

Instructions pour la présentation des rétroactions : Approche du gouvernement du Canada pour solliciter des rétroactions sur le nouveau programme de main-d'œuvre étrangère pour l'agriculture et la transformation du poisson du Programme des travailleurs étrangers temporaires

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Instructions for Submitting Feedback: Government of Canada Approach for Soliciting Feedback on the Temporary Foreign Worker Program's New Foreign Labour Program for Agriculture and Fish Processing Stream

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Instrucciones para enviar comentarios : Enfoque del Gobierno de Canadá para solicitar comentarios sobre el nuevo programa de trabajo para el componente agrícola y de transformación de pescado

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Approche du gouvernement du Canada pour solliciter des rétroactions sur le nouveau programme de main-d'œuvre étrangère pour l'agriculture et la transformation du poisson du Programme des travailleurs étrangers temporaires : Instructions pour la présentation des rétroactions

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1. Introduction

L'objectif de ce document est de fournir des renseignements sur la stratégie de consultation des intervenants proposée par le gouvernement du Canada pour le nouveau volet de main-d'œuvre étrangère pour l'agriculture et la transformation du poisson du Programme des travailleurs étrangers temporaires, ainsi que sur le processus de contribution des intervenants à ce nouveau volet.

2. Contexte

Chaque année, plus de 66 000 travailleurs étrangers temporaires entrent au Canada pour travailler dans les secteurs de l'agriculture primaire et de la transformation saisonnière du poisson, des fruits de mer et des fruits et légumes du pays.

Ces travailleurs jouent un rôle essentiel dans la protection de la sécurité alimentaire du Canada en occupant des emplois qui connaissent des pénuries de main-d'œuvre persistantes et de longue durée.

En raison de la nature du travail et des conditions d'emploi, ces secteurs éprouvent de grandes difficultés à embaucher et à retenir les travailleurs canadiens et les résidents permanents, ce qui a entraîné une dépendance à l'égard des travailleurs étrangers temporaires pour remédier aux pénuries de main-d'œuvre.

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Dans le cas de l'agriculture primaire, par exemple, cela se traduit par des mécanismes de programmes comprenant des accords bilatéraux avec des pays étrangers (p. ex. le Programme des travailleurs agricoles saisonniers) afin de garantir des réserves de main-d'œuvre essentielles.

L'embauche de travailleurs étrangers temporaires pour occuper ces postes est donc primordiale pour la sécurité alimentaire du Canada, ainsi que pour l'économie et la compétitivité du pays sur le marché mondial.

Il est important de veiller à ce que ces travailleurs bénéficient de conditions de travail et de vie sûres. Bien que les travailleurs étrangers temporaires bénéficient des mêmes droits et protections que les Canadiens et les résidents permanents, les travailleurs étrangers temporaires qui travaillent généralement dans le secteur agricole canadien et dans la transformation saisonnière du poisson, des fruits de mer et des fruits et légumes ont souvent un niveau de littéracie ou d'éducation inférieur qui font en sorte qu'il est plus difficile de connaître, de défendre et d'exercer leurs droits et d'accéder aux mesures d'aide et/ou ressources de la communauté. Ils travaillent et vivent souvent dans des régions rurales isolées, ce qui les rend plus susceptibles de dépendre de leur employeur pour l'hébergement sur place, le transport et les services de base.

3. Voie à suivre

La création du volet de l'agriculture et de la transformation du poisson dans le cadre du Programme des travailleurs étrangers temporaires, qui a été annoncée dans le budget fédéral 2022, offre à Emploi et Développement social Canada (EDSC) et à Immigration, Réfugiés et Citoyenneté Canada (IRCC), ainsi qu'aux intervenants clés, l'occasion de faire des progrès considérables en matière de protection de travailleurs. Parallèlement, la création d'un nouveau volet offre la possibilité de moderniser le Programme des travailleurs étrangers temporaires afin de mieux répondre aux besoins en main-d'œuvre des producteurs alimentaires du Canada, ce qui inclut l'extension d'un traitement similaire au secteur de la transformation saisonnière du poisson, des fruits de mer et des fruits et légumes.

Voir l'annexe A pour une vue d'ensemble des mesures proposées et de leurs avantages.

4. Stratégie de consultation des intervenants

Entre mars 2024 et mai 2024, EDSC et IRCC ont organisé des séances de mobilisation initiale avec les principaux partenaires et intervenants au sujet du nouveau volet. Des réunions ont été organisées avec le Mexique, les pays des Caraïbes participant au PTAS, des représentants de l'industrie de l'agriculture primaire, de la transformation du poisson et des fruits de mer et de l'industrie alimentaire, des organisations représentant le point de vue des travailleurs étrangers temporaires et des représentants des gouvernements provinciaux/territoriaux.

Au cours de ces séances d'information, le gouvernement du Canada a annoncé son intention de collaborer avec les principaux partenaires et intervenants au cours des prochains mois afin de

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solliciter des suggestions et des rétroactions sur les principaux sujets étudiés dans le cadre du nouveau volet, par le biais de six documents de discussion.

Les documents sollicitent des contributions par le biais de questions ciblées sur des sujets clés explorés dans le cadre du nouveau volet, notamment : un permis de travail spécifique au volet (officiellement appelé permis de travail spécifique au secteur), les salaires et les déductions, le logement fourni par l'employeur, dispositions en matière des soins de santé, le transport et les professions admissibles sous le nouveau volet. Veuillez également noter que les nouvelles idées, les modèles et les suggestions sur d'autres approches potentielles sont non seulement les bienvenus, mais aussi encouragés.

Les six documents de discussion seront envoyés progressivement aux intervenants au cours des prochains mois, afin qu'ils les examinent et soumettent des commentaires écrits sur chacun d'entre eux. Les prolongations seront étudiées au cas par cas afin de garantir que tous les intervenants aient la possibilité de recueillir et de partager leurs apports.

Les renseignements communiqués par les intervenants dans le cadre de ces six documents de discussion serviront à étayer les décisions politiques définitives concernant les principales caractéristiques du nouveau volet, notamment les plans de transition, les travaux de réglementation et les calendriers de mise en œuvre.

L'objectif est que le gouvernement du Canada, après avoir examiné les documents reçus dans le cadre de ces consultations, soit en mesure d'annoncer plus en détail les nouvelles caractéristiques du volet et les plans de transition visant à faire passer progressivement les employeurs et les travailleurs à des exigences nouvelles ou améliorées dans le cadre du Programme des travailleurs étrangers temporaires.

5. Éléments à prendre en compte lors de l'examen des documents de discussion

Lors de l'examen des documents de discussion, veuillez noter que l'objectif est de mettre pleinement en œuvre le nouveau volet et le permis de travail spécifique au volet (formellement identifié comme le permis de travail spécifique au secteur) aussitôt que 2027.

L'objectif est qu'au moment de la mise en œuvre complète, le nouveau volet de l'agriculture et de la transformation du poisson remplacera les quatre sous-volets d'agriculture primaire existants du Programme des travailleurs étrangers temporaires et accordera un traitement similaire au secteur saisonnier de la transformation du poisson, des fruits de mer et des produits alimentaires primaires, pour être mis en œuvre dans le cadre de deux sous-volets :

- La catégorie des accords bilatéraux entre pays pour les travailleurs provenant de pays ayant signé des accords avec le Canada (p. ex. les pays participants au PTAS); et

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- La catégorie source ouverte pour les travailleurs entrant au Canada en provenance de pays n'ayant pas conclu d'accords avec d'autres pays.

De plus, lors de l'examen des documents, veuillez-vous reporter à l'annexe B pour connaître les professions proposées pour le nouveau volet, qui ne comprend que des postes sélectionnés dans le secteur de l'agriculture primaire et le secteur saisonnier de la transformation du poisson, des fruits de mer et des fruits et légumes au Canada. Veuillez toutefois noter qu'un document de discussion portant sur les professions admissibles sous le nouveau volet sera partagé avec les intervenants pour qu'ils fournissent leurs commentaires. Ce document vise à recueillir votre avis sur les professions proposées, ainsi que sur toute autre profession que les intervenants souhaiteraient voir inclus dans le nouveau volet.

6. Processus de présentation des suggestions

Les intervenants sont invités à examiner les documents de discussion et à transmettre leurs commentaires à l'adresse électronique suivante, pendant la période de consultation :

edsc.dgce.tet-tfw.seb.esdc@hrsdc-rhdcc.gc.ca

Ce compte fait l'objet d'un suivi attentif afin de recueillir et colliger toutes les rétroactions reçues portant sur le nouveau volet.

Veuillez noter que votre rétroaction écrite est nécessaire étant donné le grand nombre d'intervenants invités à participer à l'élaboration du nouveau volet et pour s'assurer que les principales considérations et préoccupations des intervenants sont correctement prises en compte. Ce processus soutiendra le travail du gouvernement du Canada en vue d'aborder les principaux enjeux et d'y trouver des solutions potentielles. Il est donc conseillé, dans la mesure du possible, de fournir des réponses claires et concises aux questions posées dans les documents de discussion.

Bien que les questions soulevées soient importantes pour aider le gouvernement du Canada à déterminer l'impact que le nouveau volet aura sur les intervenants, ces questions ne sont destinées qu'à guider les rétroactions des intervenants sur les principales caractéristiques du volet. Les intervenants sont invités à fournir des suggestions qui vont au-delà des questions indiquées dans les documents de discussion. Les nouvelles idées et les nouveaux modèles ne sont pas seulement les bienvenus, ils sont encouragés.

Veuillez noter que, bien que le gouvernement du Canada prenne sérieusement en considération toutes les suggestions reçues dans le cadre de l'élaboration du nouveau volet, il ne peut garantir que tous les commentaires/préoccupations seront visiblement reflétés dans le nouveau volet.

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Annexe A : Caractéristiques proposées pour le nouveau volet de l'agriculture et de la transformation du poisson du Programme des travailleurs étrangers temporaires

Les intervenants seront largement consultés sur la conception des principales caractéristiques du volet et sur le calendrier de mise en œuvre, mais l'objectif d'Emploi et Développement social Canada (EDSC) et d'Immigration, Réfugiés et Citoyenneté Canada (IRCC) est de mettre en place un volet qui comprend les caractéristiques suivantes.

Caractéristiques principales de la protection des travailleurs :

Le nouveau volet propose des avancées importantes en matière de protection des travailleurs grâce à l'introduction d'un certain nombre de nouvelles caractéristiques et de modifications des exigences actuelles du Programme des travailleurs étrangers temporaires, notamment :

- (1) La délivrance d'un nouveau permis de travail spécifique à un volet (officiellement appelé permis de travail spécifique à un secteur), qui donnerait aux travailleurs étrangers temporaires la possibilité de travailler dans n'importe quelle profession incluse dans le nouveau volet et de passer à un autre employeur avec une évaluation de l'impact sur le marché du travail (EIMT) ouverte, sans avoir à demander un nouveau permis de travail.
- (2) L'introduction d'une nouvelle méthodologie salariale pour l'agriculture primaire afin de garantir que tous les travailleurs étrangers temporaires entrant dans le cadre du nouveau volet reçoivent les taux du marché pour leur travail.
- (3) La mise à jour des exigences en matière de logement pour (A) garantir que les logements fournis par l'employeur sont conformes aux réglementations provinciales/territoriales canadiennes applicables dans les domaines clés de la santé et de la sécurité; et (B) garantir que tous les travailleurs disposent d'un logement qui a été inspecté et pour lequel des taux de déduction pour logement équitable ont été mis en place.
- (4) La gestion des services de migration et d'assistance consulaire pour un plus grand nombre de travailleurs étrangers temporaires. Pour ce faire, le gouvernement du Canada et les pays d'origine du Programme des travailleurs agricoles saisonniers (PTAS) étudieront les possibilités d'élargir le PTAS afin d'inclure des professions supplémentaires dans les secteurs canadiens de l'agriculture primaire et de la transformation saisonnière du poisson, des fruits de mer et des fruits et légumes. Ce développement permettra à un plus grand nombre de travailleurs étrangers temporaires de bénéficier des protections offertes aux travailleurs dans le cadre des accords de pays, y compris des services de recrutement éthique et d'assistance consulaire pendant toute la durée de leur séjour au Canada.

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- (5) Traitement prioritaire des permis de travail pour les travailleurs étrangers temporaires.

