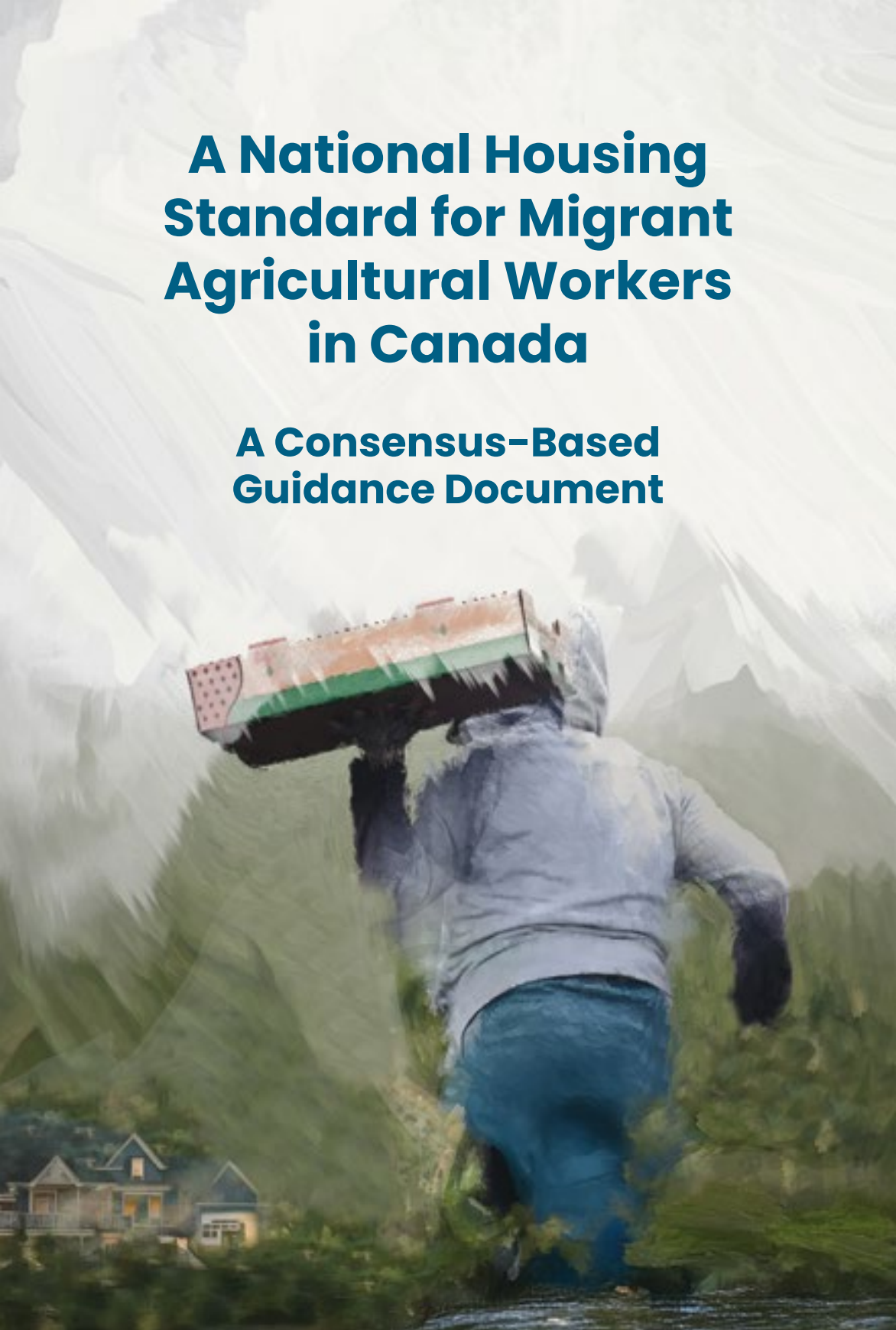


# **A National Housing Standard for Migrant Agricultural Workers in Canada**

**A Consensus-Based  
Guidance Document**





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**A Consensus-Based  
Guidance Document**

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## Table of Contents

<b>National Housing Standards for Migrant Agricultural Workers</b> .....	9
<b>Recommendations</b> .....	10
<b>List of Acronyms</b> .....	12
<b>Introduction</b> .....	13
<b>Section 1: Enforcement &amp; Oversight</b> .....	17
<b>Section 2: General Housing Infrastructure, Property Qualities &amp; Corresponding Regulation</b> .....	23
<b>Section 3: Climate Control &amp; Ventilation</b> .....	27
<b>Section 4: Privacy, Security, Accessibility, &amp; Freedom of Movement</b> .....	29
<b>Section 5: Common Living Spaces</b> .....	37
<b>Section 6: Sleeping Quarters/ Bedrooms</b> .....	41
<b>Section 7: Preventing Hazards &amp; the Spread of Communicable Illnesses</b> .....	45
<b>Section 8: Washroom Facilities</b> .....	49
<b>Section 9: Kitchen Facilities</b> .....	53
<b>Section 10: Laundry Facilities</b> .....	57
<b>Section 11: Sustainable &amp; Effective Way Forward</b> .....	59
<b>Section 12: Recommendations for Addressing Precarity of Status</b> .....	63
<b>References Cited</b> .....	67



## **National Housing Standards for Migrant Agricultural Workers**

Decades of research and advocacy have unequivocally shown that housing conditions for migrant agricultural workers (MAWS) in Canada are inconsistent, substandard, and undignified. To uphold basic labour rights and human rights, the federal government should develop national housing standards for all agricultural workers hired through the Temporary Foreign Worker Program. Our recommendations in this document have been developed by over 20 academic researchers, clinicians, and advocates. They draw from (i) our original empirical research; (ii) clinical and advocacy experience, and (iii) a compilation of migrant agricultural worker housing standards from across Canada.

The evidence is clear. National housing standards are overdue for this population. Accordingly, in this document we provide detailed recommendations for an enforceable national MAW housing standard. Our guidelines encompass enforcement; property qualities and existing building codes; climate control; privacy, safety and freedom; access to services and communication; and the essentials for a healthy and dignified home. In short, we call for:

## Recommendations

<b>Appropriate housing and meaningful enforcement</b>	<ul style="list-style-type: none"><li>▪ <b>Inspections that are arms-length, of regular frequency, and effective.</b> Workers want an end to staged inspections, and better safeguarding of confidentiality and follow up should they wish to report concerns.</li><li>▪ <b>Well-constructed residential housing that reflects provincial tenancy regulations.</b> No more garages or sheds being misrepresented as housing. Windows, lights and insulation should be the standard for workers' housing. No more exceptions.</li></ul>
<b>Privacy, security, access and freedom</b>	<ul style="list-style-type: none"><li>▪ <b>Reliable transportation and communication to access services and community</b> Workers need to be more closely connected to community networks of support to reduce the isolation and risks tied to employer-owned housing.</li><li>▪ <b>Greater freedom, representation and protection of rights.</b> No more curfews, delayed medical care, surveillance, and restrictions on socializing that undermine workers' basic rights.</li></ul>
<b>Dignified living conditions</b>	<ul style="list-style-type: none"><li>▪ <b>Sufficient quantity, spacing and quality of furniture, appliances, utensils, facilities</b> Workers must be protected from overcrowding and under-resourced housing that results in a lack of sleep, inability to cook, launder clothes, safely store personal belongings, or attend to personal care.</li><li>▪ <b>Living quarters that allow for personal space, privacy, and comfort.</b> Private bedrooms, no more bunk beds. Curtains, windows, doors, and other housing features essential to dignified living quarters must be provided.</li></ul>

**Health and safety in housing**

- **Preventing exposure to hazards and ensuring climate control**

Exposure to pesticides, rodents and mould should be monitored. With record-high heat waves predicted, air conditioning and ventilation are crucial.

