

11. Protecting the Temporary Foreign Worker Program to Ensure the Viability of Domestic Agri-Food Industry

Description

The agri-food industry is an economic driver for Canada, contributing to the national GDP as well as ensuring that the supply chain is maintained, and our people are fed.

However, labour shortages have plagued the industry. These shortages could be partially solved using the existing Temporary Foreign Workers program, however the TFW program has come under attack in recent years, leading to unease on the part of industry.

Background

Agriculture is an industry of substantial importance to the national economy. The agri-food industry generated over \$143.8 billion of national GDP in 2022, while employing 2.3 million people, equal to providing one in every nine Canadian jobs.¹

While food production in Canada is well-positioned to continue to flourish because of surging demand from a growing global population, there are some limiting factors that could impede this potential.

Chief among these is a persistent labour shortage in the agri-food sector. Employers are unable to find the workers they need and are having difficulty attracting employees to the sector due to challenges such as rural location, type of work and wages.²

In 2023, 87,770 jobs went unfilled in Canada's agriculture sector, an increase of 432% in just five years.³ The national job vacancy rate for the agri-food industry has consistently exceeded the aggregate figure for all industries.⁴

These labour shortages have historically been addressed, at least in part, by the Temporary Foreign Workers Program. The TFW program helps to alleviate the chronic labour shortages within Canadian agriculture. Over 60,000 foreign workers are brought in every year to work on Canadian farms.⁵

Many improvements to the TFW program have been made in recent years, including the introduction of the Recognized Employer Pilot; reduction of timelines and added transparency in the Labour Market Impact Assessment process; and the extension of the validity of housing inspection result from 8 to 12 months. These changes have been welcomed and have made a difference for industry.

However, the TFW program has also come under attack. In September 2023, the UN Special Rapporteur on contemporary forms of slavery called Canada's TFW program a breeding ground for contemporary forms of slavery.⁶ A short time later, Senator Stan Kutcher said that the TFW program requires a critical rethink.⁷

¹ Government of Canada. Overview of Canada's agriculture and agri-food sector (<https://agriculture.canada.ca/en/sector/overview>)

² Government of Canada. What We Heard Report - Agricultural Labour Strategy (<https://agriculture.canada.ca/en/departement/transparency/public-opinion-research-consultations/what-we-heard-report-agricultural-labour-strategy#s1>)

³ Human Resources Director. Canada could have 100,000 vacant agriculture jobs by 2030 (<https://www.hcamag.com/ca/specialization/recruitment/canada-could-have-100000-vacant-agriculture-jobs-by-2030/478528>)

⁴ Government of Canada. The state of labour in agriculture and agri-food (<https://agriculture.canada.ca/en/sector/data-reports/state-labour-agriculture-and-agri-food>)

⁵ Canadian Federation of Agriculture. Temporary Foreign Worker Program and Canadian Agriculture (<https://www.cfa-fca.ca/issues/temporary-foreign-worker-program-and-canadian-agriculture/>)

⁶ United Nations. Canada: Anchor the fight against contemporary forms of slavery in human rights, a UN expert urges (<https://www.ohchr.org/en/press-releases/2023/09/canada-anchor-fight-against-contemporary-forms-slavery-human-rights-un>)

⁷ CTV News. 'In need of a critical rethink': Senate committee studying Canada's temporary foreign worker program (<https://www.ctvnews.ca/canada/in-need-of-a-critical-rethink-senate-committee-studying-canada-s-temporary-foreign-worker-program-1.6581658>)

Ensuring that all businesses who use the TFW program abide by the rules and guidelines associated with this program, in order to prioritize and protect the rights of the workers, is of vital importance. At the same time, significant changes, or restrictions to the TFW program would be crippling for the agri-food industry. Access to this program represents a critical source of labour for agricultural producers which in turn helps underpin the viability of agriculture and the agri-food industries, and the communities that depend on these sectors across the country.

Recommendations

That the Government of Canada:

1. Commit to maintaining the viability of the Temporary Foreign Worker program in Canada without adding red tape.
2. Enshrine in policy that all Labour Market Impact Assessment applications for Temporary Foreign Worker positions in agriculture and agri-food related positions within 6-8 weeks, as well as committing to the timely provision of inspection audits.
3. Continue the transparent tracking process to confirm that these timelines are being met; including minimum quarterly reports that are easily accessible at no cost.
4. Keep the validity of housing inspection result at a minimum of 12 months.
5. Engage in meaningful consultations with community stakeholders, chambers of commerce, associations, employers, and TFWs themselves to determine going forward the steps necessary to ensure a balanced approach that allows employers to access the workforce they need while safeguarding TFWs' rights.
6. Make permanent the Recognized Employer Pilot and explore ways to further reduce red tape through this program.
7. Address undocumented temporary foreign workers by reducing application fees, simplifying reporting processes and increasing fines for operations not acting in good faith and in accordance with regulations.
8. When assessing temporary foreign worker compensation and a 'fair wage', include employer provided housing, transportation, meals and other costs such as legal and regulatory compliance, and costs associated with meeting local building permit requirements and zoning of residential housing units.