

Mexican Seasonal Agricultural Workers Program

1. Background

During 29 years, the Mexican Seasonal Agricultural Workers Program (M/SAWP) has demonstrated to be a beneficial and successful program for both Canada and Mexico. It has been constituted itself in a model of international cooperation, by demonstrating the possibility of maintain an effective and regulated flow of migrant workers between the two countries. The M/SAWP started in 1974 through the sign of a Memorandum of Understanding, between the federal governments of Mexico and Canada, which establishes the legal entrance of Mexican agricultural workers to Canada on a temporary basis in order to fulfill the Canadian need for farm workers.

The program has been a success and has been growing steadily. In 1974, 203 agricultural workers benefited from the program whereas as of december 2002 there were registered 10,681 agricultural workers. This increment has raised the issue of studying the expansion of the program to other provinces and to cover other activities besides the agricultural ones. Currently, Mexican workers are employed mainly in companies of fruits, vegetables, and tobacco in Ontario (70%), Quebec (25%), Manitoba (3%) and Alberta (2%).

2. Features of M/SAWP

- M/SAWP is an annual program. Within the program, contracts start in spring and end in fall. Canadian authorities communicate to its Mexican counterparts the number of seasonal workers they are willing to contract and the characteristics of the workers they need. Mexican authorities run the process of selecting the workers and allocate them with their Canadian employers.
- Mexican agricultural workers sign a contract of employment with a Canadian employer. The contract length goes from a minimum of six weeks to a maximum of eight months, depending on the activity employees are going to perform. After the contract ends, workers must return to Mexico. Currently more than 70% of the workers who immigrate to Canada to work on a temporary basis, are the so-called “nominal workers”, that is to say, they have been working before in Canada with the same employer, who is willing to contract them again for the following season. Under this particular situation, it is possible to identify Mexican seasonal workers who have been immigrating to Canada on a temporal basis, for more than 20 years.

- In the agreement established between Mexican and Canadian governments, it is stated that the cost of the round flight tickets Mexico–Canada–Mexico of any Mexican seasonal worker will be covered by the employer. The employer also must provide the employees with proper food and accommodation.
- Mexican agricultural workers arriving in Canada, have the same rights and obligations than Canadian workers working in the same activity. This includes same salary, medical insurance and employment insurance.

3. Agencies involved in the management of the M/SAWP

The operation and administration of the M/SAWP are carried out by the following private and public agencies of Mexico and Canada:

Canada

- *Human Resources and Development Canada (HRDC)*: HRDC administers M/SAWP through its network of Human Resources Centers in the provinces. HRDC also helps the employers with the process of contracting international workers on a temporal basis. HRDC assesses the applications for international workers and provide an opinion of the impact of those contracts on the Canadian labor market. HRDC is in constant communication with Citizenship and Immigration Canada and with the Embassy of Canada in Mexico, in order to facilitate the movement of Mexican workers. With the objective of involving the agricultural sector of Canada in the process, an alliance between HRDC and the representatives of the Canadian agricultural industry was formed. This alliance resulted in the Foreign Agricultural Resource Management Services (FARMS).
- *Foreign Agricultural Resource Management Services (FARMS)*: FARMS, known in Quebec as Fondation des Entreprises en Recrutement de Main-d'oeuvre Agricole Etrangère (FERME), is a private sector non-profit organization, federally incorporated in 1987. FARMS is authorized by HRDC to be the administrative arm of the M/SAWP in Ontario and assists in the processing of requests for Mexican seasonal agricultural workers. On HRDC's behalf, FARMS communicates the orders for workers that have been authorized by the Local Human Resources Centers (LHCC) to the Federal Government of Mexico.
- *CANAG*: FARMS works closely with CanAg Travel Services Ltd., which is only the authorized travel agent that arranges travel service on behalf of the employers, for the movement of the international seasonal agricultural workers.

**CONSEJERÍA AGROALIMENTARIA
DE MÉXICO EN CANADÁ**

- *Department of Foreign Affairs and International Trade (DFAIT):* DFAIT, through the Embassy of Canada in Mexico, is the office in charge of receiving and processing with the proper Canadian agencies, the applications and employment authorizations or work visas for the selected agricultural workers. It also reviews the workers' medical examinations.
- *Provincial Health Ministries:* Provincial Health Ministries, where the farms are located, are in charge of reviewing the health documentation corresponding to the seasonal agricultural workers who enter to that province. They also assess the housing conditions of the seasonal workers.

Mexico

- *Secretaría de Relaciones Exteriores (SRE):* The Ministry of Foreign Affairs (SRE) coordinates the M/SAWP with the Mexican Consulates. SRE issues the travel documents for the workers and give protection against the problems workers may face during Canada. The Consulates of Mexico in Canada are the direct contact (governmental agent) between the federal government of Mexico and the Canadian agencies involved in the program. They are also an office to assist the workers in Canada and they make sure that the contracts between Mexican workers and Canadian employers are followed.
- *Secretaría del Trabajo y Previsión Social (STyPS):* The Ministry of Labor (STyPS) is the agency responsible for the selection and recruitment of the seasonal agricultural workers in Mexico. STyPS also coordinates the elaboration of the workers files; make sure the workers fulfill the requirements needed by the employers and follows up the contracts between Canadian employers and Mexican employees.
- *Secretaría de Gobernación (SG):* The Ministry of Interior issues the immigration documents corresponding to the seasonal agricultural workers in Canada.
- *Secretaría de Salud (SS):* The Ministry of Health (SS) performs the required medical examinations to the workers and issues a medical approval, taking in consideration the activity the workers will do in Canada.

4. Participation of SAGARPA

The Secretariat of Agriculture, Livestock, Rural Development, Fisheries, and Food (SAGARPA) is not yet part of the M/SAWP's official structure. SAGARPA, through its Agricultural Office in Canada, has identified some challenges and opportunities where it has participated, in isolated endeavours.

However, SAGARPA is currently preparing a proposal, which would involve its several federal programmes, the participation of the state governments, and the Mexican communities of migrants. The proposal encourages productive projects that can generate investment and contribute to the sustainable economic development of such communities.