- **Provision of clean water and proper sanitation facilities to maintain hygiene.**

Maximum ratios for toilets, showers and cooking facilities, and adequate facilities for cleaning of workplace PPE, are necessary to safeguard health.

**All levels of government to play a role**

- **Coordination, funding and training**

A data-sharing strategy and enhanced coordination across jurisdictions can help track areas for action and prevention. Dedicated staffing, resourcing and training is key for enforcement.

- **Policy solutions to address migrant workers' precarity.**

A liveable wage, union representation, and immediate public health coverage along with permanent residence upon arrival are important avenues so that workers can self-advocate for adequate housing.

## List of Acronyms

**ESDC:** Employment and Social Development Canada

On March 14, 2025, the responsibility for the federal department Employment and Social Development Canada, was consolidated into one ministerial post: the Minister of Jobs and Families

**JHSC:** Joint Health and Safety Committee

**MAW:** Migrant Agricultural Worker

**PNP:** Provincial Nominee Program

**PT:** Practice Tip (Building Code)

**SAWP:** Seasonal Agricultural Worker Program

**TFWP:** Temporary Foreign Worker Program



## Introduction

Migrant agricultural workers (MAWS) in Canada often experience substandard housing conditions that jeopardize their health<sup>[1-2]</sup>, safety and dignity. Housing challenges include a lack of adequate heating, cooling, and ventilation; sanitation concerns such as a lack of access to clean drinking water; inadequate washroom and kitchen facilities; and exposure to pests and other hazards<sup>[3-4]</sup>. Overcrowding frequently undermines workers' ability to sleep (e.g., sharing bunk beds in congregate settings), their privacy (e.g. the inability to hold a private conversation with a loved one), and security (e.g., a lack of space to safely store private belongings)<sup>[5]</sup>. Furthermore, living in remote rural areas can lead to social isolation and undermine MAWS' ability to access amenities, including groceries and timely medical care<sup>[6-8]</sup>. Many MAWS reside directly on their employer's property, which undermines their freedom of movement, restricts their ability to form social connections, enables closer employer monitoring/surveillance, and increases employer control over their labour<sup>[9-10]</sup>.

Substandard housing conditions have been extensively documented through decades of scholarly research<sup>[11-17]</sup>. This academic research has been complemented by worker-led activism<sup>[18-20]</sup>, journalistic investigations<sup>[21-24]</sup> non-profit reports<sup>[25-26]</sup> and audits from government and multilateral institutions<sup>[27-29]</sup>. In light of the overwhelming evidence of a systemic housing crisis affecting this population, we argue that **the federal government needs to adopt and enforce a national housing standard for migrant agricultural workers in Canada.**

Because the Temporary Foreign Worker Program (TFWP) is a federal initiative, the federal government has the jurisdictional authority to guide employers across all provinces and territories on standards that are appropriate for supporting and protecting MAWS' health, safety, and human

rights. For instance, under the *2019 National Housing Strategy Act*, the newly created Office of the Federal Housing Advocate is charged with supporting the “progressive realisation of the right to adequate housing”<sup>[30, p. 5]</sup>. Although the *National Housing Strategy Act* does not explicitly address MAWS’ housing, it does require the Minister for Housing to respond to the Federal Housing Advocate’s annual reports, as well as reports related to reviews of systemic issues<sup>[30]</sup>. The Federal Housing Advocate has produced a range of reports<sup>[31]</sup>, but has not yet directly addressed any issues related to MAWS’ housing. We see this as a significant oversight.

Furthermore, Employment and Social Development Canada (ESDC), which plays a leading role in the oversight of the TFWP, has acknowledged that accommodations for MAWS are inconsistent and, at times, substandard<sup>[32]</sup>. It has engaged in multiple consultations with various stakeholders to discuss improving housing requirements. Several important interventions have been proposed in terms of both the standards and the accompanying enforcement to improve the standards of living for MAWS<sup>[32]</sup>. In 2020, the ESDC sought feedback and dialogue from key stakeholders regarding the establishment of national housing requirements. From October 27 – December 22, the ESDC launched a national consultation on accommodations for temporary foreign workers. Feedback was gathered through written submissions<sup>[25, 34-38]</sup> and ten teleconferences with provincial and territorial ministries, local public health units, international government partners, employers and employer associations, migrant justice organizations, labour groups, housing subject matter experts, and academics.

In 2022, ESDC released the *What We Heard Report*<sup>[33]</sup> and expressed their intention to focus on “essential health and safety requirements.” They acknowledged that “an approach to employer-provided accommodations for TFWs requires a nationally consistent framework that addresses a clear list of baseline requirements.” However, the proposed housing requirements made at that time represented a significant detraction from the framework first suggested in the 2020 consultation. And in our view, ESDC’s *What We Heard Report* failed to reflect the comprehensive detail, ambition, or urgency in submissions from worker-focused stakeholders.

In 2024, ESDC sought written feedback on an “Employer-Provided Accommodations Discussion Paper,” which included 12 baseline requirements that they suggest can address health and safety in workers’ housing. These proposed requirements would govern employers who hire workers under a new stream for agriculture and fish processing, which would be launched by 2027. The [Migrant Worker Health Expert Working Group](#)<sup>[40]</sup> asserts that these 12 requirements fall short of addressing many key housing challenges faced by MAWS. Specifically, they do not tackle the larger regulatory and structural issues that could ensure higher quality housing, such as protecting MAWS from repatriation and employer reprisals when raising concerns about working and living conditions.<sup>1</sup>

It is imperative, therefore, that ESDC establish an enforceable national housing standard for MAW accommodations that is informed by rigorous, comprehensive proposals written by worker-focused advocates and academics. To this end, we have developed this consensus document, which reflects a synthesis of scholarly evidence and firsthand worker accounts of MAW housing in Canada. In developing this document, we consulted scholars and migrant advocates from across Canada to ensure a comprehensive evaluation of all relevant housing quality indicators. We collated empirical research on workers’ housing over the past decade, as well as guidelines and recommendations to improve housing conditions<sup>[3, 25-29, 33-38, 40-46]</sup>. The purpose of this document is to guide decision makers in developing a national housing standard that, with adequate enforcement, upholds the health and dignity of MAWS in Canada. This document also has the potential to shape the adoption of a national housing standard across other sectors employing temporary migrants, who often contend with precarious status and substandard housing conditions.

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<sup>1</sup> This document is solely focused on housing quality issues faced by migrant agricultural workers. Other common challenges faced by this group, such as access to health and social care, legal protections, transportation, precarity in status, and systemic racism are not exhaustively addressed here. We mention them only as they are most explicitly tied to housing conditions.

While this document focuses on the development of robust and comprehensive standards for MAW housing, we emphasize that such standards are ineffective if they exist on paper alone without proper implementation and enforcement. Therefore, a strong investment in enforcement is crucial to ensuring the provision of quality housing for MAWs. Prior research and reports demonstrate that current regulatory mechanisms require significant improvements to be effective<sup>[27, 39]</sup>. We urge the federal government to ensure adequate and dedicated funding for the enforcement of any standards devoted to housing and related areas, and we encourage coordination across jurisdictions (i.e., municipal, provincial, and federal), given housing regulation cuts across all these levels of government. A robust, federally- managed system of enforcement is key to successfully implementing the following recommendations.