Caractéristiques principales axées sur l'industrie :

Le nouveau volet propose d'inclure un certain nombre de caractéristiques et d'avantages afin de mieux répondre aux besoins spécifiques des employeurs :

- (1) Une nouvelle méthodologie de déductions pour les travailleurs basée sur le marché afin de mieux refléter le marché du logement d'aujourd'hui et les coûts associés;
- (2) Une nouvelle évaluation de l'impact sur le marché du travail (EIMT) renouvelable, qui soutient le travail saisonnier récurrent sur une période de deux ans, ainsi que la possibilité de repourvoir les postes;
- (3) Traitement EIMT prioritaire pour tous les postes inclus dans le nouveau volet;
- (4) Pas de plafond pour le pourcentage de travailleurs étrangers temporaires employés sur un lieu de travail pour tous les postes inclus dans le nouveau volet;
- (5) Un service gratuit d'aide au recrutement et à la préparation des travailleurs pour un plus grand nombre d'employeurs offerts par les pays ayant signé des accords avec le Canada. Pour ce faire, le gouvernement du Canada et les pays participants au PTAS étudieront les possibilités d'élargir le champ des professions admissibles sous le PTAS. Ce développement permettra à un plus grand nombre d'employeurs de bénéficier des services fournis par les pays sources du PTAS; et
- (6) Maintien de l'exonération des frais de dossier d'EIMT pour les travaux agricoles primaires uniquement.

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Annexe B : Champ professionnel du nouveau volet de l'agriculture et de la transformation du poisson du Programme des travailleurs étrangers temporaires

Les intervenants seront invités à donner leur rétroaction sur les professions du nouveau volet, le champ d'application actuellement proposé comprend les postes suivants :

Agriculture primaire :

- Travail agricole primaire saisonnier* et à l'année dans tous les produits agricoles primaires (c'est-à-dire qui ne sont plus utilisés dans la Liste nationale des secteurs agricoles d'EDSC) dans les professions suivantes :
 - [Manœuvres aux soins du bétail](#) (CNP 85100)
 - [Ouvriers spécialisés/ouvrières spécialisées dans l'élevage et opérateurs/opératrices de machineries agricoles](#) (CNP 84120)
 - [Manœuvres de pépinières et de serres](#) (CNP 85103)
 - [Manœuvres à la récolte](#) (CNP 85101)

Transformation saisonnière du poisson et des fruits de mer

- Emplois saisonniers* dans le secteur de la transformation du poisson et des fruits de mer dans les professions suivantes :
 - [Ouvriers/ouvrières dans les usines de transformation du poisson et de fruits de mer \(CNP 94142\)](#)
 - [Manœuvres dans la transformation du poisson et des fruits de mer \(CNP 95107\)](#)

Transformation saisonnière des fruits et légumes primaires

- Travaux saisonniers* de transformation des fruits et légumes primaires, sensibles à la période et importants pour la conservation des fruits et légumes périssables et la prévention de leur détérioration.
- Ces postes sont classés comme [Manœuvres dans la transformation des aliments et des boissons](#) (CNP 95106) travaillant dans le secteur de la fabrication de conserves de fruits et de légumes et d'aliments de spécialité ([SCIAN 3114](#)).
- Cela dit, il convient de noter que tous les emplois dans le secteur de la transformation des aliments classés sous la rubrique CNP 95106 et/ou SCIAN 3114 ne sont pas admissibles dans le cadre du nouveau volet, étant donné que ces classifications comprennent des postes et des secteurs qui peuvent aller au-delà des emplois admissibles dans le secteur de la transformation des aliments.

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*Le travail saisonnier est défini comme une durée d'emploi ne dépassant pas 270 jours.

Remarque : Bien qu'ils fassent l'objet d'une consultation des intervenants, les documents de discussion supposent que tous les autres postes dans le secteur de l'agriculture primaire et les emplois saisonniers dans la transformation du poisson, des fruits de mer et des fruits et légumes ne sont pas inclus dans le nouveau volet. Ces postes seront traités dans le cadre du Programme des travailleurs étrangers temporaires pour les catégories salariales peu et hautement qualifiées, et ne se verront pas délivrer le nouveau permis de travail spécifique à ces catégories.

Government of Canada Approach for Soliciting Feedback on the Temporary Foreign Worker Program's New Foreign Labour Program for Agriculture and Fish Processing Stream: Instructions for Submitting Feedback

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1. Context

The objective of this document is to provide information on the Government of Canada's proposed stakeholder consultation strategy for the new Temporary Foreign Worker Agriculture and Fish Processing stream, along with the process for providing stakeholder input on the new stream.

2. Background

Every year, over 66,000 temporary foreign workers enter Canada to work in the country's primary agriculture and seasonal fish, seafood and fruit and vegetable primary processing sectors.

These workers play a vital role in protecting Canada's food security by filling jobs that experience persistent and long-standing labour shortages.

Due to the nature of work and the conditions of the jobs, these sectors experience significant difficulties hiring and retaining Canadian and Permanent Residents workers, which has resulted in a reliance on temporary foreign workers to address labour shortages.

In the case of primary agriculture for example, this has led to program mechanisms that have included bilateral agreements with foreign countries (i.e. the Seasonal Agricultural Workers Program) to secure critical labour supplies.

The hiring of temporary foreign workers to fill these positions is therefore paramount to Canada's food security, as well to the country's economy and competitiveness in the world market.

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There is a need to ensure these workers are being provided with safe working and living conditions. While temporary foreign workers have the same rights and protections as Canadians and permanent residents, temporary foreign workers that generally work in Canada's agriculture sector and seasonal fish, seafood and primary fruit and vegetable processing, often have lower level of education or language that make it difficult for them to know, advocate and exercise their rights and access community supports and/or resources. They also often work and live in isolated rural regions, making them more likely to rely on their employer for on-site accommodations, transportation and basic services.

3. Path Forward

The creation of the Temporary Foreign Worker Agriculture and Fish Processing Stream, which was announced in the federal 2022 budget, provides Employment and Social Development Canada (ESDC) and Immigration, Refugees and Citizenship Canada (IRCC), along with key stakeholders, with an opportunity to make significant advancement in worker protection. At the same time, the creation of a new stream provides us with an ability to modernize the Temporary Foreign Worker Program to better support the labour needs of Canada's food producers, which includes extending similar treatment to the seasonal fish, seafood and primary fruit and vegetable processing sector.

See annex A for an overview of proposed measures and benefits.

4. Stakeholder Consultation Strategy

Between March 2024 to May 2024, ESDC and IRCC conducted initial engagement sessions with key partners and stakeholders about the new stream. This included meetings with Mexico, Caribbean SAWP participating nations, Industry representatives from Primary Agriculture, Fish and Seafood Processing and Food processing, organizations that represent the views of temporary foreign workers and Provincial/Territorial Government representatives.

During these information sessions, the Government of Canada announced its planned approach of working with key partners and stakeholders over the coming months to solicit input and feedback on key topics being explored under the new stream, via the use of six discussion papers.

The papers are seeking input via targeted questions on key topics explored under the new stream, including: a stream-specific work permit (formally referred to as a sector-specific work permit), wages and deductions, employer-provided accommodation, healthcare provisions, transportation and the occupational scope of the new stream. Please also note that new ideas, models and suggestions on other potential approaches are not only welcome but encouraged.

The six discussion papers will be sent out to stakeholders incrementally over the coming months, for review and submission of written comments on each paper. Extensions will be explored on a

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case-by-case basis to help ensure all stakeholders are provided with a meaningful opportunity to collect and share input.

The information received from stakeholders through these six discussion papers will be used to inform final policy decisions on key stream features, including transitional plans, regulatory work and timelines for implementation.

The objective is that the Government of Canada, after review of the material received via these consultations, will be in a position to announce greater details about new stream features and transitional plans to gradually move employers and workers to new or improved Temporary Foreign Worker Program requirements.

5. Considerations when Reviewing the Discussion Papers

When reviewing the discussion papers, please note that the objective is to fully implement the new stream and the accompany stream-specific work permit (formally identified as the sector-specific work permit) as early as 2027.

The intent is that at full implementation, the new Agriculture and Fish Processing stream will replace the four existing Temporary Foreign Worker Primary Agriculture sub-streams and extend similar treatment to the seasonal fish, seafood and primary food processing sector, to be delivered under two sub-streams:

- The Bilateral Country Agreements category for workers entering from countries with signed agreements with Canada (e.g. existing SAWP countries); and,
- The Open-Source category for workers entering into Canada from countries without country agreements.

In addition, when reviewing the papers, please refer to annex B for the proposed occupational scope of the new stream, which only includes select positions found in Canada's primary agriculture and seasonal fish, seafood and primary fruit and vegetable processing sector. Please note however that a discussion paper on the occupational scope will be shared with stakeholders for comment. This paper seeks your input on both proposed occupational scope, along with any other jobs stakeholders would like to see included in the new stream.

6. Process for Submitting Input

Stakeholders are invited to review the discussion papers and send any comments they may have to the following email account, during the period of consultation:

edsc.dgce.tet-tfw.seb.esdc@hrsdc-rhdcc.gc.ca

This account is being closely monitored for all input received on the new stream.

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Please note that written input is necessary given the large number of stakeholders being invited to feed into the development of the new stream and to ensure key considerations and concerns of stakeholders are correctly captured. This process will support the Government of Canada's work to address areas of concerns and find potential solutions. It is therefore advisable, where possible, to provide clear and concise responses to the questions posed in the discussion papers.

While the questions identified are important in supporting the Government of Canada in determining the impact the new stream will have on stakeholders, these questions are only meant to guide stakeholder feedback on key stream features. Stakeholders are invited to provide input that go beyond the questions identified in the discussion papers. New ideas and models in are not only welcome but encouraged.

Please note that while all input received on the new stream will be seriously considered by the Government of Canada in the development of the new stream, the Government of Canada cannot guarantee that all comments/concerns will be visibly reflected in the new stream.

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Annex A: Proposed Features of the new Temporary Foreign Worker Agriculture and Fish Processing Stream

While stakeholders will be heavily consulted on the design of key stream features and timelines for implementation, it is Employment and Social Development Canada (ESDC) and Immigration, Refugee and Citizenship Canada (IRCC) objective to develop a stream that includes the following features.

Key Worker Protection Focused Features:

The new stream proposes to make significant advancements in worker protection through the introduction of a number of new features and policy changes to existing Temporary Foreign Worker Program requirements, including:

- (1) The issuance of a new stream-specific work permit (formally referred to as a sector-specific work permit), which would give temporary foreign workers the ability to work in any occupation included under the new stream and move to another employer with an open Labour Market Impact Assessment (LMIA), without having to apply for a new work permit.
- (2) The introduction of a new wage methodology for primary agriculture, to ensure all temporary foreign workers entering under the new stream receive market rates for their work.
- (3) Updated housing requirements to (A) ensure employer-provided accommodation meets applicable Canadian Provincial/Territorial regulations in key health and safety areas; and (B) all workers are provided with housing that has been inspected and has fair housing deduction rates in place.
- (4) Managed migration and consular supports services for a greater number of temporary foreign workers. To do this, the Government of Canada and Seasonal Agricultural Workers Program (SAWP) sending nations will explore options of expanding the SAWP to include additional jobs in Canada's primary agriculture and seasonal fish, seafood and primary fruit and vegetable processing sectors. This expansion will ensure a greater number of temporary foreign workers will receive the protections that are offered to workers under country agreements, including ethical recruitments and consular support services during their entire stay in Canada.
- (5) Priority work permit processing for temporary foreign workers entering under country agreements.

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Key Industry Focused Features:

The new stream proposes to include a number of features and benefits to better support the unique needs of employers, including:

- (1) A new market-based worker deductions methodology to better reflect today's housing market and associated costs.
- (2) A new-refillable labour market impact assessment (LMIA) that supports re-occurring seasonal work over a 2-year period, along with the ability to re-fill positions.
- (3) Priority LMIA processing for all positions included under the new stream;
- (4) No cap on the percentage of temporary foreign workers employed at a worksite for all positions included under the new stream;
- (5) Free source country worker recruitment and worker preparations supports for a greater number of employers. To do this, the Government of Canada and SAWP sending nations will explore options of expanding the occupational scope of the SAWP. This expansion will ensure a greater number of employers will be able to benefit from services provided by SAWP sources nations; and
- (6) Continuation of the LMIA processing fee exemption for primary agriculture work only.

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Annex B: Occupational Scope of the new Temporary Foreign Worker Agriculture and Fish Processing Stream

While stakeholders will be invited to provide feedback on the occupational scope of the new stream, the current proposed scope includes the following positions:

Primary Agriculture:

- Seasonal* and full-year primary agriculture work in all primary agriculture commodities (i.e. no longer the use of ESDC's National Commodities list) in the following occupations:
 - [Livestock labourers](#) (NOC 85100)
 - [Specialized livestock workers and farm machinery operators](#) (NOC 84120)
 - [Nursery and Greenhouse Workers](#) (NOC 85103)
 - [Harvesting Labourers](#) (NOC 85101)

Seasonal Fish and Seafood Processing

- Seasonal* fish and seafood processing jobs in the following occupations:
 - [Fish and Seafood Plant Workers \(NOC 94142\)](#)
 - [Labourers in Fish and Seafood Processing \(NOC 95107\)](#)

Seasonal Primary Fruit and Vegetable Processing

- Seasonal* primary fruit and vegetable processing work that is time sensitive and is important for preserving perishable fruit and vegetables and preventing spoilage.
- These positions are classified as [Labourers in food and beverage processing](#) (NOC 95106) working in the Fruit and Vegetable Preserving and Specialty food manufacturing sector ([NAICS 3114](#)).
- With that said, please note that not all food processing jobs classified under NOC 95106 and/or NAICS 3114 are eligible under the new stream, since these classifications include positions and sectors that can go beyond eligible food processing work.

