't help the Canadian economy or Canadian citizens if TFWs leave the regions

where they are needed to go to higher-populated areas, which don't need more people competing for jobs in industries and are not having issues finding workers.

Even if the program allowed sectoral work permits, the consequence could be individuals leaving places like Humboldt to move to an operation near a larger community like Calgary, Saskatoon or Edmonton.

We continue to request that the temporary foreign worker program follow through and create a stand-alone agriculture and agri-food program. We need to be removed from the generic program due to our long-standing labour shortages, rural location and seasonal requirements that will never amount to full-time positions.

● (1540)

The Chair: Thank you to both of you.

Now we can proceed with the questions and answers.

Mr. Redekopp, go ahead for six minutes, please.

Mr. Brad Redekopp (Saskatoon West, CPC): Thank you, Mr. Chair.

Thank you to our witnesses today. It's great that they can be here.

One of the discussions we've had at this committee has been around the living conditions of temporary foreign workers. Advocates for open permits have indicated that sometimes operators, such as you folks, are keeping workers in horrible conditions. Some have said that, and different things.

Mr. Possberg, could you describe to me the housing provided for temporary workers on a farm such as yours?

Mr. Kenton Possberg: For our farm in particular, we have a family-style bungalow located in Humboldt that is provided to the workers. We have to get an annual inspection done, and that inspection needs to be done prior to the LMIA being submitted. All the checks and balances are in place to ensure living conditions are suitable.

The problem is, because we are lumped in with the rest of agriculture, a lot of the rules and regulations tend to go toward the lowest common denominator. In this specific case, it would be more due to bunkhouse-style conditions. For grains and oilseeds, that's not at all the kind of housing we use.

Mr. Brad Redekopp: Mr. Possberg, if you could change one thing in the whole world, in terms of housing, what would you change?

● (1545)

Mr. Kenton Possberg: It would be the \$30-a-week maximum we're allowed to charge the worker.

The people we bring over tend to be from more affluent areas. They're from western Europe. A lot of them have university degrees. They come from backgrounds where they demand certain styles of living conditions. If they don't have those living conditions, they're not going to come. Due to the wage structure we have, it would be more than reasonable for us to qualify under some of the other rules for the high-wage stream in the general program itself, which allows up to 30% of a worker's gross salary.

Mr. Brad Redekopp: In your experience, what protections are in place for TFWs when they come to work in Canada? For instance, if someone were to poach a worker through an open work permit, as you were talking about, who would pay for the housing, the ticket home and that sort of thing?

Is it something the employer takes care of? How does that work?

Mr. Kenton Possberg: If it were a completely open work permit, I guess those protections would be lost. Currently, you can get audited. There are audits that happen routinely, and you're not notified of them. They can just show up at any given time, and you need to be able to provide all the documents and everything else to ensure workers' protections are being met. Now, if you went to an open work permit, all of that would potentially be lost.

Mr. Brad Redekopp: For a TFW on your farm, for example, what protections do they have if they have a problem and want to leave your farm? What can they do?

Mr. Kenton Possberg: There's a hotline they can phone and there's an immediate response. There are provisions in place if they want to switch farms. They just need to go to another farm that has an LMIA in place. They have complete freedom to move around. Granted, that's protecting the Canadian workforce. Currently, the prospective employer would need to have an open LMIA. They would need to have demonstrated that they weren't able to find Canadians.

If they have an open work permit and can go anywhere, they're going to be competing with Canadian citizens for jobs, possibly in sectors they're not required in. Then, there are no fallbacks anymore.

Mr. Brad Redekopp: The UN special rapporteur compared closed work permits to modern-day slavery.

Mr. Possberg, are you and your colleagues practising modern-day slavery?

Mr. Kenton Possberg: No.

I heard that. As a Canadian farmer, that offends me. There was a lot of sensationalism coming into play with some of it, and it disturbs me that it received the level of press it did. I'm not sure whether they set foot in Canada, but I know they didn't even set foot on a farm in Canada.

Mr. Brad Redekopp: Ms. Brekveld, in your organization's experience working with farmers, do they take care of their workers, or are they simply out to exploit them, as some people have suggested?

Ms. Peggy Brekveld: The system has to work for both the employer and the employee. If it doesn't, the program wouldn't exist the way it does or do justice to either group.

Mr. Brad Redekopp: Are there safeguards in place for workers on closed permits?

Ms. Peggy Brekveld: Yes, there are inspections, as Mr. Possberg spoke about. There is continued discussion about what the program should look like, what the qualifications are and what the standards are. Those are developed in coordination with industry and government.