## Section 1: Enforcement & Oversight

### ***In their words***

"[The boss] kind of disguises things ... Normally they [the inspectors] notify him that they are coming, and I think that is a negative thing because they give him time to arrange everything. And it should be so that they catch him red-handed."

—*Migrant agricultural worker from Mexico*<sup>[5]</sup>

Without meaningful enforcement, no standards can improve or mitigate housing challenges faced by MAWS. Given the varying jurisdictions involved in inspections, these recommendations can be used to guide multiple levels of inspectors, including municipal and/or public health agents, provincial bodies, and ESDC inspectors. The following inspection requirements are necessary to oversee adequate housing:

### **1. Inspections should be proactive, unannounced, and occur at regular intervals during MAWS' contracts. This will, at minimum include:**

- a) One (1) inspection every four (4) months, starting with the beginning of the workers' stay and every four (4) months thereafter (inspections must occur within the duration of workers' stay rather than prior to their arrival).
- b) Inspections should occur during the seasonally highest, lowest, and/or periods of extreme temperatures of a MAWS contract (i.e. peak summer and winter) to monitor adequate heating, ventilation, and cooling throughout the entire housing facility.
- c) No advance notice to the employer, supervisor or property manager of the inspection date.

## **2. Inspections should allow for MAWS themselves to have meaningful input on accommodations in a way that protects them, and/or mitigates the risk of reprisals. This requires that:**

- a) Housing rights and standards are to be discussed and explained to MAWS upon arrival, in the workers' language, in addition to being given basic safety information (e.g. placement and use of fire extinguisher).
- b) Inspectors arrange for interpreters as needed to speak with MAWS in their preferred languages, especially in cases where workers do not speak the official language of the region (i.e. English, French).
- c) Inspectors provide their contact information to all available workers to voluntarily share information following the site visit.
- d) Inspectors select MAWS at random (rather than through employer/supervisor mediation) to privately interview regarding the state of their housing.
- e) Inspectors directly arrange interviews with individual MAWS in such a way that protects the confidentiality of each person interviewed (i.e. approach individually, not in a group setting/in the presence of supervisor/employer).
  - i. Inspectors must arrange for MAWS to speak with them away from employers (i.e. employers must not be permitted to be present, or at a distance that they can hear/see workers).
- f) Inspectors should be accompanied by trusted support people/worker-focused advocates when conducting inspections. This process may aid in meaningful communication, with greater possibility of support and follow-up after the inspection
  - i. MAWS may request an alternative reporting mechanism, through which they can report housing concerns to trusted community members/groups, who then are sought for further information by inspectors.

- g)* Inspectors should distribute information about organizations and worker -focused advocacy groups that can support MAWS should they face reprisals, given that the risk of reprisal cannot be fully mitigated.
- h)* Confidentiality for workers who come forward with concerns and/or are interviewed in the context of inspections of all types must be guaranteed and adequately safeguarded overall.
- i)* Guidelines and procedures for routine maintenance and inspection of housing be explained to all workers in their preferred language.
- j)* The process for reporting, and/or taking action on housing concerns be verbally detailed by inspectors, and listed as an accompanying resource to all posted materials.
- k)* A notice on workers' rights to safe housing should be provided by the inspector in the language(s) of the workers concerned.
  - i.* This notice will contain information (telephone and email address) about the provincial-territorial officer to contact if worker concerns are not addressed by the employer.
  - ii.* To aid in the visibility of this resource and others, the employer should provide a dedicated notice board for issues strictly related to housing.

### **3. MAWS should be kept up to date by inspectors when they launch complaints about housing. At minimum:**

- a)* Each individual will be contacted when a decision is made about their housing complaint through an accessible method (e.g. text, Whatsapp, phone call), in their preferred language.
- b)* Rationale for the decision and any additional resources relevant to the worker wishing to pursue alternative options should be provided (e.g. worker-focused advocates to help with housing deficiencies).
- c)* Inspectors should monitor for retaliation, such as employers who attempt to evict workers, or who prescribe unfavourable working conditions (e.g. lower work hours, poorer working conditions).

- d) MAWS should be protected from other forms of reprisal (e.g. not being requested to return the following year because they launched a complaint) (see point 6 of this section).
- e) A copy of the most recent housing inspection report should be posted in the common living area, for all workers to review in languages they can read and understand.

**4. When poor housing conditions are documented, government officials need clear follow-up procedures to ensure that all affected parties are informed of the steps taken to address identified concerns, including advising consular officials from MAWS' sending countries:**

- a) Consular officials from MAWS' sending countries should be notified by inspectors of poor housing conditions.
- b) Inspectors should be ready and able to direct workers to emergency health and social supports and emergency housing services when workers' safety or dignity is compromised.
- c) Dedicated funding should be in place for emergency services to support MAWS forced to leave accommodations on their employer's property due to (a) poor housing conditions or (b) reprisals for housing related complaints.

**5. Inspections should not be conducted by private inspectors linked to employer associations due to the clear conflicts of interest which pose barriers to enforcement; instead, inspectors should be well-trained public servants at arm's length from industry. Specifically:**

- a) Inspections should be carried out by public health agents who are accountable to the wider public and have the unique skill-set to assess common health hazards, including required competencies and resources to:
  - i. Acquire and use technology such as portable temperature and humidity monitors to monitor for compliance with heat

thresholds outlined in this report (see Section 3: Climate Control and Ventilation).

- ii. Monitor for, and intervene if pesticide exposure is discovered (see Section 7: Preventing Hazards).
  - iii. Assess and address water quality and water temperature issues (see Section 8: Washroom Facilities and Section 9: Kitchen Facilities).
- b) Ideally, inspectors should receive training in trauma-informed procedures, the unique vulnerabilities faced by MAWS, and interview techniques to improve audits and inspections.

## **6. Protecting MAWS' rights to housing security, non-retaliation and employers' accountability. This requires that:**

- a) Employers must not take reprisals or threaten a MAW with discipline or termination of employment for exercising any right or carrying out any duty in these requirements.
- i. MAWS who experience employer retaliation or discipline will be granted a multi-year open work permit, with the opportunity to renew, which should transition to a direct pathway to permanent residence.
  - ii. Employers must be subject to financial penalties if the inspector finds them in noncompliance and a ban on hiring MAWS if the situation is not quickly and adequately remedied.
  - iii. Workers who lose their jobs due to their employer being banned must automatically be issued multi-year open work permits and receive support to find new employment to ensure they are not unfairly punished for employers' non-compliance or deterred from reporting abusive conditions out of fear for their status or livelihood.
- b) Inspectors are prohibited from sharing any information acquired about the immigration status of MAWS with the Canadian Border Services Agency.

- c) Employers should remain responsible (at no cost to the worker) for providing housing for workers who must quarantine, are on sick leave and/or injured, at minimum, for the duration of their contract.
- d) Workers who have sustained a workplace injury should be able to make use of employer-provided housing beyond the duration of their contract if they so choose.
- e) Anonymous complaint mechanisms must be accessible (e.g. language, hours), and incorporate live in-person support (e.g. phone attendant), to address MAWS' navigational needs related to housing.<sup>2</sup>
- f) A registry of employers of MAWS, and any housing infractions, should be made public.

**7. Inspections should encompass the requirements laid out in this document, and include assessment of several housing challenges uniquely experienced by MAWS, such as (a) surveillance/restrictions on freedom of movement; (b) experiences of abuse and/or harassment, and; (c) employer reprisals.**

**8. Additional costs incurred by MAWS should be restricted. For example, given that workers' wages are quite low, they should not face further deductions towards improvement in housing.**

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<sup>2</sup> This can include improvements to the [ESDC](#) reporting tool but also may include provincial agencies, public health and municipal inspector phone lines/reporting tools.