*Seasonal work is defined as an employment duration that is no more than 270 days.

Note: While subject to stakeholder consultation, please assume when reviewing the discussion papers that all other positions in the primary agriculture sector and seasonal fish, seafood and fruit and vegetable processing jobs are not included in the new stream. These positions will be processed under the Temporary Foreign Worker Program's Low and High Skilled Wage Streams and will not be issued the new stream-specific work permit.

Enfoque del Gobierno de Canadá para solicitar comentarios sobre el nuevo programa de trabajo para el componente agrícola y de transformación de pescado: Instrucciones para presentar comentarios

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1. Contexto

El objetivo de este documento es brindar información sobre la estrategia de consulta a las partes interesadas propuesta por el Gobierno de Canadá para el nuevo componente agrícola y de transformación de pescado del Programa de Trabajadores Extranjeros Temporales, junto con el proceso para brindar información a las partes interesadas sobre el nuevo componente.

2. Antecedentes

Cada año, más de 66.000 trabajadores extranjeros temporales ingresan a Canadá para trabajar en los sectores de la agricultura primaria, la transformación estacional de pescado y marisco, y la transformación primaria de frutas y hortalizas.

Estos trabajadores desempeñan un papel vital en la protección de la seguridad alimentaria de Canadá, ya que cubren puestos de trabajo que sufren una escasez de mano de obra constante y prolongada.

Debido a la naturaleza y las condiciones del trabajo, estos sectores presentan importantes dificultades para contratar y retener a trabajadores canadienses y residentes permanentes, lo que ha resultado en una dependencia de los trabajadores extranjeros temporales para hacer frente a la escasez de mano de obra.

En la agricultura primaria, por ejemplo, esto ha llevado a mecanismos programáticos que han incluido acuerdos bilaterales con países extranjeros (es decir, el Programa de Trabajadores Agrícolas Temporales-PTAT) para garantizar el suministro de mano de obra crítica.

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La contratación de trabajadores temporales extranjeros para cubrir estos puestos es, por lo tanto, primordial para la seguridad alimentaria de Canadá, así como para la economía y la competitividad del país en el mercado mundial.

Es necesario garantizar a estos trabajadores condiciones de trabajo y de vida seguras. Aunque los trabajadores extranjeros temporales tienen los mismos derechos y protecciones que los canadienses y los residentes permanentes, aquellos que suelen trabajar en el sector agrícola de Canadá, en la transformación estacional de pescado y marisco, y la transformación primaria de frutas y hortalizas, a menudo tienen un nivel educativo más bajo o dominio limitado del idioma, lo que les dificulta conocer, defender y ejercer sus derechos, así como acceder a las ayudas o recursos comunitarios. También suelen trabajar y vivir en regiones rurales aisladas, lo que los hace más dependiente de su empleador para el alojamiento en el lugar, el transporte y los servicios básicos.

3. Próximas etapas

La creación del componente agrícola y de transformación de pescado en el marco del Programa de Trabajadores Extranjeros Temporales, anunciado en el presupuesto federal de 2022, ofrece al Ministerio de Empleo y Desarrollo Social de Canadá (EDSC) y al Ministerio de Inmigración, Refugiados y Ciudadanía de Canadá (IRCC), junto con las principales partes interesadas, la oportunidad de avanzar significativamente en la protección de los trabajadores.

Al mismo tiempo, la creación de un nuevo componente nos ofrece la posibilidad de modernizar el Programa de Trabajadores Extranjeros Temporales para responder mejor a las necesidades de mano de obra de los productores de alimentos de Canadá, lo que incluye la ampliación de un tratamiento similar al sector de transformación estacional de pescado, marisco y la transformación primaria de frutas y hortalizas.

Consulte el anexo A para obtener un panorama general de las medidas y prestaciones propuestas.

4. Estrategia de consulta con las partes interesadas

Entre marzo de 2024 y mayo de 2024, EDSC y IRCC tuvieron sesiones iniciales de participación con socios y partes interesadas sobre el nuevo componente. Esto incluyó reuniones con México, las naciones del caribe participantes del PTAT, representantes de la industria de agricultura primaria, transformación de pescado y mariscos y procesamiento de alimentos, organizaciones que representan los puntos de vista de los trabajadores extranjeros temporales y representantes de los gobiernos provinciales/territoriales.

Durante estas sesiones informativas, el Gobierno de Canadá anunció su enfoque previsto de trabajar con socios y partes interesadas en los próximos meses para solicitar aportes y

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comentarios sobre temas clave que se están explorando en virtud del nuevo componente, mediante el uso de seis documentos de debate.

Los documentos buscan aportaciones a través de preguntas específicas sobre temas clave que se estudian en virtud del nuevo componente, entre ellos: un permiso de trabajo específico del componente (formalmente conocido como permiso de trabajo sectorial), salarios y deducciones, alojamiento facilitado por el empleador, disposiciones sobre asistencia sanitaria, transporte y el alcance ocupacional del nuevo componente. Por favor, tenga en cuenta también que las nuevas ideas, modelos y sugerencias sobre otros posibles enfoques no sólo son bienvenidos, sino que se fomentan.

Los seis documentos de discusión se irán enviando a las partes interesadas a lo largo de los próximos meses para que los examinen y envíen sus comentarios por escrito sobre cada uno de ellos. Se estudiarán prórrogas caso por caso para garantizar que todas las partes interesadas tengan la oportunidad de recoger y compartir sus sugerencias.

La información recibida de las partes interesadas mediante estos seis documentos de debate se usará para fundamentar las decisiones políticas finales sobre las características clave del componente, incluyendo planes de transición, trabajo regulatorio y plazos de implementación.

El objetivo es que el Gobierno de Canadá, después de haber revisado el material recibido mediante estas consultas, esté en condiciones de anunciar más información sobre las nuevas características del componente y los planes de transición para que los empleadores y los trabajadores se adapten gradualmente a los requisitos nuevos o mejorados del Programa de Trabajadores Extranjeros Temporales.

5. Consideraciones cuanto a la revisión de los documentos de discusión

Cuando examine los documentos de debate, tengan en cuenta que el objetivo es implementar en su totalidad el nuevo componente y el permiso de trabajo específico del componente (formalmente identificado como permiso de trabajo sectorial) para principios de 2027.

La intención es que, con la implementación completa, el nuevo componente agrícola y transformación de pescado reemplace los cuatro subcomponentes que existente debajo de la agricultura primaria de Trabajadores Extranjeros Temporales, y extienda un tratamiento similar al sector del pescado de temporada, el marisco y la transformación primaria, que se aplicará en virtud de dos subcomponentes:

- La categoría de acuerdos bilaterales para trabajadores que ingresan desde países con acuerdos firmados con Canadá (por ejemplo, los países que actualmente participan en el PTAT), y,
- La categoría de libre acceso para trabajadores que ingresan a Canadá desde países sin acuerdos bilaterales.

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Además, al examinar los documentos, remítase al Anexo B para conocer el alcance ocupacional propuesto del nuevo componente, que solo incluye puestos seleccionados en el sector de agricultura primaria, transformación estacional de pescado, mariscos, y la transformación primaria de frutas y hortalizas en Canadá. Sin embargo, tengan en cuenta que se compartirá con las partes interesadas un documento de debate sobre el alcance ocupacional para que hagan comentarios. En este documento se solicita su opinión sobre el alcance ocupacional propuesto, como sobre cualquier otro trabajo que las partes interesadas quieran que se incluya en el nuevo componente.

6. Proceso de presentación de sugerencias

Se invita a las partes interesadas a examinar los documentos de debate y a enviar cualquier comentario que puedan tener a la siguiente cuenta de correo electrónico, durante el periodo de consulta: edsc.dgce.tet-tfw.seb.esdc@hrsdc-rhdcc.gc.ca

En esta cuenta se controlan atentamente todas las sugerencias recibidas sobre el nuevo componente.

Tengan en cuenta que son necesarias sugerencias por escrito debido al gran número de partes interesadas invitadas a hacer aportaciones para el desarrollo del nuevo componente y para asegurar que se recojan correctamente las consideraciones y preocupaciones principales de las partes interesadas. Este proceso respaldará el trabajo del Gobierno de Canadá para abordar áreas de preocupación y encontrar posibles soluciones. Por lo tanto, es recomendable, siempre que sea posible, dar respuestas claras y concisas a las preguntas planteadas en los documentos de debate.

Aunque las preguntas identificadas son importantes para apoyar al Gobierno de Canadá en la determinación del impacto que tendrá el nuevo componente sobre las partes interesadas, estas preguntas solo están destinadas a guiar los comentarios de las partes interesadas sobre las características clave del componente. Se invita a las partes interesadas a hacer sugerencias que vayan más allá de las preguntas identificadas en los documentos de debate. Las nuevas ideas y modelos no sólo son bienvenidos, sino que se fomentan.

Por favor que tengan en cuenta que bien que el Gobierno de Canadá considerara todas las sugerencias recibidas sobre el nuevo componente a la hora de desarrollarlo, el Gobierno de Canadá no puede garantizar que todos los comentarios/preocupaciones se reflejen visiblemente en el nuevo componente.

Anexo A: Características propuestas del nuevo componente agrícola y de transformación de pescado del Programa de Trabajadores Extranjeros Temporales

Tan bien se consultará ampliamente a las partes interesadas sobre el diseño de las características clave del componente y los plazos de implementación, el objetivo del ESDC y IRCC es desarrollar un componente que incluya las siguientes características.

Características clave centradas en la protección de los trabajadores:

El nuevo componente propone hacer avances significativos en la protección de los trabajadores mediante la introducción de nuevas características y cambios en las políticas de los requisitos existentes del Programa de Trabajadores Extranjeros Temporales, entre ellos:

- (1) La emisión de un nuevo permiso de trabajo específico del componente (formalmente conocido como permiso de trabajo sectorial), que daría a los trabajadores extranjeros temporales la posibilidad de trabajar en cualquier ocupación incluida en el nuevo componente y trasladarse a otra empresa con una evaluación de impacto en el mercado laboral (LMIA) abierta, sin tener que solicitar un nuevo permiso de trabajo.
- (2) La introducción de una nueva metodología salarial para la agricultura primaria, para garantizar que todos los trabajadores extranjeros temporales que ingresen en virtud del nuevo componente reciban salarios acordes con el mercado laboral por su trabajo.
- (3) Actualización de los requisitos de alojamiento para (A) garantizar que el alojamiento facilitado por el empleador cumpla las normas provinciales/territoriales canadienses aplicables en áreas clave de salud y seguridad, y (B) que todos los trabajadores reciban alojamiento que haya sido inspeccionado y que tenga tasas justas de deducción de vivienda establecidas.
- (4) Servicios de apoyo a la gestión consular y de migración para un mayor número de trabajadores extranjeros temporales. Para hacer esto, el Gobierno de Canadá y las naciones participantes del (PTAT) estudiarán opciones para ampliar el PTAT con el fin de incluir puestos de trabajo adicionales en los sectores de la agricultura primaria y la transformación estacional de pescado y marisco, y la transformación primaria de frutas y hortalizas de Canadá. Esta ampliación garantizará que un mayor número de trabajadores extranjeros temporales reciban las protecciones que se ofrecen a los trabajadores en virtud de los acuerdos bilaterales, incluyendo contrataciones éticas y servicios de apoyo consular durante toda su estancia en Canadá.
- (5) Procesamiento prioritario de permisos de trabajo para trabajadores extranjeros temporales.

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Características clave centradas en la industria:

El nuevo componente propone incluir una serie de características y prestaciones para apoyar mejor las necesidades particulares de los empleadores, entre ellas:

- (1) Una nueva metodología de deducciones para los trabajadores, basada en el mercado, que refleje mejor el mercado actual de vivienda y los costos asociados.
- (2) Una nueva evaluación de impacto en el mercado laboral (LMIA) que apoye el trabajo estacional recurrente por un período de 2 años, junto con la posibilidad de volver a cubrir los puestos.
- (3) Procesamiento prioritario del LMIA para todos los puestos incluidos en el nuevo componente.
- (4) Sin límite en el porcentaje de trabajadores extranjeros temporales empleados en un lugar de trabajo para todos los puestos incluidos en el nuevo componente.
- (5) Servicios gratuitos de contratación de trabajadores en países de origen y preparación de trabajadores para un mayor número de empleadores. Para lograr esto, el Gobierno de Canadá y los países participantes del PTAT estudiarán la posibilidad de ampliar el alcance ocupacional del PTAT. Esta ampliación garantizará que un mayor número de empleadores se pueda beneficiar de los servicios prestados por las naciones de origen del PTAT.
- (6) Continuación de la exención de la tarifa de procesamiento de LMIA únicamente para el trabajo agrícola primario.