Mr. Brad Redekopp: I'll switch to processing.

We heard last week about a critical labour shortage in slaughter facilities for pork and beef. TFWs have been helpful there. In the processing industry, how crucial, in your opinion, is the TFW program to meeting the labour shortages?

Ms. Peggy Brekveld: As I mentioned, in 2022 we had a shortage over the entire sector—which includes processing—of over 100,000 people. There were 71,000 filling in with TFWs. They are valued and are needed to continue to grow this sector in the way that we are headed.

The Chair: Thank you, Mr. Redekopp.

We will go to Parliamentary Secretary Chiang for six minutes, please.

Mr. Paul Chiang (Markham—Unionville, Lib.): Thank you, Mr. Chair.

Thank you to the witnesses for being here with us today.

My question is for Ms. Brekveld. Thank you so much.

Your council, with the Canadian Federation of Agriculture and Food and Beverage Canada, is currently developing a national workforce strategy for agriculture and food manufacturing. The objective of this strategy is to achieve workforce stability by 2030.

In the interim report published in December 2022, your council also states that to achieve workforce stability, temporary foreign workers and their contribution must be “publicly recognized as a valued pillar of Canada's agricultural...workforce”. What do you think are the major barriers to their widespread acceptance?

● (1550)

Ms. Peggy Brekveld: Part of the answer is understanding, acknowledging and vocally publicly stating that they are skilled workers.

They're not low-skilled workers. They are skilled workers who are required. You need knowledge to understand how to prune a tree properly so that the apples continue to produce.

Part of it has to do with leaning into how they are part of the solution and how we can best ensure the situation is good for employees and for employers.

Mr. Paul Chiang: In your opinion, Ms. Brekveld, how can the government adapt the seasonal agricultural worker program to help the industry?

Would additional pathways to permanent residency help fill the labour shortage in your industry?

Ms. Peggy Brekveld: With regard to the first question, I think it's continued consultation with the industry. Work with us and we'll work with you to ensure it's the right program. Again, we are in such a shortage in our industry that we want the employees to have a good experience so that they want to come back and continue to come back. Many do.

With regard to the second question, there have always been paths to permanent residency. My grandparents came as farm workers and have become permanent residents. My husband came on a farm worker permit as well and is now a permanent resident. The options have always been there. If the process isn't right, let's continue to work towards a better process, but the options are there.

Mr. Paul Chiang: Can you expand on the tangible impact of labour shortages on the agricultural industry? How has it affected the industry, the consumers and the workers themselves?

Ms. Peggy Brekveld: When we don't have enough employees, it means that we don't do the expansion that we can. It means that we leave produce on the field. We saw that significantly during our COVID years. We left a lot of produce out on the field because we didn't have enough people to bring it in. It's a conversation about how we continue to develop rural Ontario and ensure the health of our agricultural sector, which contributes so greatly to the economy of Canada.

Mr. Paul Chiang: I know that COVID has been a terrible strain on the whole world, not just on the farming industry.

We heard from many witnesses that temporary foreign workers are absolutely indispensable to the agricultural sector. You referenced your council's agricultural labour market research that was released on November 1 of this year. It found that more than 28,200 jobs went unfilled during the peak season.

How can the government help with the recruitment of temporary foreign workers? Also, how can the government ensure the safety and protection of these workers, who are often made vulnerable?

Ms. Peggy Brekveld: It has been a continued conversation and continued effort on both accountability and enforcement. The government has the ability, and has used its ability, to monitor, assess, investigate and do inspections, etc., on farms. All of those pieces are part of what government does to ensure that employees are properly taken care of and the program is working appropriately.

I believe the future is continuing that conversation. Do we have the right tools? Times change. We have to ensure that we have the right tools in the right situations for employees and employers.

Mr. Paul Chiang: With your background and experience in this agriculture industry, do you have any recommendations that you would like to share with this committee about the work you do and how we can enhance it?

• (1555)

Ms. Peggy Brekveld: CAHRC is currently working on the national workforce strategic plan. I'm looking forward to sharing that data and that information, which is a bigger conversation about the labour shortage and the answers to go forward.

The Chair: Thank you, Parliamentary Secretary Chiang.

Now we will go to my dear friend Mr. Brunelle-Duceppe.

[*Translation*]

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Mr. Chair.

I'd like to welcome the witnesses.

Just so you know, I'm the member for Lac-Saint-Jean, a riding in northern Quebec, which is very agricultural and very rural. Many of my friends are agricultural producers, and they're asking themselves questions right now.