## Section 2: General Housing Infrastructure, Property Qualities & Corresponding Regulation

### *In their words*

“Because the conditions for health were not appropriate. I was, I repeat, where the waters passed [through sink] black. It was a garage, it was dirty. There were spider webs, dust, there were all sorts of things [filth], and a lot of cold came in.”

—Migrant agricultural worker from El Salvador<sup>[47]</sup>

The following requirements must be met to ensure a high standard of housing infrastructure, taking full account of all existing regulations that are relevant to *MAW* housing. Specifically:

### **1. Well-constructed housing:**

- a) *MAW* housing must be well-constructed as per existing relevant regulations (i.e. provincial/territorial/municipal building codes, fire codes, health and safety legislation and tenancy regulations). No exemptions should apply for *MAW* housing.
  - i. All local and provincial housing standards must be adhered to.
  - ii. The highest standard of tenancy rights and residential protections will be set and enforced for migrant worker housing.
  - iii. Employers should be made aware of their obligations under provincial residential tenancy regulations.

### **2. Adequate and sufficient structural features:**

- a) Housing provided must be designated for residential use (garages, barns, sheds, containers, camping cars, and trailers are unacceptable).



- b)* Guidelines must specify minimum number and types of doors (interior/exterior).
- c)* In the event that a MAW requires fully accessible housing due to a disability or injury, the employer is responsible for providing such housing.
- d)* Functioning and well-maintained windows and light should be available in absolutely all areas; specifically, at least one (1) window per household, or, 20% of windows in a living unit (whichever is more) should open; these windows should be fitted with protective screens.
- e)* Minimum access to daylight regulations should be set using LEED, and ISO 2014a.
- f)* All rooms (including living rooms, bedrooms, kitchen) will be insulated to guard against year-round climatic conditions.
- g)* All floors will have durable and resilient floor covering, such as tile or linoleum.

### **3. Adherence to building and fire codes:**

- a)* Housing must comply with building codes of the highest standards for residential dwellings: adequate doors, windows, lighting, heating/cooling and ventilation, electricity, plumbing and other physical elements.
- b)* Storage or use of flammable materials within or in close proximity to MAW housing should not be permitted.
- c)* Housing must comply with fire codes of the highest standard, and include fire extinguishers, alarms and sufficient and marked egress and exit.
- d)* All housing accommodations should have posted information and accompanying training at the beginning of each season, in MAWS' preferred language(s), on how to operate fire extinguishers and how to call emergency services (i.e. ambulance, firefighters, and police).
- e)* Compliance must be inspected by local fire departments while MAWS are onsite.

- f)* All buildings should have well lit emergency exits that are marked in the preferred language of MAWS.
- g)* Buildings should be outfitted for internet connectivity.
- h)* Buildings should be adequately distanced from hazards such as on-site dumps, chemicals storage (e.g. pesticides), or areas where chemicals are applied.

#### **4. Housing costs:**

- a)* The total cost of housing (including direct and indirect costs) and related maintenance is to be borne by employers with the support of sustained government financial incentives as appropriate:
  - i.* MAWS should not incur costs associated with employer compliance to housing standards at any time during their contract.

## Section 3: Climate Control & Ventilation

### ***In their words***

"And right now, the heating in the house is not working, and we cannot adjust the heat because the farm owner installed it [the thermostat] and took the remote and the key to his office. That alone brings stress on you."

—*Migrant agricultural worker from Jamaica*<sup>[15]</sup>

Heating, cooling, and ventilation standards must be accounted for in MAW housing. Given the adverse changes in temperature, humidity and air quality that we are beginning to see as a result of climate change, as well as the fact that most MAWS have prolonged exposure to extreme temperatures during their workday, additional requirements are necessary to address their health, safety and dignity. Specific requirements must include:

### **1. Climate Control:**

- a) Air conditioning, heating, and ventilation systems must be kept in good condition, with a minimum of yearly service for both cooling and heating systems.
  - i. Heating, cooling, and ventilation systems should be provided as housing necessities; costs of retrofits, upgrades, operation and maintenance should not be borne by MAWS.
- b) Permanent and preferably mechanical heating/cooling systems must be operational at all times, and extend to all housing areas (e.g. living room, kitchen, washroom, bedrooms).
- c) In order to allow recovery from outdoor work, permanent heating and cooling systems must operate consistently to achieve:
  - i. A minimum temperature of 20°C in the winter.
  - ii. A maximum temperature of 23°C in the summer.
  - iii. A temperature ranging from 20 - 23°C otherwise.

- d)* Indoor heating, cooling and ventilation should be designed to be limited to an upper limit of 60% humidity (as per EPA recommendations) to ensure thermal comfort and inhibit microbial growth.
- e)* Temperature readings in excess or below the threshold and humidity readings within 5% of the upper limit should trigger an implemented action plan to ensure temperatures are within thermal comfort ranges within 48 hours.
- f)* Adequate insulation, outdoor shade and heating/cooling pumps should be installed as necessary to ensure sufficient thermal comfort in homes.

## **2. Ventilation:**

- a)* A minimum number of windows in the household, specifically 20%, or at least one (1) per housing unit, whichever is more (as specified in Section 2: General Housing Infrastructure, Property Qualities & Corresponding Regulation) should open and have a protective screen to aid in ventilation.
- b)* In the case of wildfires, adequate numbers of N-95 or higher quality masks must be provided for workers for single daily use in their housing units if desired.

## Section 4: Privacy, Security, Accessibility & Freedom of Movement

### *In their words*

"It's a very difficult problem, because we can't just leave work, go home, cook dinner, rest and forget about work for a while. Here under this system I am always at work, even if I am not working, I am always at work."

—*Migrant agricultural worker from Mexico*<sup>[17]</sup>

### **1. Housing security, safety, privacy and autonomous use of accommodations:**

- a) Workers should be provided with accommodations that can be locked, with keys or coded entry to ensure the security of their housing and bedrooms.
  - i. All workers must have locked doors and keys for both their personal bedroom and the entire house.
  - ii. All workers must be provided locked storage for their belongings.
- b) Employers and persons sent on behalf of employers (e.g. supervisors) may only enter with permission of the residents of the housing. Entrance to the accommodation should be on the basis of housing maintenance, rather than monitoring of MAWS.
- c) Employers and persons sent on behalf of employers (e.g. supervisors) for the purpose of housing maintenance must give 24 hours advance notice, and must enter only between 8 AM and 9 PM unless the employer and worker agree on another time.
- d) Employers, supervisors, public health officials, etc. must seek permission to enter workers' living quarters. And generally speaking, workers' right to determine who comes and goes must be respected (including friends, civil society groups, vendors, etc.).

- e) Housing should be shown to be equitable across genders, and to be **gender-sensitive** to all inhabitants.
  - i. Housing must be free of gender-based violence and harassment, furthermore, employers must indicate measures in place to prevent gender-based violence and harassment.
  - ii. Women-identifying workers, as well as sexual and gender minority workers, will be provided with the option of selecting their preference in regards to gender mixity in housing, or lack thereof.
  - iii. No surveillance or restrictions should be conducted on the basis of a visitor's gender.
- f) "Private property" signs will be at the discretion of workers living within those living quarters, and removing such signage (posted by employers) is within the purview of the Worker Representative (see below).
- g) Employers may not impose "house rules" beyond the usual expectations of tenants. For example, there should be no constraints on social or recreational activities, no prohibition of guests or visitors, including family members, and no curfew.
- h) Employers are prohibited from using cameras for surveillance purposes outside or inside of workers' living quarters.<sup>3</sup>
- i) A camera for security purposes will only be installed upon the direct request of workers residing at that address.
  - i. In order for the camera to be installed, all workers must freely consent to its installation (including agreement on camera placement), and only workers should have access to the footage (cameras must not be used for employer surveillance of MAWS).