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Anexo B: Alcance ocupacional del nuevo componente agrícola y de transformación de pescado del Programa de Trabajadores Extranjeros Temporales

Se invitará a las partes interesadas a hacer comentarios sobre el alcance ocupacional del nuevo componente, el propuesto actualmente incluye los siguientes puestos:

Agricultura primaria

- Trabajo agrícola primario estacional* y para todo el año en todos los productos agrícolas primarios (es decir, ya no se usa la lista de productos nacionales del EDSC) en las siguientes ocupaciones:
 - [Peones ganaderos](#) (NOC 85100)
 - [Trabajadores especializados en ganadería y operadores de maquinaria agrícola](#) (NOC 84120)
 - [Trabajadores de viveros e invernaderos](#) (NOC 85103)
 - [Peones de cosecha](#) (NOC 85101)

Transformación estacional de pescado y marisco

- Trabajos estacionales* de transformación de pescado y marisco en las siguientes ocupaciones:
 - [Trabajadores de plantas de pescado y mariscos](#) (NOC 94142)
 - [Peones en la transformación de pescado y marisco](#) (NOC 95107)

Transformación primaria estacional de frutas y hortalizas

- Trabajo estacional* de transformación primaria de frutas y hortalizas que es sensible al tiempo y es importante para preservar frutas y hortalizas perecederas y prevenir el deterioro.
- Estos puestos se clasifican como [peones en la elaboración de alimentos y bebidas](#) (NOC 95106) que trabajan en el sector de fabricación de conservas de frutas y hortalizas y alimentos especiales ([NAICS 3114](#)).
- Tengan en cuenta que no todos los trabajos de elaboración de alimentos clasificados en virtud de NOC 95106 o NAICS 3114 son elegibles bajo el nuevo componente, ya que estas clasificaciones incluyen posiciones y sectores que pueden ir más allá del trabajo de elaboración de alimentos elegible.

*El trabajo estacional se define como un empleo de una duración no superior a 270 días.

Nota: Aunque está sujeto a la consulta de las partes interesadas, al revisar los documentos de discusión suponga que todos los demás puestos en el sector de la agricultura primaria y los

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trabajos estacionales de transformación de pescado, mariscos y frutas y hortalizas no están incluidos en el nuevo componente. Estos puestos se tramitarán en virtud de las corrientes salariales de baja y alta cualificación del Programa de Trabajadores Extranjeros Temporales y no se les expedirá el permiso de trabajo específico del nuevo componente.

**Temporary Foreign Worker (TFW) Program:
Wages and Deductions of the New Agriculture and Fish Processing Stream Discussion Paper**

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1. Issue

This discussion paper seeks feedback on the development and implementation of a market-based proposed approach for wages and deductions under the new Agriculture and Fish Processing stream (the Stream) that would aim at leveraging the strength of the Seasonal Agricultural Worker Program (SAWP) with the objective of better supporting employers, improving worker experience, and to be consistent with overarching Temporary Foreign Worker Program (TFW Program) objectives.

As explained in the accompanying *Instructions for Stakeholders*, the new Stream is proposing to introduce various changes that would have a direct impact on temporary foreign workers and their employers. Consideration of how these various proposed changes would individually and collectively impact wages and deductions is of paramount importance going forward.

One of the primary proposals of the new Stream is to start using market-based drivers for wages and deductions. By doing so, it would better position the Program to prevent the suppression of wages within the Canadian labour market and offer to temporary foreign workers the same compensation as Canadians and permanent residents performing the same occupation at the same location with similar skills and experience. Where applicable, deductions for housing, transportation, healthcare, and other requirements would also be reflective of market rates.

This paper provides an overview of current program requirements, a proposed approach for wages and deductions for input, key considerations, and discussion questions. Views on these elements, as well as your own ideas, are not only welcomed but encouraged.

2. Background

The proposed new Stream provides an opportunity to build on the strength of the SAWP and to review program policies to ensure they are responsive to the changing nature of the agriculture

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sector.

2.1 Overarching program authorities

Compensation is one of the seven labour market factors considered by the TFW Program's Labour Market Impact Assessment (LMIA). This is consistent with the [Immigration and Refugee Protection Regulations \(IRPR\) Section 203](#) under which the wages offered to temporary foreign workers must be consistent with the prevailing wage rate for the occupation and whether the working conditions meet generally accepted Canadian standards. The prevailing wage is the wage paid to existing workers and not the wage offered to potential workers. The [Job Bank website displays median wages](#) as the indicator of the prevailing wage for each occupation by economic region. For more information, please refer to questions 1 to 4 of the Questions and Answers section (Annex A).

2.2 Current rules and policies

As per the TFW Program compensation policy, the wages offered to TFWs should be substantially the same as, but not less favourable than, wages paid to Canadians in the same economic region, for the same occupation with similar skills and years of experience.

At present, the SAWP and Agricultural Stream use a prevailing wage methodology linked to the TFW Program's [National Commodity List](#) (NCL). The NCL is updated annually using the Consumer Price Index (CPI). In recent years, this methodology has led to a higher proportion of wages that are based on the provincial minimum wages.

2.3 Consideration factors

As per the IRPR, *"the employment of the foreign national is likely to have a neutral or positive effect on the labour market in Canada"* and *"the working conditions offered to the foreign national [must] meet generally accepted Canadian standards"*. As such, the NCL methodology being statistically correlated with provincial minimum wage generates inconsistencies with other TFW Program streams.

For more information on the current wage methodologies in use or the deductions allowed please consult the Annex A Questions and Answers. Note that the Questions and Answers are very detailed and have a lot of useful information. All charts are for illustrative purposes.

2.4 Guiding principles for the way forward

The following considerations are important when assessing all elements of any proposed new wage and deduction methodology.

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- Improving worker experience.
 - It will be important to assess and compare temporary foreign workers' wages and deductions under the old and new streams to ensure that any additional costs will take the worker's overall experience into account.
- Harmonization of program requirements.
 - Standardization of program requirements so that employers and temporary foreign workers who support Canada's food supply do not have to comply and understand multiple program requirements that are specific to each program stream or source country.
- Smooth transition to a new wage and deduction methodology.
 - Any change to wages and deductions needs to be implemented in a gradual and balanced way.
- Sensitive to existing variations across the country.
 - The proposed wage methodology needs to account for different realities between provinces and regions while maintaining and not favouring a given province, category of employer or type of occupations (NOCs).
 - It is also important to consider the Program specificities in Quebec. For example, Quebec sets wages according to their specific methodology per the Letter of Understanding signed in 2012. This may lead to wages and deductions methodologies that are unique to Quebec.
- Reducing administrative burden.
 - New wage and deduction methodologies must be easily understood and not create undue burden in terms of human resources management and reporting requirements to Service Canada or the Canada Revenue Agency.

3. Potential Approach

3.1 Wages under the proposed new Agriculture and Fish Processing Stream for input

To better position the program by ensuring that a market-based approach is used to set wages, the new Stream would require all employers to pay temporary foreign workers the regional median wage, as posted on Job Bank, for the applicable occupation and region. If the regional median wage (Community/Area on Job Bank) is listed as "n/a", the provincial/territorial median wage would apply and if it isn't available, the national median wage would apply. The median wage would be used to determine the prevailing wage for each occupation. It represents the middle point of the wage distribution when wages are ranked in numerical order.

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This approach would be more consistent with that of other TFW Program streams. For example, under the general low and high wage streams employers must pay, the highest of either, the regional median wage posted on Job Bank or the provincial wage when the regional wage is not available. It can also be a wage that is within the wage range paid to the employer's current employees working in the same occupation and same work location with the same skills and years of experience. This methodology ensures that temporary foreign workers are being paid a wage that is comparable to that offered to Canadians doing the same work in the same region.

To ease the transition, we are proposing to implement a gradual approach over one or multiple years to move SAWP and Agricultural Stream wages to a new market-based approach using, for example, a 33% increase in year one and a 66% increase in year 2 based on the difference between NCL wages and the regional or provincial Job Bank median wages. If the NCL wages are higher, they would remain in-effect until the Job Bank regional or provincial median wages are higher.

Below is an example for harvesting labourers under the fruits and vegetables NCL.

NOC 85101 - Harvesting labourers										
Province	2023 Job Bank Wages	2024 Job Bank Wages	Minimum Wage Rates	2023 NCL Wages	2024 NCL Wages	2025 NCL Wages			Transitional Years	
	(2021-2022 Reference Period)	(2022-2023 Reference Period)		Fruits and Vegetables	Fruits and Vegetables	Fruits and Vegetables			Year 1 (33%)	Year 2 (66%)
	Median_Wage	Median_Wage				Wages	% Variance	\$ Variance		
Newfoundland and Labrador	\$ 15.00	\$ 16.00	\$ 15.60	\$ 13.70	\$ 15.00	\$ 15.60	2.6%	\$ 0.40	\$ 15.73	\$ 15.86
Prince Edward Island	\$ 16.65	\$ 18.00	\$ 16.00	\$ 13.77	\$ 15.00	\$ 16.00	12.5%	\$ 2.00	\$ 16.66	\$ 17.32
Nova Scotia	\$ 15.00	\$ 16.23	\$ 15.20	\$ 13.67	\$ 15.00	\$ 15.47	4.9%	\$ 0.76	\$ 15.72	\$ 15.97
New Brunswick	\$ 17.50	\$ 18.00	\$ 15.30	\$ 13.75	\$ 14.75	\$ 15.30	17.6%	\$ 2.70	\$ 16.19	\$ 17.08
Quebec	\$ 17.00	\$ 18.00	\$ 15.75							
Ontario	\$ 16.55	\$ 17.20	\$ 17.20	\$ 15.83	\$ 16.71	\$ 17.23	-0.2%	-\$ 0.03	\$ 17.23	\$ 17.23
Manitoba	\$ 20.00	\$ 21.95	\$ 15.80	\$ 13.50	\$ 15.30	\$ 15.80	38.9%	\$ 6.15	\$ 17.83	\$ 19.86
Saskatchewan	\$ 25.00	\$ 25.00	\$ 15.00	\$ 13.00	\$ 14.00	\$ 15.00	66.7%	\$ 10.00	\$ 18.30	\$ 21.60
Alberta	\$ 17.95	\$ 20.00	\$ 15.00	\$ 16.52	\$ 17.44	\$ 17.98	11.2%	\$ 2.02	\$ 18.65	\$ 19.31
British Columbia	\$ 16.75	\$ 17.40	\$ 17.40	\$ 16.05	\$ 16.95	\$ 17.48	-0.5%	-\$ 0.08	\$ 17.48	\$ 17.48

Please consult Question 7 of Annex A on Questions and Answers to see the same comparison for other occupations (NOCs).

A gradual transition is being proposed to support stakeholders in meeting new requirements and policies. When there is a significant discrepancy between the Job Bank and NCL wages, the transitional period for wages and deductions may require more time to be fully implemented. For example, this could also be accomplished via a 3-year increase or even a longer period.

The Program could also put in place a maximum yearly ratio that would cap the increase in wages and deductions to ensure a smooth transition. This would also have an impact on the time required to meet the policy objective.

Please also note that the transitional wages will need to account for the annual update to Job Bank median wages (updated annually with a 2-year lag). The second and other potential

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additional transitional years could also be calculated using the new Job Bank wages published on an annual basis (e.g., average of latest median and NCL wages).

3.2 Wages for occupations in the fish and seafood & primary fruit and vegetable processing jobs

For the seasonal fish, seafood and primary food processing sectors currently accessing the Program via the general low-wage stream, they are already using a market-based approach. As such, the transitional approach being proposed may not be required to establish wages. The regional wage information would be used to set wages in those sectors (outside of Québec). For reference, the table below provides the Job Bank 2023 and 2024 median wages at the provincial level.

Job Bank Provincial Median Wages for Fish, Seafood and Food Processing Positions by NOCs*						
Province	Fish and Seafood Plant Workers (NOC 94142)		Labourers in food and beverage processing (NOC 95106)**		Labourers in Fish and Seafood Processing (NOC 95107)	
	2023	2024	2023	2024	2023	2024
Newfoundland and Labrador	16.60	17.05	18.00	20.00	16.60	17.22
Prince Edward Island	15.00	16.00	17.00	17.50	16.00	16.89
Nova Scotia	15.50	16.20	17.34	18.00	16.81	17.33
New Brunswick	16.00	16.50	15.53	18.20	16.50	17.00
Québec	17.90	18.79	18.00	19.25	17.27	18.30
Ontario	20.00	20.00	18.27	19.00	17.00	18.00
Manitoba	19.23	17.25	17.00	18.24	18.00	18.00
Saskatchewan			17.25	17.87		
Alberta			19.51	21.00		
British Columbia	18.00	19.00	18.00	19.00	16.75	17.50

* 2021-2022 & 2022-2023 reference period for wages currently published on Job Bank (2 year lag updated annually in the fall)

** For the new program, it will be limited to those working in the Fruit and Vegetable Preserving and Specialty food manufacturing sector (NAICS 3114) *** If there is no regional or provincial median wage available on Job Bank, the national average will be used.