The vast majority of producers who participate in the Temporary Foreign Worker Program under closed permits are honest people. That's why, when they see a news story on TV about a case of abuse, they feel unfairly targeted. Indeed, it reflects poorly on them when they have absolutely nothing to be ashamed of.

That's what I took from what you said, Mr. Possberg. I think you felt attacked, among other things, by the words of the UN Special Rapporteur.

Did I understand your feeling correctly?

[*English*]

Mr. Kenton Possberg: On the abuse of workers, it doesn't matter if they're Canadian citizens or foreign workers, I think that employer needs to be dealt with swiftly. There needs to be proper punishment put in place.

So if that is the case, and it's proven to be true, I hope they're removed from the program and they are no longer eligible to hire foreign workers again.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you.

What does it mean to a small agricultural producer when a worker quits before the contract is up? Isn't it a bit catastrophic when this happens, especially when it's harvest time?

[*English*]

Mr. Kenton Possberg: Well, if you set foot outside today, it's not very nice. We do not control the weather. Mother Nature controls the weather. For seeding, for instance, we have roughly 21 days to get the crop in the ground. After that, it's been statistically shown that yields will decline. We need to make sure we have the people in place to operate the equipment we require to get the job done, whether it's seeding, spraying or harvesting. If you don't have the people in place, that farm will not be successful.

[Translation]

Mr. Alexis Brunelle-Duceppe: You also talked about the investments it represents, for producers, to bring temporary foreign workers onto a farm.

Concretely, what investments do you have to make to obtain the services of a worker, for example?

[English]

Mr. Kenton Possberg: When it comes to investment, I'm not looking for government to invest in anything for my farm. I'm just looking for the freedom to operate—

[Translation]

Mr. Alexis Brunelle-Duceppe: In fact, I'm asking how much money you need to invest for a worker. I'm talking about the money you have to take out of your own pockets.

[English]

Mr. Kenton Possberg: Oh, I'm sorry. Yes. I see what you mean.

It's quite significant. We don't have to pay for an LMIA to be processed, but if a person doesn't understand the program, they have to hire a consultant, which can be around \$3,000 or \$5,000. The bigger issue is finding that worker. You can't get your LMIA approved, walk outside, shake the foreign worker tree, see who all falls down and then pick them and go back in. You need to recruit and locate these individuals, which can be quite difficult.

[Translation]

Mr. Alexis Brunelle-Duceppe: At the same time, some workers' rights advocates come to us and tell us that there are abuses directly related to the fact that the permits are closed and the program operates this way.

On the one hand, we know what it means for a producer if the worker goes elsewhere, but, on the other hand, cases of abuse have been documented. That's not to say that they are committed by all employers, but they have been documented. The police have even intervened in certain circumstances in Quebec, among others.

We realize that the status quo cannot be maintained. We can't keep the program as it is now. It's difficult for employers, but at the same time, a UN Special Rapporteur has compared the program to a breeding ground for modern slavery. Furthermore, workers' rights associations tell us that this is just the tip of the iceberg, because many workers don't even dare describe their situation for fear of being sent home.

How do we deal with the problem? Do you agree with me that it can't stay the way it is right now?

• (1600)

[English]

Mr. Kenton Possberg: I am not aware of any of these situations, but I do fully support that these employers be dealt with in the manner...and not just if it's a foreign worker but also if it's a Canadian resident. There should be no abuse.

[Translation]

Mr. Alexis Brunelle-Duceppe: I've never heard of a closed permit in the case of a Canadian citizen, though.

Presumably, closed permits for foreign workers give the employer much more power than any employer dealing with Canadian citizens, who don't have closed permits.

I was a freelancer, in my previous life. I had a contract job. If I wasn't happy with my contract, as a Canadian citizen, I could walk away. Right now, there are workers who don't dare report their employer. We're told that if they do, they're put on a blacklist of people not to be hired.

In my opinion, there's no right or wrong answer, but, logically, we can't keep this program as it is now. I don't like to see people saying, on the news, that there are cases of abuse in Quebec because of a federal program that obviously isn't up to the task.

[English]

The Chair: Give a short answer. I will give you a little bit of time.

Mr. Kenton Possberg: Thanks.

I am not happy to hear of those instances either.

What you're describing—a possible open work permit system—is a push versus a pull. A push would be the Canadian government saying, “Here are 40,000 foreign workers. Go find your jobs.” What we have in place right now is a pull. It's employers that have demonstrated that they cannot find Canadian citizens—in our case, for seasonal purposes—to work on their farms. They have to go through the process, demonstrate that, and get the approvals in place. It's a pull; they're demonstrating that they need that.