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<sup>3</sup> Video surveillance installed inside housing is not permitted, as per Canada's Personal Information Protection and Electronic Documents Act (PIPEDA).



- k) The full address of MAWS' accommodation, along with the name of the farm and company should be published<sup>4</sup> and shared with:
  - i. Community health clinics
  - ii. Worker-focused advocacy groups
  - iii. Public health units
  - iv. emergency departments.
- l) A copy of this communication should be posted in common living spaces for all workers in an area dedicated to housing information (see Section 1: Enforcement & Oversight).

## 2. Accessible locations and transportation considerations:

- a) Homes should be located at a distance that enables workers to access essential amenities and services, and with explicit attention to transportation needs.
  - i. Practically, this will vary on the basis of what level of independent transportation is available to MAWS and should conform to the following minimum requirements for shopping centres, grocery stores, medical facilities, money transfer businesses, settlement organizations, and other support organizations (hereafter referred to as 'services').
- b) Ideally, housing should be offered in a central location (very close to necessary services/resources), away from the employer's property.
- c) Services should be located a maximum of 500 metres away if workers are expected to travel by foot.
  - i. Each worker should be provided with a shopping caddy or an equivalent receptacle to transport their purchases to and from a service centre when walking.

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<sup>4</sup> This communication can help worker-focused advocates reach MAWS to offer services, especially in the case of an emergency. To aid in the confidentiality of individuals, only confirmation that this is MAW housing, rather than individual names, will be shared with above- mentioned agencies.

- ii. Workers should not be expected to walk along busy roads or highways without a sidewalk.
  - iii. There should be a clear path towards services that is well-lit and equipped with cross-walks and street lights as is necessary to walk safely.
- d) Cycling less than five (5) km to access services is acceptable only when workers have direct access to protected cycling infrastructure (e.g. a bike path or bike lane).
  - i. Workers should not be required to bike along busy roads or highways without protected cycling infrastructure (e.g. a bike path or bike lane).
- e) There should be a clear path towards services that is well-lit and equipped with cross-walks and street lights as is necessary for bike safety.
- f) Where MAWS are expected to travel by bicycle:
  - i. Each worker should be provided with a bike, bike helmet, bike lights, bike reflectors, bike basket or bag.
  - ii. The bike should be in good working order (e.g. functional brakes, wheels, etc.) with regular maintenance facilitated by the employer as needed.
- g) Public transit is acceptable only when the nearest transit stop is located a maximum of 500m from workers' housing.
  - i. To ensure independent transportation, bus service must be offered six (6) days per week, for at least 12 hours per day.
  - ii. Employers must take into account bus scheduling in scheduling days worked.
- h) For distances to services in excess of five (5) km, or where walking and cycling shorter distances are unsafe and public transit is insufficient to support independent travel, employers must provide a safe vehicle for MAWS to share.
  - i. The number of occupants in each vehicle must not exceed the stated limit for that vehicle.

- ii. The vehicle must not be shared with the employer, and must be kept in close proximity to workers' housing.
  - iii. A minimum of two (2) sets of keys should be provided to each cohort of workers sharing a vehicle.
  - iv. The vehicle must be insured, and in good working order to safely operate, with an adequate number of functioning seat belts.
- i) Overall, workers should not be limited in regard to how often they leave employers' property, including to shop for groceries, or access other essential services.

### 3. Telephone, Internet, and Connectivity:

- a) Access to telephone, free internet and additional communication resources should be provided to all MAWS.
- b) Landlines (enabling local and long-distance calling) should be made available to all workers in case of emergency, or internet outage.
  - i. One (1) land-line phone will be available to every ten (10) workers.
- c) Employers must provide the best existing internet service in their area, and where available employers will provide internet service that supports multiple people participating in video calls at the same time.
- d) Where internet services that support multiple people participating in video calls at the same time are not available (e.g. 5G):
  - i. Employers must provide the best existing service, and
  - ii. Employers must identify nearby spaces where MAWS can access the internet, and
  - iii. Ensure MAWS have independent transportation to these spaces.
- e) Any costs to use this internet (and transportation) are to be borne by the employer.
- f) Should the Wi-Fi system fail, or require maintenance, employers are to address the problem within 48 hours.
- g) MAWS should be provided with an accessible mailbox separate from their employer's to ensure timely access, and a greater degree of privacy in mail correspondence.

#### 4. Worker Representatives to address housing concerns:

- a) MAWS should elect one (1) or more Worker Representative(s) who will be at arm's-length from the employer (e.g. not a supervisor, or a manager), and will consult with the MAWS about their housing concerns.
  - i. The employer must recognize these Worker Representatives, meet with the migrant agricultural Worker Representatives as early as possible and periodically to hear the workers' concerns and to remedy deficiencies.
- b) Worker Representatives will be provided access to the support, accompaniment and training by local worker-focused advocates, and when required, provided with compensated time to gain knowledge and experience in bringing forward housing concerns.
  - i. This time will be guaranteed at a minimum of ten (10) hours per season.
- c) On farms that have Joint Health and Safety Committees (JHSC), the Worker Representative should be a member of the JHSC, for their protection and to integrate housing concerns with other health & safety concerns.
- d) The Worker Representative's name and discussions with the employer (like minutes) should be posted for other MAWS to see, similar to JHSC provisions.
- e) The Worker Representative should participate in the housing inspection, similar to JHSC inspections, with coverage of their wages.
- f) The Worker Representative's term should span a minimum of five (5) years or seasons, for continuity and for their protection.
- g) MAWS must be allowed to form democratically-elected councils that can represent them in negotiations with employers regarding housing conditions.
  - i. These councils should be imposed on each farm, and they should have binding authority to determine living conditions

of the farm.

- h)* The Worker Representative(s) should reflect the demographics of the MAW workforce to ensure representation is attuned to culture and gender and in-line with language requirements.
- i)* Workers have the right to refuse employer-provided housing and seek independent housing accommodation, without any implication to their employment relationship.

## Section 5: Common Living Spaces

### ***In their words***

"Where we could feel at ease, where there could be an area maybe inside of the same farm, but there is an area where we would unwind as people. . . an entertainment area, an area for soccer, a medical area, more than anything, a medical area in case we feel badly in the night... Because when you don't have a car... you're not going to get there. So I feel like there are still a lot of things that are lacking that the bosses could improve."

—*Migrant agricultural worker from Mexico*<sup>[47]</sup>

The following principles are necessary to ensure quality MAW housing in regards to common living spaces. Each is defined below.

### **1. Furniture of sufficient quantity and in good condition:**

- a) One (1) dining room chair per worker.
- b) One (1) living room seat per worker (e.g. couch that seats three (3) could count as three (3) seats).
- c) Dining room table to afford a minimum of 60 cm of horizontal space per person, with additional dining room tables provided as necessary (e.g. four (4) workers per table).
- d) Furniture should be well constructed and clean when delivered to workers.
- e) Furniture should be made of material that is easy to clean.

### **2. Access to recreational/leisure spaces in the home:**

- a) Common spaces must include outdoor space where workers can grow food and socialize (including sports, gym, and recreational facilities).