3.3 Partner country, housing and transportation deductions under the new Agriculture and Fish Processing Stream

In concurrence with the wage review, it is also important to review the allowable deductions and gradual approaches required to amend these since they were determined and agreed upon while taking into account the wage offered to temporary foreign workers.

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In parallel to the wage proposal, SAWP and Agriculture Stream worker deduction amounts need to ensure that housing and other key employer costs are based on market rates. Please refer to Annex B for an overview of current deductions allowed under the SAWP and Agricultural Stream.

It is also important to note that all other deductions outside of the TFW Program that are required under federal or provincial legislation are to be maintained and respected.

As part of this review, the Program is considering the following:

- The introduction of a new housing deduction based on the current state of the market. For example, a range from 5% to 30% of gross monthly income before taxes could be considered. The housing deduction could also change based on the type of employer-provided accommodation being provided (e.g., apartment versus bunkhouse setting). It will also be important to define the elements that could be included under the housing deduction (e.g., internet).
 - Another consideration could be for employers to cover the full cost of housing, as per the current requirement under SAWP.
 - The 5% rate for housing deductions is used as a minimum and is relatively close to the current deductions under the Agricultural Stream.
 - The 30% deduction for the highest potential range extent is based on the Canadian Mortgage and Housing Corporation guidelines under which “housing is considered “affordable” if it costs less than 30% of a household’s before-tax income”. The Financial Consumer Agency of Canada also recommends that “rent and household-related expenses should not be higher than 35% of [the] gross household income”.
- To streamline and simplify program requirements, deductions under the new Stream would be limited to source countries, employer-provided accommodations, meals and uniforms, and transportation deductions. If this approach is agreed upon, this would lead to the removal of other deductions such as the utility deduction (SAWP Specific).
- The source country deduction specified in the 2025 SAWP employments contracts are of \$1.08 per day for Mexican worker and \$6.29 per workday for the participating Caribbean countries. These deductions do not necessarily cover the same benefits and services and their amount and method of calculation (e.g., workday versus days) differs. While this is subject to further negotiation and engagement activities, discussions need to take place to determine if there is an opportunity to streamline the source country deductions for all participating countries under the bilateral country agreements sub-stream.

Wages and Deductions of the New Agriculture and Fish Processing Stream Discussion Paper

- The transportation discussion paper primarily focussed on the mechanism and model to manage transportation but did not address in specific details how the costs and deductions would be set. Therefore, we are seeking feedback on the following two models for transportation costs:
 - One possibility is to make it free for workers, based on the Agricultural and low-wage streams (primary agriculture and general low-wage) under which employers are fully responsible to pay for round-trip transportation with no cost recovery from temporary foreign workers. This would help standardize program requirements across all program streams.
 - Another consideration could be to include cost recovery for round-trip transportation using a similar approach to what is currently allowed under the SAWP.

- Meals and uniform:
 - When offered, the deductions for meals and uniforms would be the same for all workers under the new stream, regardless of country of origin. This would also need to be allowed in the jurisdiction where the worker is located. For example, deductions for uniforms are not allowed in Alberta.

The following table provides an approximation of wages under the current SAWP and agricultural model in comparison to the lowest and maximum range of deductions being explored under the proposed new stream.

Wages and Deductions of the New Agriculture and Fish Processing Stream Discussion Paper

Illustrative scenario of potential take home earnings, before income tax, for harvesting labourers in Ontario					
	Current Approach			Maximum and lowest possible range being explored under the new Stream	
Monthly Revenue / Cost	SAWP		Agricultural Stream	Lowest extent	Highest extent
	Caribbean	Mexico			
Gross Earnings	\$3,581.08				
Source Country Deductions	\$162.76 ((\$6.26 per workday))	\$32.85 ((\$1.08 per day))	0	\$32.85 ((\$1.08 per day))	\$162.76 ((\$6.26 per workday))
Housing Deductions	0	0	\$129.90 (on-farm \$30 per week)	\$179.05 (5% of gross earnings)	\$1,074.32 (30% of gross earnings)
Transportation	\$61.75 ((\$494 for Toronto divided by 8))	\$78.75 ((\$630 for Toronto divided by 8))	\$0	\$0	70.25 (Average of SAWP Caribbean and Mexico)
Utility costs	71.50 (\$2,75 per working day)		0	<i>Merged with housing deductions</i>	
Grand Total	\$3,285.07	\$3,397.98	\$3,451.18	\$3,369.18	\$2,273.75
Total deductions	\$296.01	\$183.10	\$129.90	\$221.90	\$1,307.33
Proportion of deductions based on gross earnings	8.27%	5.11%	3.63%	5.92%	36.51%

Notes:

- Hourly rate of \$17.23 at 48 hours per week / 30.42 days or 26 workdays per month.
- The lowest extent is based on a \$1.08/day deduction, 5% housing deduction and transportation to be provided by the employer
- The highest extent is based on a \$6.26/workday country deduction, 30% housing deduction and average SAWP deductions for transportation
- The deductions for SAWP and Agricultural Stream are based on deductions identified in the 2025 SAWP contracts.
 - Employers can recoup up to 50% of the cost of a TFW's round-trip flight, within a prescribed maximum.
 - Mexico SAWP Contract: \$1.08/day for non-occupational health insurance coverage
 - Caribbean SAWP Contract: \$6.26/workday to cover government administrative fees, supplemental health insurance, airfare to Kingston, Jamaica, and medical exam fees.
- Under the Agricultural Stream, employers can deduct a maximum of \$30 per week for on-farm housing.
- For illustrative purposes, meals and uniforms are not included since not provided by most employers.

Wages and Deductions of the New Agriculture and Fish Processing Stream Discussion Paper

Please consult Question 8 of the Annex A on Questions and Answers to see the same analysis for other occupations (NOCs) and the Annex B for the deductions currently allowed under the SAWP and agricultural stream.

4. Considerations

4.1 Potential Jurisdictional issues

In Canada, the rights of all workers, including temporary foreign workers, are protected by Federal and Provincial laws. Temporary foreign workers have the same rights and protections as Canadians and permanent residents. As such, employers must adhere to employment and recruitment standards in place in the jurisdiction where they are located.

The final methodology for wages and deductions must take into account the provincial labour codes. For example, [in Alberta](#), “employers can, with written authorization from the employee, reduce the employee’s wages **below the minimum wage by a maximum of \$4.41** for each day the employer provides the employee with lodging”. It is important to identify these types of provincial deductions and regulations in order to have a holistic view of all associated costs to be considered for the review of wages and deductions.

4.2 Stakeholders’ considerations

The table below provides information on some of the stakeholder considerations. This is not an exhaustive list, and the consultation process will help confirm and include additional considerations.

Key Stakeholder considerations	
Stakeholder	Considerations
Provinces and Territories	The new wage and deduction methodology will need to respect provincial and territorial labour codes. Other key considerations are for the new wage to be equitable in terms of provincial competitiveness and that there are no major wage fluctuations between provincial and regional levels. To manage the flow of workers and support provincial government officials such as Public Health Officers, the Program will also explore the feasibility of improving information sharing mechanism with other jurisdictions.
Workers	A key element of the TFW Program is to provide temporary foreign workers with a valuable and beneficial experience while working in Canada. As such, a key element is to establish a structure for wages and deductions that will improve or maintain pay and benefits. Temporary foreign workers will generally have higher expectations regarding

Wages and Deductions of the New Agriculture and Fish Processing Stream Discussion Paper

Key Stakeholder considerations	
Stakeholder	Considerations
	<p>housing with the introduction or increase in deductions for employer-provided accommodations. It will also be important to ensure that workers are aware and understand how this may impact them. These changes will need to be clearly identified in the terms and conditions of their employment contract and agreement.</p> <p>Workers could be presented with options in terms of deductions and employer-provided accommodations, and they will need to know their rights and understand the proposed requirements in order to make an informed decision.</p>
Employers	Stream-specific policies for the new stream will be developed with the intent to ensure fairness and transparency. Employers will need to know well in advance what the new model implies for the management of their workforce.
SAWP Participating countries	<p>The new stream provides an opportunity to review the existing memorandums of understanding and discuss opportunities to review information sharing provisions and additional information that could be shared in terms of wages, deductions and new occupations.</p> <p>Lastly, the TFW Program recognizes the value and benefits of services and support offered by participating countries to protect workers and administer the Program. It will be important to maintain and strengthen collaboration with sources countries.</p>
Migrant Worker Support Organizations	It is of key importance for the Program to ensure that workers are protected and benefit from the same working conditions as Canadians and permanent residents. The new Stream needs to maintain or generate improvements in terms of worker experience and working conditions.
General Public	It will be important to have a wage methodology that can prevent the suppression of wage growth in the Canadian labour market. While in Canada, temporary foreign workers have the same workplace protections under applicable federal, provincial, and territorial employment standards as Canadians and permanent residents.

5. Discussion Questions

This section outlines questions intended to guide stakeholder feedback pertaining to wages and deductions under the proposed new stream. The discussion questions below may not all be applicable to your organization and/or interest group. Please respond to these and flag other considerations on this topic as you see fit.

1. What are your views on the proposal to implement a market-based approach to determine wages and deduction-ns?
 - a. Should temporary foreign workers be paid the regional median wage (i.e., prevailing wage) as posted on Job Bank for the relevant NOC and work location?
2. What are your views on introducing or reviewing an employer-provided accommodations deduction?
 - a. To what extent should employers be able to deduct?
 - b. What would be the ideal percentage between 5% and 30% of the temporary foreign worker's gross monthly income before tax and why?
 - c. Should the percentage be based on the type of accommodation offered?
 - d. Should housing deductions be a fixed (\$), variable (%) or hybrid rate (for example, a portion is the same for all workers and another based on a percentage of gross monthly income or type of accommodation offered)?
 - e. Are there any provincial or local laws that need to be considered to implement such approach?
3. If transportation is determined to be deducted, and not free for workers, what would be the optimal approach for transportation deductions?
 - a. Should it replicate the SAWP where workers cover half of the cost up to a specified maximum, or be based on the agricultural and low-wage streams where the employer must fully cover the transportation costs?
 - b. If cost sharing is considered, should it be split evenly (50%) between the worker and hiring employer, or would another ratio or method be preferred? Please share your ideas and explain what your preference is and why.
4. To what extent should the wage and housing deduction be linked?
 - a. If the new wages are similar to the previous NCL wages, to what extent could the housing deductions be increased?
5. How can ESDC facilitate a smooth transition to implement new wages and deductions while mitigating any negative impacts for employers and workers?
 - a. Would a yearly maximum percentage increase for both employers and workers be supported?
6. Are there other elements that should be taken into consideration when reviewing temporary foreign workers' wages and deductions?

Annex A – Questions and Answers to support the Wages and Deductions Discussion Paper

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Question 1: What is the National Occupational Classification (NOC) (definition and purpose)?

Answer: The National Occupational Classification (NOC) is the national reference for occupations in Canada. It provides a systematic classification structure that categorizes the entire range of occupational activity in Canada for collecting, analyzing, and disseminating occupational data for labour market information and employment-related program administration. Employment and Social Development Canada, in conjunction with Statistics Canada, is responsible for the NOC. Its principal role is to classify occupations for the purpose of collecting sound, objective, and reliable statistical information to conduct the census.

Question 2: What is the National Commodity List (NCL) methodology?

Answer: The National Commodity List (NCL) methodology has been in place for more than 10 years to determine the prevailing wage in the Seasonal Agricultural Worker Program (SAWP) and Agricultural Stream. The non-monetary benefits were also considered when this methodology was established.

It is calculated by indexing the previous annual wage as of January 1st by the Consumer Price Index (CPI) and selecting the highest between the Provincial/Territorial (PT) minimum wages or the CPI indexed wage.

The rate of inflation for the CPI is calculated based on [Statistics Canada monthly CPI not seasonally adjusted](#) 12-month average (from July of the previous year to June of the current year) of year-over-year comparison of all items at the Canadian level of the CPI.

The principal intent of this methodology is to adjust the wages paid to Primary Agriculture workers as per changes in inflation, which is a commonly used approach for adjusting pensions and unionized wages to maintain the purchasing power of wages over time. However, for the two previous yearly cycles, many PTs increased their minimum wage which led to using the prevailing provincial minimum wages to determine the NCL wages.

Question 3: What is the other prevailing wage methodology outside of the SAWP and Agricultural Stream?

Answer: Wages offered to temporary foreign workers should be similar to wages paid to Canadian and permanent resident employees hired for the same job and work location, and with similar skills and years of experience.