Having an open work permit circumvents that process. It also doesn't protect Canadian citizens and Canadian jobs.

The Chair: Thank you, Mr. Possberg.

We'll go to the honourable member, Madam Kwan, for six minutes.

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Mr. Chair.

I thank the witnesses for their presentations and for being here today.

I appreciate Mr. Possberg's comments about the concern over violations of labour codes, whether it's a domestic worker or a temporary foreign worker. I guess the operative difference, though, between those two categories of workers, is that temporary foreign workers do not have full status. People who are here—Canadians or people with permanent resident status—have status and, therefore, protection.

In the case of temporary foreign workers, the biggest problem, of course, is this: Because they don't have full status, they have very few options. When they are subjected to mistreatment or abuse by the employer, what happens to them? They have dilemmas. They have difficult decisions to make. If they report this situation, they stand to lose their job. If they lose their job, they run into a whole host of other problems. These include not having financial resources, not only to support themselves but also to send home to their families.

We also have situations where a lot of workers may not have access to information about where to go to make their reports. There have been surveys done. The Migrant Workers Alliance for Change, for example, has done a lot of work with migrant workers. When they survey migrant workers, how many of them have actually received information about their rights? The vast majority of them say they haven't. Then, when you ask further questions about how many of them received information about their rights in the language they speak, that number reduces even more. You can anticipate the difficulties with all of that.

Now, I want to get into the issue of status. The Canadian government has put in place something that says temporary foreign workers who may be subjected to abuse are “vulnerable workers”. They can report, and there's a process people can go through. If, through that investigation, it's proven there has in fact been abuse, they would be able to get an open work permit. What I don't understand is why we have a system that says only after you've been subjected to abuse—you've already experienced terrible working and housing conditions, and what have you—can you get an open work permit.

The question for me is this: Why not offer the open work permit upfront to people? I get that people will say, “They'll all leave. They won't come and we will lose the sector.” In our last panel, that question was asked of the witnesses. It is an issue of working conditions and competitive working environments, so you can attract and retain workers both locally and, I guess, possibly from abroad.

I will share this with you: I am an immigrant. My family immigrated here. When we first arrived as a family of eight, we had a low income. My mom went into the workforce and worked in the fields at a farm. She made \$10 a day to support the family. She left at 5 a.m. and did not get back until 9 p.m. She made \$10 a day. Now, I know that was a long time ago. Ten dollars is not very much now, but back then it wasn't very much either. That was the reality. She did that for two years to support the family. She eventually got a better job making minimum wage.

The question then is this: If employers were to consider better working conditions and competitive wages to attract and retain domestic workers as well as temporary foreign workers, wouldn't that be a much better way, instead of subjecting people to potential abuse? I'm not saying all employers are abusive. It's potential abuse.

I'm reading a report from the news here, which indicates the government did a series of assessments and found 116 violations, with 93 employers facing monetary penalties totalling \$1.5 million.

• (1605)

What were their violations? We are talking about wages not being compliant with what they were supposed to pay workers and that workers thought they were signed up for. Inadequate accommodations and issues around safe working conditions were among these violations. This is the reality that people are faced with.

What I would urge you to consider is this. What should be done to ensure that workers' rights are protected?

That is the big question which, in my mind, is absolutely critical. I would urge all employers to take it into consideration.

The Chair: You have 30 seconds to respond to the question. You can always come back to it in the next round.

Mr. Kenton Possberg: From a broader context, the foreign worker program, first and foremost, needs to protect the Canadian workforce and the Canadian worker. That's at the very top.

This is probably in the same study you're referring to. In a recent study, 96% of employers were compliant. What I found really interesting was that of those 4% that were not compliant, the majority were non-compliant due to things like not keeping documents for six years.

Now, I know there are instances where there could be potential abuse. If they are verified, that's not good. We have systems in place already to deal with these situations. These employers are dealt with. They are blacklisted from the program. Whether it's for a foreign worker or a Canadian citizen, they need to have these protections in place.

Ms. Jenny Kwan: Absolutely. For temporary foreign workers, the problem is that they often don't.

The Chair: Madam Kwan, you are almost at the seven-minute mark.

Mr. Maguire, we'll go to you for five minutes.

Mr. Larry Maguire (Brandon—Souris, CPC): Thank you, Mr. Chair.

Thanks to both witnesses for your excellent presentations today. I have a couple of quick questions that you can both answer.

