

PROPOSED MINIMUM ACCOMMODATION REQUIREMENTS FOR PRIMARY AGRICULTURE

CONTEXT:

- The Temporary Foreign Worker (TFW) Program is seeking to improve living conditions for TFWs who are vulnerable to exploitation due to their immigration status and other factors and ensure that they are provided with safe and suitable housing during their employment in Canada.
- TFW accommodations are currently assessed as per PT housing standards, which focus on the soundness of the accommodations as per the appropriate building and fire safety codes (e.g. the measurements and condition of roofs, walls, windows, doors, floors); and the adequacy of the facilities (e.g. recommended square footage of space per occupant, maximum occupancy, the ratio of amenities/resources to workers).
- To complement the established PT standards, the TFW Program is proposing minimum requirements for employer-provided accommodations within the Program, which focus on elements affecting workers' living conditions. Key objectives include:
 - Reducing the potential for overcrowding and ensuring adequate personal space and privacy;
 - Ensuring appropriate ratios of amenities (e.g. the number of bathrooms, kitchen facilities, and laundry facilities) available to workers;
 - Ensuring appropriate heating, cooling and air quality to support a healthy and comfortable living environment;
 - Enabling access to phone and internet, where available, to enable workers to connect with their families and support organizations, and to access services without the assistance of the employer;
 - Considering elements that would make accommodations more adaptable to allow occupants to conform to public health measures to address communicable disease outbreak in the future; and
 - Ensuring that accommodations enable workers to have freedom of movement and reasonably receive guests without restriction, while respecting biosecurity and public health considerations.

ABOUT THE PROPOSED REQUIREMENTS:

- **Proposed Federal Requirements for the TFW Program** refers to elements that ESDC proposes to consider as minimum program requirements for all employers who are required to provide accommodations. These requirements are based on existing examples of PT housing standards used in the program from the largest provinces – Ontario, Quebec and British Columbia; *Schedule F* – an optional housing inspection form used by the TFW Program in cases where a housing inspection report form is not available in a province/territory/municipality; and other examples of temporary housing such as work camp accommodations. In some cases, proposed requirements would be new to the program as they are not currently provided for in existing requirements.
- **Justification** identifies the source of the proposed requirement or if it is a new requirement.
- **Important note:** In several cases, the proposed requirements provide specific and detailed metrics for consideration, including for example minimum square footage and amenities in common areas and sleeping quarters; specific ratios for amenities and resources for workers; and a specific temperature range to be maintained in the accommodations. This is meant to support informed input on the adequacy of the proposed requirements in meeting overall desired outcomes and assessment of potential impacts. As a result, these should not be interpreted as final, but for discussion purposes only.

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HOUSING ELEMENT	PROPOSED FEDERAL REQUIREMENTS FOR THE TFW PROGRAM	JUSTIFICATION
BUILDING STRUCTURE	<ul style="list-style-type: none"> • Accommodations must be sound as per PT building codes, fire codes and health and safety legislation e.g. <ul style="list-style-type: none"> ○ no leaks, electrical issues, mould, or pest infestations ○ proper safety equipment (e.g. smoke alarms, fire extinguishers, etc.) ○ proper and adequate structural features (windows, separate spaces, doors) ○ any hazardous materials must not be kept close to living quarters ○ required egress, emergency exits and lighting 	<ul style="list-style-type: none"> • According to the Primary Agriculture Housing Policy, employers should provide the worker with adequate housing as defined by the Canadian Mortgage and Housing Corporation and in accordance with applicable provincial/territorial/municipal (P/T/M) authorities. • <i>Adequate</i> housing is defined as housing that does not require any major repairs, which include those to defective plumbing or electrical wiring, or structural repairs to walls, floors or ceilings. • Employer-provided housing must meet a minimum standard of structural soundness and overall condition to provide workers with a certain level of day-to-day comfort based on applicable PT standards and laws.
	<ul style="list-style-type: none"> • The building must be accessible to the public. 	<ul style="list-style-type: none"> • New TFWP Requirement to ensure that workers have freedom of movement and can receive guests without restriction.
COMMON LIVING SPACES	<ul style="list-style-type: none"> • Housing must allow for a temperature range of 20°C-25.5°C (68°F-78.8°F) can be maintained in all areas and at all times. 	<ul style="list-style-type: none"> • Typical temperature range in provincial requirements provides a temperature between a minimum of 20 degrees and maximum of 23.5°C (ON and QC) - 25.5°C (BC).
	<ul style="list-style-type: none"> • Housing must have proper, functional heating and A/C equipment to maintain specified temperature range and humidity control e.g. central or room AC; central heating, space heaters (depending on the time of year the accommodations are inhabited). 	<ul style="list-style-type: none"> • NEW TFWP requirement that accommodations must have proper heating and cooling equipment to maintain proposed temperature range. • Based on existing requirements for accommodations in <i>Construction Camp Rules and Regulations for Construction Camps (2018-2025)</i> (Alberta).
	<ul style="list-style-type: none"> • Sufficient furniture should be provided dependent on the number of workers housed in the accommodations. 	<ul style="list-style-type: none"> • Consistent with existing requirements that furnishings in accommodations should be provided according to the number of occupants.