For the purposes of the TFW Program, employers must pay, as a minimum, the prevailing wage for the occupation. The prevailing wage in the Streams for Low and High-wage Positions is defined as the highest of either:

- the regional median hourly wage for the occupation posted on Job Bank’s Wage Report (or provincial median wage when the regional one is not available);
- a wage that is within the wage range paid to the employer’s current employees working in the same occupation and same work location with the same skills and years of experience.

Employers who hire TFWs for unionized positions must offer the same wage rates and forms of compensation as those established under the collective agreement.

To hire a TFW in Quebec, employers must consult the wage table provided by the Ministère de l’Immigration, de la Francisation et de l’Intégration (MIFI).

Question 4: How should I interpret the Job Bank and Labour Market Information on Wage?

Answer: The wages on Job Bank are determined using a joint Employment and Social Development Canada and Statistics Canada methodology. They are reviewed and updated on the Job Bank website on an annual basis, usually in the fall. There is a two-year lag for the availability of wage information published on Job Bank. As such, the reference period for the 2023 wages used on the Job Bank and Labour Market Information (LMI) platform is from the 2021-22 fiscal year.

Wages are determined for each of the 516 occupations of the National Occupational Classification (2021), at the national, provincial, territorial, and economic region levels.

When consulting wages on Job Bank, there are three wages published: the low wage, the median wage, and the high wage.

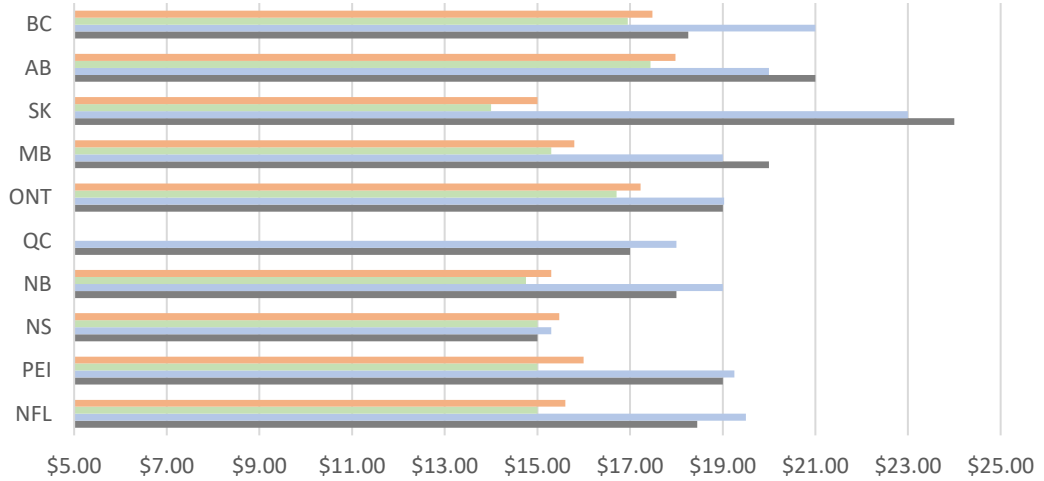
- The low wage, in most cases, corresponds to the 10th percentile. For example, if the low wage is \$20.00/hour, this means that 10% of the workers in the occupation earn \$20.00/hour or less.
- The median wage is the indicator of the prevailing wage for each occupation. The median wage represents the middle point of the wage distribution when wages are ranked in numerical order.
 - The median wage is preferred over the average wage because it is less sensitive to extreme or anecdotal values and is likely more representative of the typical wages within an occupation.
- The high wage, in most cases, corresponds to the 90th percentile. For example, if the high wage is \$40.00/hour, this means that 90% of the workers in the occupation earn \$40.00/hour or less.

Question 5: How do NCL and Job Bank Median Wages compares to one another?

Answer: The following graphics compare NCL and Job Bank Provincial Median Wages for each NOCs and main commodities.

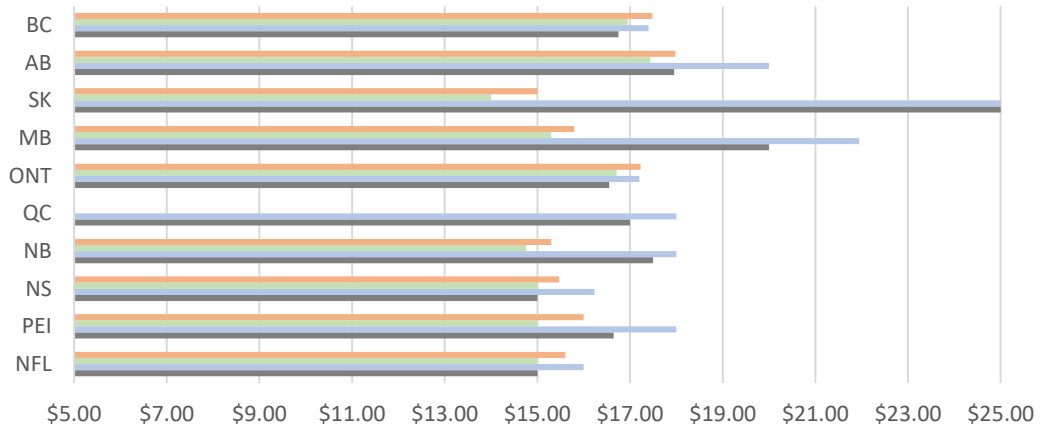


Apiary - Livestock labourers (NOC 85100)



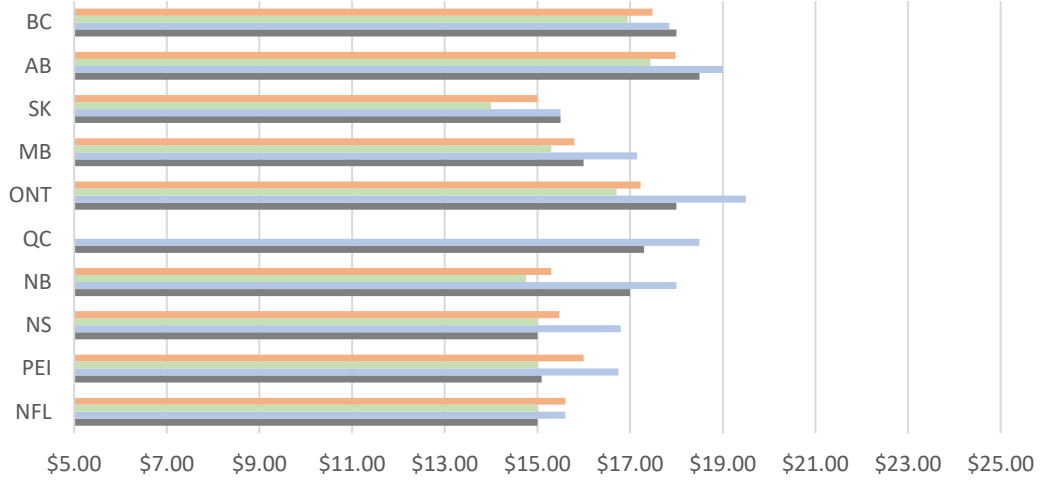
	NFL	PEI	NS	NB	QC	ONT	MB	SK	AB	BC
2025 NCL Wages	\$15.60	\$16.00	\$15.47	\$15.30		\$17.23	\$15.80	\$15.00	\$17.98	\$17.48
2024 NCL Wages	\$15.00	\$15.00	\$15.00	\$14.75		\$16.71	\$15.30	\$14.00	\$17.44	\$16.95
2024 Median Wage	\$19.50	\$19.25	\$15.30	\$19.00	\$18.00	\$19.03	\$19.00	\$23.00	\$20.00	\$21.00
2023 Median Wage	\$18.45	\$19.00	\$15.00	\$18.00	\$17.00	\$19.00	\$20.00	\$24.00	\$21.00	\$18.26

Fruits and Vegetables - Harvesting Labourers (NOC 85101)



	NFL	PEI	NS	NB	QC	ONT	MB	SK	AB	BC
2025 NCL Wages	\$15.60	\$16.00	\$15.47	\$15.30		\$17.23	\$15.80	\$15.00	\$17.98	\$17.48
2024 NCL Wages	\$15.00	\$15.00	\$15.00	\$14.75		\$16.71	\$15.30	\$14.00	\$17.44	\$16.95
2024 Median Wage	\$16.00	\$18.00	\$16.23	\$18.00	\$18.00	\$17.20	\$21.95	\$25.00	\$20.00	\$17.40
2023 Median Wage	\$15.00	\$16.65	\$15.00	\$17.50	\$17.00	\$16.55	\$20.00	\$25.00	\$17.95	\$16.75

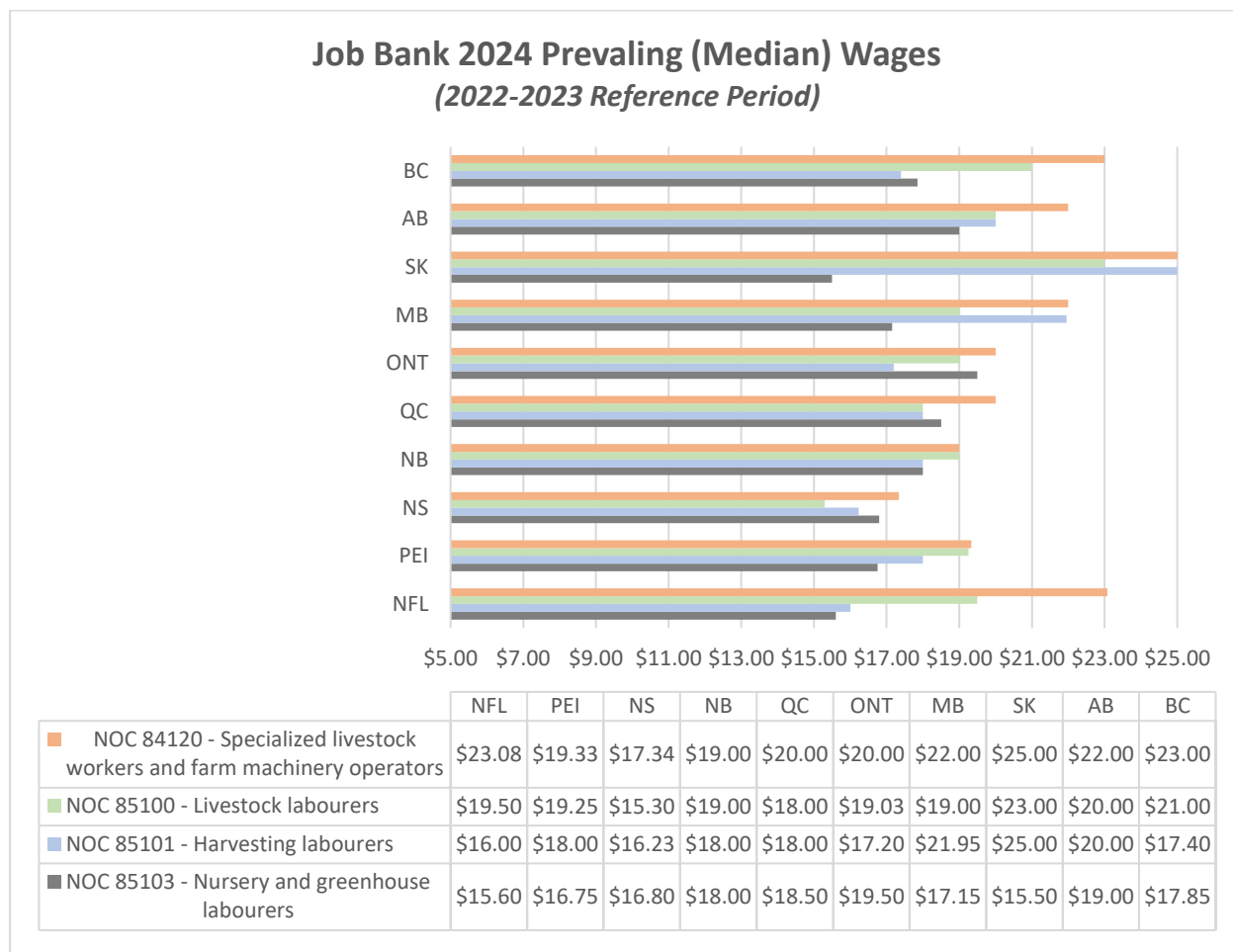
Nursery and greenhouse labourers (NOC 85103)



	NFL	PEI	NS	NB	QC	ONT	MB	SK	AB	BC
2025 NCL Wages	\$15.60	\$16.00	\$15.47	\$15.30		\$17.23	\$15.80	\$15.00	\$17.98	\$17.48
2024 NCL Wages	\$15.00	\$15.00	\$15.00	\$14.75		\$16.71	\$15.30	\$14.00	\$17.44	\$16.95
2024 Median Wage	\$15.60	\$16.75	\$16.80	\$18.00	\$18.50	\$19.50	\$17.15	\$15.50	\$19.00	\$17.85
2023 Median Wage	\$15.00	\$15.09	\$15.00	\$17.00	\$17.30	\$18.00	\$16.00	\$15.50	\$18.50	\$18.00

Question 6: How do provinces compare in terms of NOCs and Job Bank Median wages?