I just wanted to know if you are aware of any farmers who have asked the minister to introduce open work permits.

Ms. Peggy Brekveld: I'm not aware.

Mr. Kenton Possberg: No.

Mr. Larry Maguire: Are you aware of whether the Liberal government has asked any farmer for their thoughts on introducing open work permits?

• (1610)

Ms. Peggy Brekveld: I am aware of conversations in the industry about it, but not with individual farmers.

Mr. Kenton Possberg: I didn't get a phone call.

Mr. Larry Maguire: We talked about costs.

Mr. Possberg, you got into this a bit. Can you please explain the costs and the time associated with applying for the LMIA, recruiting the workers, bringing them to Canada, the housing, the flights and all the rest of it? That's what I think my colleague was asking about with the costs of it. Those are included as well.

Can you give us a rough idea of that?

Mr. Kenton Possberg: It takes a substantial amount. We've been doing this for 15 years. It gets easier over time. We have a process in place. The work permit also costs money and takes time.

For recruiting, we have a website and we have a bit of an international reputation. That, again, goes back to abuse. You build this reputation up in today's world with social media, and it doesn't take much to lose that reputation. That's another reason why you try to keep it up.

You can't measure the opportunity cost of not having a worker at the time you need them there, if they were to step off that combine or off their air drill. It's significant. It's significant enough in agriculture, where margins are as thin as they are. There isn't enough margin there, especially to have a potential half-a-million dollar piece of equipment sitting idle without someone to operate it.

Mr. Larry Maguire: It's the time frame of getting a crop in, off and that sort of thing. I'm familiar with it.

One of the major concerns being raised about introducing open work permits is the unpredictability and the risk. There's the risk that workers are immediately changing jobs once they arrive in Canada. I think you may have alluded to that.

I wondered if you could share your concern about that.

Mr. Kenton Possberg: We start the process in September or early October in order to get approval for the LMIA. We then try to sort through the applicants. It takes a lot of time and effort to go through them, depending on where they're from. We may not get the final work permit approval until March or April. We then pay for their flight. They arrive. We have the housing in place already, because we've had to get the housing inspection.

We already have a significant amount of money invested in that potential and in that individual. If we were to lose that individual because they got an open work permit, any other farmer could just go and wait at the airport, and as they are pulling their bags off the carousel, offer them a bit more and they could go. They wouldn't have to go through the process.

Mr. Larry Maguire: Ms. Brekveld, do you have any comment on that?

Ms. Peggy Brekveld: There is significant investment, but again, it is all intended to be good for both the employer and the employee.

For the employee, we want to ensure it's a nice home and a good place to live and that all of the pieces that are required by legislation are there. For the employer, we have such a need in this industry—a 28,000-worker shortage, and that's even with the current

temporary foreign workers coming in—that there is a desire to invest in our workforce who is coming.

Mr. Larry Maguire: With an open work permit, are you concerned that the workers might leave rural communities and try to find jobs in larger centres?

I think you alluded to that, Mr. Possberg.

Mr. Kenton Possberg: It's kind of interesting that in Saskatchewan, we are growing as a province, but it's through Saskatoon and Regina. Our rural population continues to decline, and I would expect the same if we had the open work permits.

We need foreign workers because of our population density. We have such a low population density that there are very few workers.

Mr. Larry Maguire: Yes, that goes back to your presentation.

If the government created these sectoral open work permits, meaning that the worker would still have to be employed in the same type of job but with a different employer, do you have concerns that other companies would try to poach these workers?

The Chair: We need a short answer, Mr. Possberg.

Mr. Kenton Possberg: Definitely. We already have a process in place that allows them to switch employers, as long as that employer has a valid LMIA. I don't see the reason to switch to a sectoral work permit.

Mr. Larry Maguire: I have one last thing. The Canadian Bar Association has recommended that workers, in their own language, have access to clear and transparent information about their rights under the temporary foreign worker program.

I believe this is a good idea. Do you support that recommendation?

Mr. Kenton Possberg: I do. It's already a requirement under the program, if I'm not mistaken.

Mr. Larry Maguire: They've made some recommendations in that regard.

The Chair: Thank you. The time is up.

Ms. Brekveld, could you provide a quick answer?

● (1615)

Ms. Peggy Brekveld: I am aware of it in Ontario, so I assume it's available in the language of choice in other provinces.

The Chair: Thank you.

We will go to Madam Kayabaga for five minutes.

Ms. Arielle Kayabaga (London West, Lib.): Thank you, Mr. Chair.

Welcome. It's nice to see you here in person.