- i. These spaces should be of sufficient size/quantity to afford access to all workers.
- b) Common living spaces must include separate storage spaces for work clothes and boots.
- c) A television with regular programming (e.g. what would be available in a standard hotel with multi-lingual channels), to apprise MAWs of the news, local events, emergency situations, and to offer moments of leisure in their home should be available at a ratio of roughly one (1) for every five (5) workers.
- d) Other entertainment and games should be made available as per workers' request.

### 3. Sufficient physical spacing to decrease the risk of communicable illness and ensure basic comfort:

- a) Common living areas should allow for 160 square feet of space between each inhabitant.
- b) When more than five (5) MAWS share a single home, additional living room spaces should be afforded to ensure that workers can congregate in smaller groups (e.g. an additional common area or leisure room) to ensure rest and some degree of tranquility in the home. This additional space should be at a ratio of 650 square feet for every five (5) inhabitants.
- c) Upper limits for number of MAWS per total housing unit should be set to 160 square feet of space between each inhabitant, to lessen the risk of feelings of institutionalisation, and under resourced conditions (e.g. and also take into account the ratio of workers to vehicle, green space, etc.).





## Section 6: Sleeping Quarters/Bedrooms

### ***In their words***

"When I came here, and being with eight guys in one room. I said to myself I'm not gonna be in the program 24 years. I think, 'I'm not capable of that.'"

—*Migrant agricultural worker from Mexico*<sup>[48]</sup>

The following principles are necessary to ensure quality housing in regards to sleeping quarters. Each is defined below.

### **1. Sufficient bedroom privacy and spacing:**

- a) Each bedroom should have a maximum of one (1) worker per room.
- b) Each room should be a minimum of 80 square feet.
- c) Each room should be fully enclosed with a door and a mortise-type lock and the occupant(s) should be supplied with one (1) key per occupant at no cost.
- d) Spouses should have the option, but should not be obliged, to share a bed or bedroom.
- e) Individuals should have the option/ability to share their room with dependents.
  - i. Accommodations to allow this arrangement should be granted (i.e. more space, more storage, additional beds).

### **2. Adequacy of bedroom structure/features:**

- a) Interior walls and ceilings with a proper finish.
- b) Where flooring is replaced, it should be of linoleum or tile flooring; carpeting should be limited.

- c) Walls between rooms should be soundproofed to a standard to meet or exceed *PT* (Practice Tip) Building Code sound rating standards for partitions between sleeping rooms.
- d) All walls to be insulated.
- e) Doors should have a slot for room number or name.
- f) Weather-proof window of a size complying with the *PT* Building Code in each room.

### 3. Sufficient and adequate bedroom furniture:

- a) Windows in each room to be covered by a screen and equipped with window blinds, venetian blinds, or drapes.
- b) A desk, waste basket and padded chair should be supplied in each bedroom (for each worker).
  - i. Each desk is to be equipped with a regular drawer.
- c) Each bedroom should have storage space to securely maintain workers' clothes and possessions:
  - i. Each worker should be supplied with one (1) locker, shelf or small dresser (minimum dimensions of 24" x 30").
  - ii. Each worker should be supplied with four (4) coat hooks on the interior wall.
- d) Each individual *MAW* should be supplied with their own bed:
  - i. All beds should be at least the size of an adult-sized twin bed or larger (a minimum of 80" x 39").
  - ii. All beds should include a frame that is at least 20 cm (7.87 inches) off the floor.
  - iii. Each individual should be supplied with a clean, soundly constructed mattress of a household-type bed of box spring or pallet board, and of a regular thickness (e.g. 12 inches).
  - iv. *MAWs* should not be placed in bunk beds.
  - v. Should spouses wish to share a bed, they should be supplied with a bed that is at least the size of a queen bed.



- vi. Workers with different body types must be able to request larger beds when needed at no extra cost.
    - vii. Mattresses should be replaced every eight (8) - ten (10) years, or immediately, if found to be in disrepair, or, in the case of pest infestations (e.g. bed bugs).
  - e) Each individual should be supplied with a clean pillow and full linen package in good condition (i.e. two (2) pillowcases, two (2) sheet sets, one (1) blanket).
    - i. Blankets should be changed every two (2) months and sterilised before re-issue.
    - ii. Blankets provided should also be seasonally appropriate, requiring change-over from summer to fall to winter weather.
    - iii. Bedspreads and mattress covers (or fitted bottom sheet) will be provided and will be sterilized before re-issue.
  - f) Each individual to be supplied with a mirror-type cabinet, and light with an electrical outlet over the cabinet (or alternatively a central fluorescent light fixture).

- g)* Each individual MAW is to be supplied with two (2) large bath towels, towel rack, soap dish and glass holder.
- h)* Each individual to be supplied with a minimum of two (2) duplex receptacle outlets and fixtures.
- i)* Each individual to be supplied with a television jack accompanied by a receptacle to plug it in. A television may be provided.
- j)* Each individual should be supplied with a boot mat, measuring approximately 17" by 27" in each room.

## Section 7: Preventing Hazards & the Spread of Communicable Illnesses

### *In their words*

"Mould in the fridge. In the freezers, nothing was clean. And both of the stoves had rodent droppings all over it and inside of the oven as well. Also, in the drawers. So, everything that was in there was full of rodent droppings. We were afraid to use the kitchen to cook. We didn't make anything for days. We just keep wiping with bleach..."

—Migrant agricultural worker from Jamaica<sup>[5]</sup>

### 1. Preventing exposure, and adequate distance/ from hazards and worksite

- a) Measures to maintain sufficient distance between hazardous materials and sleeping/eating areas must be maintained. This can include:
  - i. A minimum of 50 metres from pesticide storage or usage (e.g. crops that are regularly sprayed).
  - ii. A minimum of 50 metres from greenhouses.
  - iii. A minimum of 10 metres from garbage storage.
  - iv. A minimum distance to ensure living quarters are relatively free from loud noises and reverberations common to the worksite.
  - v. A minimum distance to mitigate prevailing winds carrying noxious odors.
- b) Every accommodation shall be located a safe distance from the worksite for drainage to guard against year-round climate conditions.
- c) Hazardous materials must be stored at a safe distance from housing to mitigate health risks.



- d) Housing must be free of leaks, electrical issues, mould or pest infestations.
- e) Each housing unit will be equipped with basic cleaning supplies, including a broom, vacuum, all-purpose cleaning agent (replenished as required) and related materials (e.g. dish rags, towels, cleaning brushes).

## **2. Monitoring and addressing hazards and/or spread of communicable illnesses:**

- a) Prior to occupation, accommodations must be tested for presence of pesticides or other hazardous materials, and documented to be free of mould, mites, and asbestos.
- b) Unannounced assessment of the presence of pesticides and hazardous materials should be carried out once workers arrive.

### 3. In the event of a local outbreak, regional epidemic or global pandemic:

- a) Housing space should be sufficient to afford workers adequate physical space in the case of a public health crisis. Specifically, the shared space in workers' housing should permit a quick transition to social distancing of 2 metres with minor changes when/if the risk of communicable illness is likely.
- b) If necessary, the addition of housing quarters, or relocation to hotels or other accommodations, even outside of the quarantine period may be warranted.
- c) Each individual who is quarantined, should be afforded a private washroom, bedroom, and a dedicated local phone line; necessary health and social supports should be posted in their living quarters in a language that they can understand.