Answer: The following graph and table provide an overview of the fluctuation between PTs.



Question 7: What are the financial impacts of the wage transition between the NCL and new proposed methodology?

Answer: The tables below provide examples based on a 2-year transition. Please also note that the transition plan for wages will need to account for the annual update to [Job Bank median wages](#) (updated annually with a 2-year lag). As such, year 2 would differ once implemented and be updated in the fall when the new Job Bank wages are published.

In order to not negatively impact temporary foreign workers, the proposed approach seeks to maintain the NCL wages if higher than the Job Bank prevailing wages.

For ease of reference, the tables below are using provincial median wage. To obtain the regional wages, please visit the [Job Bank labour market information website](#).

NOC 85103 - Nursery and greenhouse labourers										
Province	Job Bank 2023 Prevailing Wages (2021-2022 Reference Period)	Job Bank 2024 Prevailing Wages (2022-2023 Reference Period)	Minimum Wage Rates	2023 NCL Wages	2024 NCL Wages	2025 NCL Wages			Transitional Years	
	Median_Wage	Median_Wage				Wages	% Variance	\$ Variance	Year 1 (33%)	Year 2 (66%)
Newfoundland and Labrador	\$ 15.00	\$ 15.60	\$ 15.60	\$13.70	\$15.00	\$ 15.60	0%	\$ -	\$ 15.60	\$ 15.60
Prince Edward Island	\$ 15.09	\$ 16.75	\$ 16.00	\$13.77	\$15.00	\$ 16.00	5%	\$ 0.75	\$ 16.25	\$ 16.50
Nova Scotia	\$ 15.00	\$ 16.80	\$ 15.20	\$13.67	\$15.00	\$ 15.47	9%	\$ 1.33	\$ 15.91	\$ 16.35
New Brunswick	\$ 17.00	\$ 18.00	\$ 15.30	\$13.75	\$14.75	\$ 15.30	18%	\$ 2.70	\$ 16.19	\$ 17.08
Quebec	\$ 17.30	\$ 18.50	\$ 15.75							
Ontario	\$ 18.00	\$ 19.50	\$ 17.20	\$15.83	\$16.71	\$ 17.23	13%	\$ 2.27	\$ 17.98	\$ 18.73
Manitoba	\$ 16.00	\$ 17.15	\$ 15.80	\$13.50	\$15.30	\$ 15.80	9%	\$ 1.35	\$ 16.25	\$ 16.69
Saskatchewan	\$ 15.50	\$ 15.50	\$ 15.00	\$13.00	\$14.00	\$ 15.00	3%	\$ 0.50	\$ 15.17	\$ 15.33
Alberta	\$ 18.50	\$ 19.00	\$ 15.00	\$16.52	\$17.44	\$ 17.98	6%	\$ 1.02	\$ 18.32	\$ 18.65
British Columbia	\$ 18.00	\$ 17.85	\$ 17.40	\$16.05	\$16.95	\$ 17.48	2%	\$ 0.37	\$ 17.60	\$ 17.72
Yukon Territory			\$ 17.59	\$16.05	\$16.95	\$ 17.59				

NOC 85100 - Livestock labourers/Manoeuvres aux soins du bétail												
Province	Job Bank 2023 Prevailing Wages (2021-2022 Reference Period)	Job Bank 2024 Prevailing Wages (2022-2023 Reference Period)	Minimum Wage Rates	2023 NCL Wages	2024 NCL Wages	2025 NCL Wages (Dairy)			Transitional Years			
	Median_Wage	Median_Wage				Dairy	Dairy	Wages	% Variance	\$ Variance	Year 1 (33%)	Year 2 (66%)
Newfoundland and Labrador	\$ 18.45	\$ 19.50	\$15.60	\$ 14.68	\$ 15.50	\$ 15.98	22%	\$ 3.52	\$ 17.14	\$ 18.30		
Prince Edward Island	\$ 19.00	\$ 19.25	\$16.00	\$ 13.77	\$ 15.00	\$ 16.00	20%	\$ 3.25	\$ 17.07	\$ 18.15		
Nova Scotia	\$ 15.00	\$ 15.30	\$15.20	\$ 13.67	\$ 15.00	\$ 15.47	-1%	-\$ 0.17	\$ 15.47	\$ 15.47		
New Brunswick	\$ 18.00	\$ 19.00	\$15.30	\$ 13.75	\$ 14.75	\$ 15.30	24%	\$ 3.70	\$ 16.52	\$ 17.74		
Quebec	\$ 17.00	\$ 18.00	\$15.75									
Ontario	\$ 19.00	\$ 19.03	\$17.20	\$ 15.83	\$ 16.71	\$ 17.23	10%	\$ 1.80	\$ 17.82	\$ 18.42		
Manitoba	\$ 20.00	\$ 19.00	\$15.80	\$ 14.73	\$ 15.55	\$ 16.04	18%	\$ 2.96	\$ 17.02	\$ 17.99		
Saskatchewan	\$ 24.00	\$ 23.00	\$15.00	\$ 14.73	\$ 15.55	\$ 16.04	43%	\$ 6.96	\$ 18.34	\$ 20.63		
Alberta	\$ 21.00	\$ 20.00	\$15.00	\$ 16.52	\$ 17.44	\$ 17.98	11%	\$ 2.02	\$ 18.65	\$ 19.31		
British Columbia	\$ 18.26	\$ 21.00	\$17.40	\$ 16.05	\$ 16.95	\$ 17.48	20%	\$ 3.52	\$ 18.64	\$ 19.80		

NOC 84120 - Specialized livestock workers and farm machinery operators											
Province	Job Bank 2023 Prevailing Wages (2021-2022 Reference Period)	Job Bank 2024 Prevailing Wages (2022-2023 Reference Period)	Minimum Wage Rates	2023 NCL Wages	2024 NCL Wages	2025 NCL Wages			Transitional Years		
	Median_Wage	Median_Wage				Bovine	Wages	% Variance	\$ Variance	Year 1 (33%)	Year 2 (66%)
Newfoundland and Labrador	\$23.08	\$23.08	\$15.60								
Prince Edward Island	\$18.00	\$19.33	\$16.00	\$17.48	\$18.46	\$19.04	2%	\$0.29	\$19.14	\$19.23	
Nova Scotia	\$16.25	\$17.34	\$15.20	\$14.68	\$15.50	\$15.98	9%	\$1.36	\$16.43	\$16.88	
New Brunswick	\$19.00	\$19.00	\$15.30	\$17.48	\$18.46	\$19.04	0%	-\$0.04	\$19.04	\$19.04	
Quebec	\$18.00	\$20.00	\$15.75								
Ontario	\$18.00	\$20.00	\$17.20	\$17.10	\$18.06	\$18.62	7%	\$1.38	\$19.08	\$19.53	
Manitoba	\$20.69	\$22.00	\$15.80	\$17.48	\$18.46	\$19.04	16%	\$2.96	\$20.02	\$20.99	
Saskatchewan	\$25.00	\$25.00	\$15.00	\$17.48	\$18.46	\$19.04	31%	\$5.96	\$21.01	\$22.97	
Alberta	\$22.00	\$22.00	\$15.00	\$17.13	\$18.09	\$18.65	18%	\$3.35	\$19.76	\$20.86	
British Columbia	\$23.00	\$23.00	\$17.40	\$16.05	\$16.95	\$17.48	32%	\$5.52	\$19.30	\$21.12	

Question 8: What is the potential impact of proposed deductions on temporary foreign workers' monthly wage income?

Answer: The following tables provide a simulation to compare wages and deductions from SAWP, the agricultural stream and the proposed new stream. The calculation method is based on the following:

- The 2024 hourly wages used in the tables below are based on the highest of Job Bank median wages, NCL wages or provincial minimum wages.
- The SAWP Caribbean calculations are based on 4.33 weeks per month, a 48 hours per week schedule, 6 working days per week (26 workdays per month and 30.42 days per month), source country deduction of \$6.26 per workday, the maximum airfare deduction for each province is divided by 8 months as well as deductions for housing in BC only (\$946.95 – maximum divided by 8) and \$2.75 per workdays for utility (Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Manitoba and Alberta).
- The SAWP Mexico calculations are based on 4.33 weeks per month with 30.42 days per month, a 48 hours per week schedule, 6 working days per week (26 working days per month), health insurance of \$1.08 per day, the maximum airfare for each province deduction divided by 8 months as well as deductions for housing in BC only (\$902.17 – maximum divided by 8) and \$2.75 per workdays for utility (Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Manitoba and Alberta).
- For the agricultural stream, it represents the monthly gross income (48 hours per week for 4.33 weeks per month) deducted by the monthly cost of 30\$ per week with 4.33 weeks per month. Airfare and health insurance are provided with no cost to the worker under this stream.
- For the proposed new stream, the housing deductions are not yet determined. The 5% and 30% are used as a potential minimum or maximum threshold that could be considered under the new stream.
- For transportation, it is provided by the employer for the first option and based on the SAWP model for the second option.

Fruits and Vegetables - Harvesting labourers (NOC 85101) – 48-hour work week							
Provinces	Wages		Average of Monthly Gross Wage before Tax				
	Hourly rate	Sources	SAWP		Agricultural Stream	\$1.08/day deduction , 5% housing deduction and transportation provided by the employer (Lowest deduction range)	\$6.26/workday country deduction, 30% housing deduction and average SAWP deductions for transportation (Highest deduction Range)
			Caribbean	Mexico			
Newfoundland and Labrador	16.00	Job Bank	\$3,068.68	\$3,199.71	\$3,195.54	\$3,126.31	\$2,071.61
Prince Edward Island	18.00	Job Bank	\$3,416.36	\$3,548.64	\$3,611.22	\$3,521.21	\$2,366.71
Nova Scotia	16.23	Job Bank	\$3,048.48	\$3,180.76	\$3,243.34	\$3,171.73	\$2,109.20
New Brunswick	18.00	Job Bank	\$3,416.36	\$3,548.64	\$3,611.22	\$3,521.21	\$2,366.71
Quebec							
Ontario	17.23	NCL	\$3,285.07	\$3,397.98	\$3,451.18	\$3,369.18	\$2,273.75
Manitoba	21.95	Job Bank	\$4,234.08	\$4,364.73	\$4,432.19	\$4,301.13	\$2,937.33
Saskatchewan	25.00	Job Bank	\$4,939.49	\$5,069.27	\$5,066.10	\$4,903.35	\$3,380.63
Alberta	20.00	Job Bank	\$3,811.67	\$3,965.57	\$4,026.90	\$3,916.11	\$2,648.13
British Columbia	17.48	NCL	\$3,351.91	\$3,487.42	\$3,503.14	\$3,418.54	\$2,380.37

Dairy - Specialized livestock workers and farm machinery operators (NOC 84120) – 48-hour work week							
Provinces	Wages		Average of Monthly Gross Wage before Tax				
	Hourly rate	Sources*	SAWP		Agricultural Stream	\$1.08/day deduction, 5% housing deduction and transportation provided by the employer (Lowest deduction range)	\$6.26/workday country deduction, 30% housing deduction and average SAWP deductions for transportation (Highest deduction Range)
			Caribbean	Mexico			
Newfoundland and Labrador	\$23.08	JB	\$4,540.19	\$4,671.22	\$4,667.05	\$4,524.25	\$3,101.67
Prince Edward Island	\$19.33	JB	\$3,692.79	\$3,825.07	\$3,887.65	\$3,783.82	\$2,560.21
Nova Scotia	\$17.34	JB	\$3,279.19	\$3,411.47	\$3,474.05	\$3,390.89	\$2,270.69

Dairy - Specialized livestock workers and farm machinery operators (NOC 84120) – 48-hour work week							
Provinces	Wages		Average of Monthly Gross Wage before Tax				
	Hourly rate	Sources*	SAWP		Agricultural Stream	\$1.08/day deduction, 5% housing deduction and transportation provided by the employer (Lowest deduction range)	\$6.26/workday country deduction, 30% housing deduction and average SAWP deductions for transportation (Highest deduction Range)
			Caribbean	Mexico			
New Brunswick	\$19.04	NCL	\$3,632.51	\$3,764.80	\$3,827.37	\$3,726.56	\$2,518.02
Quebec							
Ontario	\$20.00	JB	\$3,860.79	\$3,973.70	\$4,026.90	\$3,916.11	\$2,676.75
Manitoba	\$22.00	JB	\$4,244.47	\$4,375.13	\$4,442.58	\$4,311.00	\$2,944.60
Saskatchewan	\$25.00	JB	\$4,939.49	\$5,069.27	\$5,066.10	\$4,903.35	\$3,380.63
Alberta	\$22.00	JB	\$4,227.35	\$4,381.25	\$4,442.58	\$4,311.00	\$2,939.10
British Columbia	\$23.00	JB	\$4,499.19	\$4,634.70	\$4,650.42	\$4,508.45	\$3,183.46

* JB stands for Job Bank median wages and NCL for the 2025 commodity-based wage methodology.