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	<ul style="list-style-type: none"> Furniture should be of sound construction and in good condition. 	<ul style="list-style-type: none"> Based on existing requirements for accommodations in <i>Construction Camp Rules and Regulations for Construction Camps (2018-2025)</i> (Alberta). Existing requirements require that accommodations have “basic furnishings” only.
	<ul style="list-style-type: none"> A maximum occupancy rate of 7.44 sq. m (80 sq. ft) of total usable, and unobstructed floor area per person for common living spaces. 	<ul style="list-style-type: none"> Spacing requirements are adopted from existing requirements from F.A.R.M.S. (ON) and BCAC (BC) and are consistent with requirements found in <i>Construction Camp Rules and Regulations for Construction Camps (2018-2025)</i> (Alberta). Existing space requirements range from 7 sq. m. (75 sq.ft) (Schedule F and QC) to 7.44 sq. m (80 sq. ft). (BC and ON) do not specify occupancy rates for square footage.
SLEEPING QUARTERS	<ul style="list-style-type: none"> Each bedroom should have a maximum of four (4) workers per room with a minimum distance of 2.0 m (approx. 72 inches) maintained between all beds. 	<ul style="list-style-type: none"> New TFWP Requirement to address concerns regarding overcrowding and to make accommodations more adaptable to future infectious illness outbreaks.
	<ul style="list-style-type: none"> Each bedroom should be supplied with: <ul style="list-style-type: none"> A desk A waste basket A padded chair At least four (4) coat hooks on interior walls Each room should be fully enclosed with a door and a mortise-type lock and the occupant(s) shall be supplied with one (1) key per occupant at no cost. 	<ul style="list-style-type: none"> Based on existing requirements for accommodations in <i>Construction Camp Rules and Regulations for Construction Camps (2018-2025)</i> (Alberta). Existing requirements state that workers should be provided with storage facilities, but do not provide explicit requirements.

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	<ul style="list-style-type: none"> All beds must consist of a proper bed base/frame at least 20 cm (7.87 inches) off the floor, a clean pillow, a clean, supportive mattress of sound construction with a minimum width of 38" (95.6 cm), a minimum length of 75" (190.5 cm), and a minimum height of 25" (63.5 cm). 	<ul style="list-style-type: none"> Provide clear requirements for the minimum size of a mattress (length, width, height) equal to a single twin bed and construction of bed frame to ensure proper bed for an adult. Requirements for mattress dimensions from QC limited to the minimum length of 99-109 cms.
	<ul style="list-style-type: none"> Each worker should be supplied with: <ul style="list-style-type: none"> A linens package in clean and good condition (no holes) upon arrival, which includes a <u>minimum</u> of two (2) pillowcases, two (2) sheet sets and at least one (1) blanket per bed. An adequate, enclosed, storage space/compartments within a reasonable distance from the bed, which may take the form of one locker OR one shelf OR a small dresser (2-4 feet in size). 	<ul style="list-style-type: none"> Provide clear requirements for a minimum linen package and for type of storage facilities. Specific requirements for linen package generally not specified, except in BCAC (BC) guidelines, which provide for only one linen package. Proposal would ensure spare linen package available. Existing provincial requirements only require 'adequate' storage for workers. Proposed storage facility requirements based on BCAC (BC) and existing requirements for accommodations in <i>Construction Camp Rules and Regulations for Construction Camps (2018-2025)</i> (Alberta).
	<ul style="list-style-type: none"> Review approach to bunkbeds, including alternative designs/approaches that would meet public health objectives and improved living conditions. 	<ul style="list-style-type: none"> New TFWP Requirement to address concerns regarding overcrowding and to make accommodations more adaptable to future infectious illness outbreaks.
	<ul style="list-style-type: none"> <i>Males and females cannot share a bedroom (unless they are spouses).</i> 	<ul style="list-style-type: none"> This requirement is also found in the Primary Agriculture Policy but not generally specified in housing standards. Based on existing requirements from BCAC (BC) and on existing requirements for accommodations in <i>Construction Camp Rules and Regulations for Construction Camps (2018-2025)</i> (Alberta) that