I just want to piggyback on some of the questions you were answering from the other side.

For the open work permit, if you had the ability to amend or suggest some improvements, what would they be? I would like to hear from both of you.

Ms. Peggy Brekveld: This opportunity to come to Canada is voluntary. I think that has to remain that way. They are aware of what they are going to be paid and what their job responsibilities are. I believe going forward that this is a necessity.

Currently, if there are problems and it's not working for the employee as far as safety or such concerns, there is that toll-free number and the opportunity to move to an open permit within the sector. These are things that I wouldn't want to lose.

Mr. Kenton Possberg: I would take agriculture out of the program completely. There is so much negative connotation and baggage that surrounds it through use by other industries that I think we need a stand-alone agriculture and agri-food program. Then you would be able to create a program that is specific for agriculture.

Ms. Arielle Kayabaga: Thank you.

This program was created for vulnerable workers, which is obviously not everyone, but there are some employers who have abused their power. How else would you suggest that these vulnerable workers are supported? What other program would you suggest?

Mr. Kenton Possberg: I'm not sure, to be honest. I think if they are given an open work permit, there already are systems in place to facilitate them moving to different employers or to get help. If they need help, they can reach out to get it. So I'm not exactly sure.

Ms. Arielle Kayabaga: Ms. Brekveld, for the migrant worker support program, what measures would you like the federal government to implement for migrant workers so that they can be aware of the open work permit as well?

Ms. Peggy Brekveld: CAHRC's research is continuing on that through the national workforce strategic plan. I believe I'll be better able to answer that after those results have come out.

Again, I do believe that it really does have to benefit the employee and the employer. The opportunity to continue to grow the sector will be reliant on a labour force that we don't have enough of right now.

Ms. Arielle Kayabaga: Do you believe employer-specific work permits, when coupled with increased measures to protect temporary foreign workers, are necessary in certain circumstances?

Ms. Peggy Brekveld: There are current processes in place that protect the worker and also help the employer ensure that they have the workforce they need. If there are problems and the employee is vulnerable and not in a safe situation, there are processes as well so that they can get out of that situation, and that's appropriate.

• (1620)

Ms. Arielle Kayabaga: Do you believe these were in place before any of the instances happened where employees were vulnerable to being harmed by the employers?

Ms. Peggy Brekveld: I'm not sure what specific situations you're talking about.

Ms. Arielle Kayabaga: The ones you just mentioned; some other processes were in place before, but those didn't work. What else do we need to do to actually make sure that we protect these foreign workers?

The Chair: Please give a short answer, Ms. Brekveld. Time is up.

Ms. Peggy Brekveld: I would love to continue this conversation. CAHRC is eager to be part of the conversation with government on ways forward and ways to continue to improve the program.

The Chair: Thank you.

We will go to Mr. Brunelle-Duceppe for two and a half minutes.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

Last week, we had representatives from the Union des producteurs agricoles, which represents Quebec's agricultural producers and which I imagine you are familiar with.

They told us they were in favour of an open permit, but sectoral and regional. Such a permit would allow a temporary worker who isn't attracted to large urban centres to work in Saguenay-Lac-Saint-Jean, for example, but also to change location.

Would that make sense?

Earlier, you told us that this could be problematic for rural areas and urban centres.

[*English*]

Mr. Kenton Possberg: I think the program you're speaking about is SAWP. For that industry, for the work they do generally, there's a lot of time required and then it gets quiet. Having the ability to move around from job site to job site would be of benefit, but that would be specific to that. For us, that would not be beneficial, because our seeding time in the spring and the harvest are the same as for everybody else.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: All right.

You told us you've never heard of any stories of mistreatment because of closed permits.

Am I misunderstanding or is that what you told us?

[*English*]

Mr. Kenton Possberg: Not that I'm aware of; whether it's a Canadian citizen or a foreign worker, I am not aware of anything in my area.

[Translation]

Mr. Alexis Brunelle-Duceppe: You strike me as an informed person who reads newspapers and watches television, and you also seem really knowledgeable about the program, among other things.

Yet you tell me you've never heard of temporary foreign workers on closed permits being abused by employers.

[English]

Mr. Kenton Possberg: I didn't say that. I talked about my area.

Let's take a step back here. Sensationalism sells. You hear about it. There must be instances, otherwise these...wouldn't be happening. As Ms. Kwan mentioned, there are instances where these...have happened, and I hope those employers are dealt with swiftly.