## Section 8: Washroom Facilities

### ***In their words***

Even the bathroom system, you have a heating system that whenever you turn on the machine the water in the bathroom get hot until there's steam coming out from the water. If you flush a bathroom, the water gets burning up. We bring it up to the boss and tell him, guys are getting burned, but there's nothing they do about it. Every year we come back and it's the same."

—*Migrant agricultural worker from Jamaica*<sup>[15]</sup>

The following requirements are necessary to ensure quality housing for MAWS in regards to washroom facilities. Each requirement is detailed below.

### **1. Location, facilities, and privacy:**

- a) All washrooms must be located inside the interior of the home (i.e. no outhouses).
- b) Washrooms to be separated from sleeping rooms by full partitions and lockable doors and to have separate ventilation with exhaust fan. In addition,
  - i. Individual toilet and shower stalls must have lockable doors for safety and privacy.
- c) In the case of communal washrooms, the following amenity ratios should also be adhered to:
  - i. One (1) flush toilet to a maximum of 3 workers.
  - ii. One (1) urinal for a maximum of eight (8) workers and eight (8) workers thereafter.
  - iii. One (1) shower to a maximum of three (3) workers and every three (3) workers thereafter.
  - iv. One (1) sink per three (3) workers.

- v. An adequate supply of potable drinking water dispensed through cooler style/water fountain sufficient to supply 1 gallon of water per person per day.
  - vi. An adequate and routine supply of paper towels and toilet tissue.
- d) In the case of private washrooms (i.e. toilet, sink, shower in independent room), the same ratios as above should be observed, and no more than 3 workers should share a private washroom.



## 2. Amenities, water, and personal hygiene:

- a) Each shower should be adequately supplied with amenities that allow for functional and comfortable usage, and must include the following features:
  - i. Opaque privacy barriers
  - ii. An adjacent dressing cubicle with curtains
  - iii. A hinged seat on the wall or a bench seat
  - iv. Two (2) double clothes hooks
- b) Each shower should have sufficient hot water capacity to allow all designated workers (i.e. maximum of four (4) workers) access within the same time-frame (e.g. two (2) hours). Towards this end:
  - i. The hot water tank size should be 20 gallons per occupant using the tank.
  - ii. Shower water should be regulated as should sink water (see below).
- c) Water in the washrooms and showers should meet the highest drinking water quality standards:
  - i. Water must be tested at least three (3) times per year (see also kitchen facilities below).
- d) Each sink should have the following feature and maximum ratios:
  - i. Running hot (>43° C) and cold running water for up to three (3) workers, and for every three (3) workers thereafter.



## Section 9: Kitchen Facilities

### ***In their words***

"We usually cook at the same time when we arrive and it's too stuffed for eleven people, it's very difficult. There are two fridges and two stoves. The fridge space is to accommodate eleven people's groceries for the week, so we get a very small portion. This can affect the quality of the food we can eat, if we can't fit, we have to leave it outside and it rots."

—*Migrant agricultural worker from Jamaica* (McLaughlin, 2009)<sup>[16]</sup>

"So, some guys come home, rush in the kitchen, you hear pots tumble down ... some guys will sit down and say 'I will cook tonight' ... and they watch the clock, 10, 11 o'clock, them guys not gonna cook. They get up at 5 in the morning and start to prepare self for 6."

—*Migrant agricultural worker from Trinidad & Tobago* (Perry, 2022)<sup>[48]</sup>

The following requirements are necessary to ensure quality MAW housing in regards to kitchen facilities. Each requirement is detailed below.

### **1. Furniture and amenities:**

- a) Each kitchen should be furnished with the following:
  - i. Dining tables and chairs
  - ii. Oven and stove
  - iii. Refrigerator
  - iv. Kitchen sinks, with clean running water
  - v. Kitchen appliances and utensils
  - vi. Storage for food and cooking utensils

## 2. Oven and stove:

- a) Each stove should be shared by a maximum of four (4) MAWS.
- b) Each stove should have at least four (4) functioning burners, with at least two (2) burners being 12 inches in diameter.
- c) While cooktops can be provided in lieu of a standard stove (with oven), an oven should be available to workers at a ratio of four (4) workers per oven.
- d) An overhead fan must accompany each stove and/or oven.

## 3. Refrigeration:

- a) Each individual worker should be afforded a minimum of twelve (12) cubic feet of refrigerator space.
- b) Fridge temperature should be sufficiently powered to avoid food spoilage, maintaining a temperature between 0°C and 4°C.
- c) Each individual should be afforded a minimum of six (6) cubic feet of freezer space.

## 4. Kitchen appliances and utensils:

- a) Each kitchen will be supplied with a minimum of the following for every four (4) MAWS:
  - i. One (1) blender
  - ii. One (1) microwave
  - iii. One (1) kettle
  - iv. One (1) cutting board and knife set (min. four (4) knives: large knife, bread/serrated knife, smaller knives) for food preparation
  - v. One (1) pot (min. 5L)
  - vi. One (1) frying pan (12"/30 cm)
  - vii. Cooking utensils (e.g. wooden spoon, ladle, spatula)
- b) There should be two (2) full sets of cutlery, plates, bowls, glasses and cups for each worker.

## 5. Storage for food and cooking utensils:

- a) Adequate cabinets and shelves for cooking equipment and food storage.
- b) Kitchens must provide secure storage for dishes and non-perishable food that is elevated off the floor.

## 6. Food waste and disposal:

- a) Kitchens should be equipped with a large covered garbage pail to prevent pest infestations and cross-contamination with food.
- b) Kitchens should be equipped with a small covered pail/container for compostable food waste, if a larger outdoor compost is available (and located ten (10) metres from housing).

## 7. Kitchen Sink and Clean drinking water:

- a) Each kitchen sink should be shared by a maximum of four (4) MAWS.
- b) All housing must be required to pass tests for clean drinking water two (2) times per season, including in the kitchen area.
- c) If a well is used, water must be tested a minimum of three (3) times per year (spring, summer, fall), and after any heavy rains, flooding, repairs, extended periods of non-use, or if there are any changes in the amount of well water, colour, taste, smell, or clarity [49-50].
  - i. Test results should be posted for workers (in accessible languages) and posted on a notice board dedicated to housing information.
- d) Any concern over the quality of water (appearance, taste, smell) should trigger an implemented action plan to ensure water quality issues are addressed within 24 hours. In the interim, workers should be supplied with:
  - i. (1) Drinkable water through other means (e.g. water cooler, personal water bottles) sufficient to maintain hydration, and

- ii. Three (3) nutritious meals, anticipating cooking barriers as a result of water supply issues.
- e) Kitchens should be equipped with hot water to clean and sanitize dishes and prevent illness. This can be achieved in two (2) possible ways:
  - i. Provision of a dishwasher that reaches 82° C (180° F), or
  - ii. Provision of hot potable water (see above re: clean drinking water) that reaches at least 43°C (109° F) for washing and 77°C (170° F) for rinsing dishes.
- f) Workers living in housing supplied by well water shall, on request, be provided with an alternate supply of water for drinking.

## Section 10: Laundry Facilities

### ***In their words***

"We have nowhere to dry our clothes in rain so we have to go to work in wet clothes"

—*Migrant agricultural worker from Jamaica*<sup>[16]</sup>

"There's like one [laundry] machine has to serve twelve guys."

—*Migrant agricultural worker from Jamaica*<sup>[15]</sup>

The following requirements should be met to ensure quality laundry facilities for MAWS:

### **1. Washing machine and dryer:**

- a) 1 full-sized washer and dryer should be supplied for every five (5) - six (6) workers and every five (5) - six (6) workers thereafter.
- b) These machines will be available on-site (i.e. within the housing area).
- c) Use of these machines should be free of charge.