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		stipulate that the employer must provide segregated living accommodation by gender.
	<ul style="list-style-type: none"> Workers should be provided their own individual bed and are not required to share a bed with anyone other than a spouse. 	<ul style="list-style-type: none"> Based on current requirement outlined and provincial requirements for BC and in Schedule F.
	<ul style="list-style-type: none"> Spouses should be provided with a double/queen size mattress. 	<ul style="list-style-type: none"> Based on requirement outlined in guidelines for BCAC (BC) and Schedule F.
WASHROOM FACILITIES	<ul style="list-style-type: none"> All washrooms must be within worker accommodations. 	<ul style="list-style-type: none"> New TFWP Requirement to improve living conditions. Existing provincial requirements state that toilets should be no more than 30m away from sleeping quarters (BC) and that portable toilets are permissible (ON).
	<ul style="list-style-type: none"> Washrooms to be separated from sleeping rooms by full partitions and lockable doors and to have separate ventilation with exhaust fan. 	<ul style="list-style-type: none"> Based on guidelines from <i>Construction Camp Rules and Regulations for Construction Camps</i> (2018-2025) (Alberta). Existing provincial requirements and Schedule F state that washrooms facilities must be separate and have privacy barriers from living areas but do not require that washrooms have an exhaust fan.
	Ratios: <ul style="list-style-type: none"> One (1) toilet for every five (5) workers. 	<ul style="list-style-type: none"> Based on guidelines from <i>Construction Camp Rules and Regulations for Construction Camps</i> (2018-2025) (Alberta). Current provincial guidelines allow for up to 10 workers per toilet.
	<ul style="list-style-type: none"> One (1) shower, with opaque privacy barriers and in good working condition and sanitary, must be accessible for every four (4) workers. Each shower should be accompanied with an adjacent dressing cubicle with curtains, a hinged seat on the wall or a bench seat and two (2) double clothes hooks. 	<ul style="list-style-type: none"> Based on guidelines from <i>Construction Camp Rules and Regulations for Construction Camps</i> (2018-2025) (Alberta). Current provincial guidelines allow for up to 10 workers per shower.

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	<ul style="list-style-type: none"> One (1) sink furnished with a mirror above for every four (4) workers with hot (>43C) and cold running water. 	<ul style="list-style-type: none"> Based on guidelines from <i>Construction Camp Rules and Regulations for Construction Camps</i> (2018-2025) (Alberta). Current provincial guidelines allow for up to 7 workers per sink.
	<ul style="list-style-type: none"> Urinals shall be furnished at the ratio of one (1) per fifteen (15) persons. 	<ul style="list-style-type: none"> Based on guidelines <i>Construction Camp Rules and Regulations for Construction Camps</i> (2018-2025) (Alberta) provides for 25 urinals per person.
EATING FACILITIES	<p>Ratios:</p> <ul style="list-style-type: none"> One (1) dining set with table and chairs in good condition for every ten (10) workers One (1) microwave for every ten (10) workers One (1) oven and stove (with minimum of four (4) functional burners) available for every six (6) workers One (1) refrigerator (able to keep foods at 4°C or lower), with sufficient space for food storage, must be provided for every six (6) workers Adequate cabinets and shelves for cooking equipment and food storage 	<ul style="list-style-type: none"> Existing requirements are one oven/stove and refrigerator per 6 workers, based on provincial sources (BC, ON and QC) and Schedule F. An “adequate amount” of other kitchen supplies (e.g. dishes, utensils, furniture) must be provided.
LAUNDRY FACILITIES	<ul style="list-style-type: none"> Worker accommodations must contain free laundry facilities for the workers. One (1) full-sized washer and dryer in good working order for every ten (10) workers. 	<ul style="list-style-type: none"> Based on guidelines from BCAC (BC) and the requirements of <i>Construction Camp Rules and Regulations for Construction Camps</i> (2018-2025) (Alberta). QC guidelines require 1 washer and dryer for every 10 workers, while BCAC (BC) requires one washer for every 15 workers with separate drying facilities and ON requires one laundering tub for every 15 bunks.

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	<ul style="list-style-type: none"> Additional drying facilities (e.g. clotheslines) must be in laundry area and not in the bedrooms. 	<ul style="list-style-type: none"> The requirement is consistent with housing guidelines from BCAC (BC). While ON guidelines state that drying facilities should be available, there are no further requirements for the location of these facilities.
	<ul style="list-style-type: none"> Facilities used to clean personal protective equipment (e.g. spray masks, rain gear, gloves) must be separate from laundry machines and living areas. 	<ul style="list-style-type: none"> Based on guidelines from BCAC (BC).
AMENITIES	<ul style="list-style-type: none"> Access to phone service and free internet will be provided where available. 	<ul style="list-style-type: none"> New TFWP Requirement to enable workers to connect with their families and support organizations, and to access services without the assistance of the employer.