[Translation]

Mr. Alexis Brunelle-Duceppe: You never hear about the situations where everything's going great, where there's nothing but good news and the foreign workers have almost become members of the family. We mostly hear about the other stories. They may be sensationalized, but do you agree with me that one case of abuse is one case too many? If the current situation with closed permits allows for just one case of abuse, wouldn't you say we need to get organized to change the program?

[English]

The Chair: You have 10 seconds.

Mr. Kenton Possberg: It's interesting that, when you watch the news, the first 28 minutes out of a half-hour program is all negative news. Then, they top it off with a happy story so you can go on your—

The Chair: Thank you very much, Mr. Possberg.

I'll now go to Madame Kwan for her time.

You have two and a half minutes. Please go ahead.

Ms. Jenny Kwan: Thank you very much, Mr. Chair.

It's interesting. I just pulled up, on my computer, the government website that lists companies with violations attached to them in the temporary foreign worker program. There are 79 pages on that website. I went through the first 10 pages in this short period of time and counted up the number of violations under number 9 in the code.

Number 9 states:

The pay or working conditions didn't match, or were not better than, what was listed on the offer of employment, or the job was not the same as what was listed on the offer of employment.

Each page has 10 employers. I counted 45 employers who have violated code number 9. This is the code that speaks about violating people's working conditions, or the pay. It may well be that, down the road, there are other violations listed that are just about paperwork, but paperwork is important, too, because it documents what's going on with respect to the farm. Forty-five out of 100 employers, in those first 10 pages, were in violation of pay and working conditions. There are 79 pages in total. I have not had time to go through and count them all, in this period.

To Mr. Possberg's point, the operative part is this: It doesn't matter whether you're an employee who is domestic, has full status or is a temporary foreign worker; any violation is not acceptable. In the case of temporary foreign workers, the point that is important—and why we're having this study—is the very notion that, when you're a temporary foreign worker, you don't have your rights protected. I know people will say you do in theory, but in practice you actually don't. During the COVID period, there were violations of basic working conditions so extensive that people died. They went home in body bags.

I think we need to remember this. That's why there needs to be change in the temporary foreign workers...to balance the imbalance of power that exists right now, so workers have some rights and those rights are protected.

• (1625)

The Chair: Mr. Possberg, time is up. Please give us a short answer.

Mr. Kenton Possberg: I cannot and will not try to make excuses for those employers. I have more to say, but I can say it later.

The Chair: Thank you.

Mr. Maguire, you have four minutes.

Mr. Larry Maguire: Thanks, Mr. Chair.

All of us at this committee want to protect workers. Rather than implementing an open work permit, do you have any recommendations to enhance the current system to better protect workers?

Mr. Kenton Possberg: I think they have the protections in place. I'm speaking, generally, for the grains and oilseeds industry. I can't speak about other industries. Maybe Peggy has other ideas.

Ms. Peggy Brekved: There are currently checks and balances established to ensure the safety and well-being of employees. This doesn't mean any sector is perfect. We continue to work towards that.

If there needs to be further conversation on ways forward, CAHRC is willing to be part of that conversation.

Mr. Kenton Possberg: I just thought of one quick thing. If an employee, a foreign worker, wants to move from one employer to another employer, maybe having a quicker, more streamlined process in place that is just a matter of a click on a website would be a way that would help facilitate that a lot better.

Mr. Larry Maguire: Right now, as long as they have that LMIA, they can....

Mr. Kenton Possberg: Yes.

Mr. Larry Maguire: You said in your opening that the opportunity to come to Canada is voluntary. I think that maybe Mr. Brunelle-Duceppe was talking about or seemed to infer that people were placed with an employer. I think we ought to clear that up a bit.

Do people come to Canada voluntarily or are they forced to come to Canada because they're placed with a firm?

Mr. Kenton Possberg: I think that's for Peggy.

An hon. member: [*Inaudible—Editor*]

Mr. Larry Maguire: I apologize. I'll ask the question. I won't put words in Mr. Brunelle-Duceppe's mouth.

Ms. Peggy Brekveld: For foreign employees considering coming to Canada, the wages are shared with them and the work—the job description—is described to them and shared with them. No one forces somebody to come to Canada and experience life on a farm here. Instead, they come because that's what they want to do, and we have the need for those employees to come.

Mr. Larry Maguire: Mr. Possberg, you alluded to this earlier on. In the 21 days it takes to put a crop in the ground in the spring, there's hay involved in there for the livestock industry and there's harvest....

Ms. Brekveld, I think you indicated the 28,200 vacancies for jobs still there, never mind the 351,000 that are employed. We've heard of some bad cases, but it's a handful compared to the 351,000, and we're still 28,000 short.