### **2. Laundry facilities cannot overlap with bedrooms/common areas:**

- a) Additional drying areas (e.g. room with clotheslines or racks) shall be provided outside of the bedroom or other shared living areas.



### 3. Dedicated area for used personal protective equipment:

- a) A dedicated area outside of housing quarters (separate from laundry machines, living areas) will be provided to clean used personal protective equipment (e.g. spray masks, rain gear, gloves).
- b) This area should be sufficient in size, with a laundry sink, fitted with running water and fitted with accessories to hang these PPE.

## Section 11: A Sustainable & Effective Way Forward

Due to the involvement of multiple federal departments, in addition to various provincial, municipal and community actors, neither workers nor employers know who to turn to for information or support

—Standing Senate Committee on Social Affairs,  
Science and Technology, 2024 <sup>[29]</sup>

To implement and enforce a robust standard for housing for MAWS across the country, dedicated resources and coordination are required. Some of these requirements are laid out below.

### 1. Establish federally-managed national housing standard for MAWS:

- a) The federal government must lead and oversee the implementation of a national housing standard, and towards this end, they must provide the administrative support, resourcing, and mandate to ensure the following:
  - i. Regular coordination of multiple levels of government (municipal, provincial), and across federal departments.
  - ii. Delineating jurisdictional roles and responsibilities alongside provincial and municipal actors, addressing gaps in policy or regulation that are identified throughout this process.
  - iii. The development and implementation of a coordinated data strategy across federal departments and with provinces/territories and municipalities to ensure more effective information sharing.

## 2. Funding:

- a) Adequate and dedicated funding for meaningful enforcement must be included, and requires dedicated resourcing for staffing, training and outreach. In fact, national requirements without necessary improvements to the enforcement regime may further undermine migrant workers' access to quality housing by investing in the image of stronger standards, without the necessary resourcing to ensure it is in place.
  - i. The establishment of a federal program that offers interest-free loans to small and medium-sized employers to support the creation or improvement of accommodations that meet these proposed national housing standards.
  - ii. The establishment of a loan-forgiveness program if it is determined that the small or medium-sized employer meets the proposed national housing standards for three (3) consecutive years [35].
- b) Additional funding of services, support organizations, and affiliated government agencies are also required towards:
  - i. Prevention and early mitigation of poor housing through legal advocacy, employer education, and migrant worker informational sessions. For example, workers should be provided with pre-and-on arrival information and should have access to settlement services (i.e. language classes, expanded healthcare provisions). Such services should be developed for the specific needs of MAWS.
  - ii. Navigational support to address various challenges faced by MAWS as a result of undignified or unsafe housing, including services provided by settlement organizations, health care organizations, social support organizations (e.g. churches, worker-focused advocacy groups) and most critically, emergency housing. Such support should be available in workers' preferred languages.

- iii. Mitigating the impact on workers' livelihood and safety, through clear, accessible and immediate employment options, immigration support and protection of status (e.g. automatic granting of open work permit), and, corrective measures to quickly address poor housing (e.g. alternative hotel accommodation to be charged to employer until issue is resolved). Investment in government agencies, and support organizations equipped to navigate these issues, is therefore essential.

### 3. Training and capacity-building:

- a) Training for government officials, at both the provincial and federal level must incorporate a robust understanding of the following:
  - i. Cultural safety, anti-racism, and a cultivation of understanding regarding the impact of implicit bias on the outcomes of services.
  - ii. An application of Gender-Based Analysis Plus (as outlined by Goal 8 of the United Nations' Sustainable Development Goals) to address gender and other intersecting identities that may uniquely affect a MAW's housing needs, and risk of experiencing abuse or discrimination.
  - iii. Competence in a risk-based approach, in order to detect possible instances during their inspections where employers may be preventing workers from complying with applicable public health laws.<sup>5</sup>

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<sup>5</sup> For example, see Quebec's public health act: <https://www.legisquebec.gouv.qc.ca/en/document/cs/s-2.2>

#### 4. Arms-Length Oversight and Regulation

- a) Given the unique vulnerabilities faced by MAWS, a dedicated independent government body should be established to oversee the TFWP, and to be responsible for policy changes, and individual cases of human rights violations, and should occur through:
- i. Overseeing the federal government's coordination and regulatory efforts necessary to develop and implement national housing standards, and intervening when inadequate action is seen.
  - ii. Providing additional channels, and the necessary authority for MAWS to seek out justice, compensation, or regulatory oversight that relate to housing, and related issues (e.g. injury related to substandard housing, exposure to sexual violence or harassment in living quarters).
  - iii. An annual review of the temporary migrant agricultural worker programs, with a focus on migrant worker testimonies, and that of their advocates and supports.

## Section 12: Recommendations for Addressing Precarity of Status

“What they want is that you come here to work, don’t say anything, work like a slave, take your money, and leave. Don’t get sick. Don’t cry. Don’t have feelings.”

—*Migrant agricultural worker from Mexico*<sup>[10]</sup>

“[I’d like permanent status in order] To be able to say ‘No, no I don’t want to work here, I will look for work somewhere else,’ and more than anything, to have that document that can open doors.”

—*Migrant agricultural worker from Mexico*<sup>[5]</sup>

Clearly, there are several domains of improvement needed to raise the bar for housing requirements for MAWS in Canada. Yet, improved housing requirements cannot be fully implemented and enforced without addressing the structural aspects of the TFWP that make it difficult for MAWS to refuse unsafe and undignified living conditions. Therefore, some additional recommendations aimed at empowering workers and their representatives to advocate and ensure greater standards in accommodations are outlined below.

### **1. Union representation should be stipulated as a necessary condition in the negotiation of the TFWP.**

- a) The federal government should support efforts, and provincial governments must facilitate a transition toward broader-based and sectoral bargaining models, which can help overcome the barriers migrant agricultural workers face to unionizing one worksite at a time.
- b) Furthermore, workers should enjoy adequate protection from employer reprisal related to their involvement in the union.

2. The minimum wage for MAWS should be set to a living wage<sup>6</sup>, and employer compliance on minimum wage rates should be enforced.
3. Establishment of government funded and managed recruitment offices abroad to ensure MAWS receive impartial, accurate information about job conditions, including housing and are not vulnerable to misinformation from private recruiters. These offices could include a model of public hiring halls, run by workers themselves, with transparent and democratic oversight, ensuring worker governance in the recruitment process.
4. Revise existing immigration programs to provide greater access to permanent residence for MAWS by expanding the Provincial Nominee Program (PNP) and revising the language and educational restrictions

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<sup>6</sup> See the Canadian Centre for Policy Alternatives Living Wage Framework: <https://www.policyalternatives.ca/wp-content/uploads/attachments/Canadian%20Living%20Wage%20Framework.pdf>.



that often disadvantage migrant workers. In addition, employer support/work experience requirements must be removed to mitigate coercive employer-worker relationships.

5. Provide consistent, transparent and realistic informational sessions and resources that inform workers about opportunities available to transition from temporary to permanent residents.
6. Transition towards a system that confers permanent residency status to MAWS upon arrival. This status should be conferred without restrictions of any form on the right to quit, or to change employers, occupations, regions, and/or sectors. As an incremental transition towards this system, MAWS should be issued open work permits that are not restricted to sector or region and that allow them to change employers and refuse unsafe/undignified housing conditions.
7. In all provinces, MAWS should be able to access provincial public healthcare services immediately upon arrival, without a waiting period.



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