Can you give me an answer, since you farm as well, Mr. Possberg? What are the ramifications of not getting a crop in and not getting it off, of the losses that can take place? How devastating can this be?

• (1630)

Mr. Kenton Possberg: I guess the loss would be significant. It could be the life and death of your farming operation.

What ends up happening if you don't have the workers is that you end up working more hours yourself, and then potentially put yourself in a situation, just through fatigue, where you're not thinking clearly.

Mr. Larry Maguire: More accidents can happen and that sort of thing. I know what it's all about.

Ms. Brekveld, through your organization, have you heard of farms that have had a disastrous situation? Weather will play into this: wet weather, droughts, all types.... Things change sometimes as quickly as they do here in Parliament. Sometimes things are pretty slow here, but sometimes they can change from minute to minute.

Can you allude to anything you might know about and how disastrous that can be on a farm to not have these people or to have them and then have them leave?

Ms. Peggy Brekveld: When workers couldn't arrive on time because of logistics, entire crops weren't picked. In particular, in the springtime it was the asparagus crop. We saw that a couple of years ago.

The Chair: Thank you.

Mr. Ali, go ahead for four minutes, please.

Mr. Shafqat Ali (Brampton Centre, Lib.): Thank you, Mr. Chair. Through you, I'd like to thank the witnesses for their time and their visit to the committee on this very important issue.

My question is for Ms. Brekveld.

Given your involvement in the Ontario Federation of Agriculture, could you elaborate on the regional variations and challenges

faced by temporary foreign workers in different parts of Canada's agricultural landscape?

Ms. Peggy Brekveld: The job and what you will be harvesting or planting varies for which area you come from. You have everything from farms in southern Ontario, where you are picking, planting and engaged in field crops such as tomatoes, all the way up to jobs in grains and oilseeds, like my colleague here is in. The variety is huge.

Again, I will emphasize that these are skilled workers, and they come with a knowledge and an ability to do the work that is necessary to bring in a crop that helps to feed Canada and the world. That is part of the answer to food security everywhere we go.

Mr. Shafqat Ali: Thank you.

My next question is for Mr. Possberg.

First of all, thank you, on behalf of Canadians, to all the farmers, and the people who work in the agricultural sector for producing wheat, grains and all the food we put on the table.

Since you have a wealth of knowledge dealing with this, what specific recommendations would you give, which do not bind workers to specific employers, but have attractive incentives or measures? What can you offer workers to keep them for the long term, so every time they come here, they would stay with the farmers?

Do you have any specific recommendations, as per your experience, that you want to offer to this committee?

• (1635)

Mr. Kenton Possberg: In our instance, we try to treat them with respect, and we try to treat them like family. We treat them like we treat everybody else. We do get quite a few returnees every year, and that demonstrates that we do try to go that extra step. It's just critical that you have people who understand, and are passionate about the industry. That's the key.

Mr. Shafqat Ali: To follow up on this, we have those temporary foreign workers coming for that specific profession to work in that environment and that field. We see, in different companies, that the workers want to stay with those companies for a longer period of time.

What specific things do they do? Should we learn from those companies? Is there some sort of mechanism in this sector, so that we're able to keep those returning workers?

Do you want to add something to that, Ms. Brekveld?

The Chair: Ms. Brekveld, the time is up. Please give a short answer. Thank you.

Ms. Peggy Brekveld: Rewards for working for a certain employer vary, but I've seen everything from special movie nights to providing transportation, setting up a soccer field, and a volleyball court, so that employees can be happy where they are. That is what agricultural employers do if they want to keep their employees.

The Chair: Thank you.

Mr. Possberg, as the statements you made were way shorter than four minutes, I'll give you 30 seconds.

Mr. Kenton Possberg: Our challenge is that it's seasonal, and it's always going to be seasonal. It's never going to be full time. When the people go home, they have a life at home. They can only do that so often, because they need to start a family, or maybe they have a full-time job, so they're no longer able to come here.

However, it's the same reason we have trouble getting Canadian citizens to take these positions. Everybody wants to drive a tractor or a combine. They drive by, and think that would be a great job, but they can't raise a family on a six-month salary. They're not going to move to rural Saskatchewan.

The Chair: Thank you very much. I'm sorry. I have to stop you, Mr. Possberg. If you want to submit the answer to Madam Kwan, or Mr. Ali, you can submit that in writing.

With that, I want to thank both of you, on behalf of the committee members, for your contribution and for your time.

The meeting is suspended, so we can go in camera.

[Proceedings continue in camera]

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