Dairy - Livestock labourers (NOC 85100) – 48-hour work week							
Provinces	Wages		Average of Monthly Gross Wage before Tax				
	Hourly rate	Sources*	SAWP		Agricultural Stream	\$1.08/day deduction, 5% housing deduction and transportation provided by the employer (Lowest deduction range)	\$6.26/workday country deduction, 30% housing deduction and average SAWP deductions for transportation (Highest deduction Range)
			Caribbean	Mexico			
Newfoundland and Labrador	\$19.50	JB	\$3,796.12	\$3,927.15	\$3,922.98	\$3,817.38	\$2,580.82
Prince Edward Island	\$19.25	JB	\$3,676.16	\$3,808.44	\$3,871.02	\$3,768.02	\$2,548.57
Nova Scotia	\$15.47	NCL	\$2,890.52	\$3,022.81	\$3,085.38	\$3,021.67	\$1,998.63
New Brunswick	\$19.00	JB	\$3,624.20	\$3,756.48	\$3,819.06	\$3,718.66	\$2,512.20
Quebec							
Ontario	\$19.03	JB	\$3,659.19	\$3,772.09	\$3,825.30	\$3,724.58	\$2,535.63
Manitoba	\$19.00	JB	\$3,620.95	\$3,751.61	\$3,819.06	\$3,718.66	\$2,508.14
Saskatchewan	\$23.00	JB	\$4,523.81	\$4,653.59	\$4,650.42	\$4,508.45	\$3,089.65
Alberta	\$20.00	JB	\$3,811.67	\$3,965.57	\$4,026.90	\$3,916.11	\$2,648.13
British Columbia	\$21.00	JB	\$4,083.51	\$4,219.02	\$4,234.74	\$4,113.55	\$2,892.49

* JB stands for Job Bank median wages and NCL for the commodity-based wage methodology.

Question 9: What is the number of approved LMIA positions for temporary foreign workers per NCL commodity?

Answer: The following table provides information on the number of approved positions in 2023 per commodity.

Approved Positions by Commodity in 2023 for the SAWP and Agricultural Stream		
Commodities	SAWP	Agricultural Stream
Fruits & vegetables	39,752	28,202
Nursery-grown trees (including Christmas trees, greenhouses/nurseries)	6,645	2,479
Flowers	3,411	1,485
Tobacco	2,220	104
Dairy	35	2,230
Apiary products	708	1,455
Mushrooms	39	1,994
Swine	99	1,611
Poultry	278	874
Grains	176	895
Maple syrup	195	674
Sheep	373	158
Sod	252	134
Seed corn	129	247
Bovine	34	320
Oil seeds	28	187
Duck	0	110
Pedigreed canola seed	26	26
Horse	1	21
Mink	2	14

Question 10: What are the 2025 NCL wages?

Answer: The 2025 NCL wages are [currently available on our website](#).

Question 11: What are the minimum hourly wages in each province?

Answer: Please visit this website: [Current and Forthcoming General Minimum Wage Rates in Canada- Canada.ca](#).

Question 12: What are the eligible occupations currently included under the proposed new stream?

Answer: As previously communicated, eligible National Occupational Classifications (NOCs) for the New Foreign Labour Program for Agriculture and Fish Processing are currently as follows:

- Primary agriculture jobs:
 - Livestock labourers (NOC 85100);
 - Specialized livestock workers and farm machinery operators (NOC 84120);
 - Nursery and Greenhouse Workers (NOC 85103); and,
 - Harvesting Labourers (NOC 85101).
- Food, fish or seafood processing jobs:
 - Labourers in food and beverage processing (NOC 95106), limited to those working in the Fruit and Vegetable Preserving and Specialty food manufacturing sector (NAICS 3114);
 - Fish and Seafood Plant Workers (NOC 94142); and,
 - Labourers in Fish and Seafood Processing (NOC 95107).

In terms of commodities allowed under the new stream, it is being proposed to remove the requirement for agriculture products to be included in the NCL to take part in the program. In October 2024, ESDC shared a discussion paper to seek stakeholder feedback on the proposed list of eligible occupations under the new stream.

Question 13: What is the definition of primary agriculture for primary agriculture positions?

Answer: Positions must meet the definition of primary agriculture's work, which is defined as duties that must:

- Be performed within the boundaries of a farm, nursery or greenhouse; and,
- involve at least one of the following activities:
 - operation of agricultural machinery;
 - boarding, care, breeding, sanitation or other handling of animals, other than fish, for the purpose of obtaining raw animal products for market, or activities relating to the collection, handling and assessment of those raw products; or
 - planting, care, harvesting or preparation of crops, trees, sod or other plants for market.

Question 14: What type of work is allowed under the new stream for fish and seafood positions?

Answer: Fish or seafood processing must be seasonal work and involve the following:

- 1) cleaning, packaging, material handling and other elementary activities related to fish or seafood processing,
- 2) setting up and operating machinery to process and package fish or seafood products, and
- 3) cutting, trimming and cleaning fish or seafood by hand; and

The discussion paper on occupational scope will also provide more information on occupations and what they involve.

Question 15: What are some of the additional considerations for fruit and / or vegetable positions under the new stream?

Answer: The fruit and/or vegetable processing work must meet the following 3 conditions:

- 1) the job duties align with the work of a [“Labourer in food and beverage processing” \(NOC 95106\)](#)
- 2) the work is strictly limited to the processing of raw fruits and/or vegetables which have been minimally processed; and
- 3) the work is 270 days or less (seasonal).

These positions involve the processing of raw fruits and/or vegetables to prevent spoilage, up until a point where there is a substantial transformation of the product that would render a more refined product. More refined products for example are normally produced either through the addition of multiple ingredients and/or multiple processing steps.

Positions that involve the processing of fruits and/or vegetable to create one or more of the following products for example are generally eligible:

- frozen fruits and/or vegetable products, such as bags of frozen berries, corn, and peas;
- canned fruit and/or vegetable products, such as stewed tomatoes and tomato sauce;
- pickled vegetables, such as pickles and beets;
- Dehydrated and/or freeze-dried vegetable and fruit; and
- Perishable fruit and vegetable products, such as ready to eat salads, peeled or cut vegetables and fruits.

These positions are generally located in fruit and vegetable processing plants and involve the material handling, clean-up, packaging and other elemental activities related to food processing. These businesses are also generally located in the [Fruit and Vegetable Preserving and Specialty food manufacturing sector \(NAICS 3114\)](#).

Annex B – Current deductions allowed under the Seasonal Agricultural Worker Program (SAWP) and Agricultural Stream

Deductions	SAWP Contract		Agricultural stream
	Mexico	Caribbean	
Airfare	Employers can recover up to 50% of the cost of a temporary foreign worker's round-trip flight, within a prescribed maximum. This deduction is not permitted in BC.		Employers must always pay for the round-trip transportation costs (for example, plane, train, boat, car, bus) of the temporary foreign worker to the location of work in Canada, and back to the temporary foreign worker's country of permanent residence.
	<p>Costs related to air travel will be recovered by way of regular payroll deductions at a rate of 10% of the worker's gross pay from the first day of full employment.</p> <p>The maximum amount that can be deducted:</p> <p>Charlottetown, PEI \$ 705.00 Halifax, NS \$705.00 Fredericton, Moncton or St-John, NB \$705.00 St. John's, NL \$743.00 Montréal, QC \$655.00 Ottawa, ON \$637.00 Toronto, ON \$630.00 Winnipeg, MB \$744.00 Calgary, AB \$695.00 Regina/Saskatoon, SK \$751.00 Vancouver, BCn/a</p>	<p>Costs related to air travel will be recovered by way of regular payroll deduction at a rate of 10% of the worker's gross pay, beginning on the first full day of employment.</p> <p>The maximum amount that can be deducted:</p> <p>Prince Edward Island, Nova Scotia, New Brunswick \$724.00 St-John's, NL \$752.00 Montréal, QC \$520.00 Ottawa, ON \$518.00 Toronto, ON \$494.00 Winnipeg, MB \$750.00 Calgary, AB \$887.00 Regina/Saskatoon, SK \$750.00 Vancouver, BCn/a</p>	
Source Country Deductions & Health Insurance	Employers must ensure that all temporary foreign workers' register for provincial/territorial health insurance.		Employers must ensure that all temporary foreign workers' register for provincial/territorial health insurance.
	Mexico arranges for health insurance that is paid for by the employer and recovered as per the employment contract.	\$6.26/workday to cover government administrative fees re: SAWP, supplemental health insurance, airfare	
			Employers must obtain and pay for the temporary foreign worker's private

Deductions	SAWP Contract		Agricultural stream
	Mexico	Caribbean	
	The employer can deduct the cost of non-occupational medical coverage by way of regular payroll deduction at a premium rate of \$1.08 per day per worker	to Kingston, Jamaica, and medical exam fees.	health insurance during periods when the worker is not eligible for P/T health coverage.
Housing	The employer agrees to provide existing housing at no cost to the worker during the time in which the worker must wait in Canada between the end of the worker's employment contract and the day of the worker's return flight to Mexico	Provide clean, adequate living accommodations to the worker at no cost to the worker (except in British Columbia where employers can deduct for accommodations).	Employers must provide temporary foreign workers with adequate, suitable and affordable housing as defined by the Canadian Mortgage and Housing Corporation. Employers supplying: <ul style="list-style-type: none"> on-farm housing: can deduct a maximum of \$30 per week (prorated for partial weeks) from the temporary foreign worker's wage, unless applicable provincial/territorial labour standards specify a lower amount off-site housing - NOC codes 84120 (farm machinery operators only), 85100, 85101 and 85103 can deduct a maximum of \$30 per week (prorated for partial weeks)
	For British Columbia only: that costs related to accommodation will be paid by the worker at a rate of \$5.85 per working day* of the worker's pay from the first day of full employment. The amount paid for accommodation during the worker's stay in Canada is not to exceed \$902.17	For British Columbia only: to pay the employer costs related to accommodation by way of regular payroll deduction the sum of \$7.11 per working day beginning on the first day of full employment. The total amount paid for accommodation during the worker's stay in Canada is not to exceed \$946.95	

Deductions	SAWP Contract		Agricultural stream
	Mexico	Caribbean	
			<p>from the temporary foreign worker's wage, unless applicable provincial/territorial labour standards specify a lower amount</p> <ul style="list-style-type: none"> off-site housing - NOC codes 80020, 80021, 82030, 82031 and 84120 (specialized livestock workers only) must ensure that the rent doesn't cost more than 30% of the temporary foreign worker's gross monthly earnings
Laundry	Accommodations must be equipped with laundry facilities, including an adequate number of washing machines and dryers. Where accommodations are not equipped with laundry facilities, the employer must provide once-a-week transportation to a laundromat at no cost to the worker, and will provide the worker with \$16.50 per week towards laundry costs or provide a once-a-week laundry service.	Provide accommodations equipped with laundry facilities, including an adequate number of washing machines and dryers. Where facilities are not available at the accommodations, the employer will provide the worker with \$16.50 per week towards laundry costs and must either provide once-a-week transportation to a laundromat at no cost to the worker or once-a-week laundry service.	No requirements set in policy.

Deductions	SAWP Contract		Agricultural stream
	Mexico	Caribbean	
Utility	\$2.75/working day for 2025 A daily deduction that reflects, “utility costs in relation to the employment of the worker”. Not permitted in BC, QC and NFLD. *In Saskatchewan, workers employed by greenhouses and nurseries are exempt from this deduction.		No requirements set in policy.
Meal	Where the worker and the employer agree that the latter provides meals to the worker.		No requirements set in policy.
	Most provinces: Maximum \$7.07 per day	Most Provinces: Maximum \$11.50 per day	
Uniform	When a uniform is required by the employer, and, where permitted by provincial/territorial Labour Standards, the cost will be shared at 50% between the employer and the worker.		No requirements set in policy.
	For British Columbia only: to provide the worker with a uniform for work, when required by the employer, at no cost to the worker		

Temporary Foreign Worker (TFW) Program: Health Care Provisions for the New Agriculture and Fish Processing Stream Discussion Paper

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1. Issue

This discussion paper is intended to both illustrate the health care coverage requirements that are currently in place for employers in the Primary Agriculture Stream and the regular Low-Wage Stream, as well as to identify areas that can be strengthened and mutually agreed upon to improve worker’s experience and protection while in Canada. The Low-Wage stream is included here, as this is the stream commonly used to hire temporary foreign workers in seasonal fish, seafood, and primary food processing occupations. Employment and Social Development Canada (ESDC) and Immigration, Refugees and Citizenship Canada (IRCC) are seeking stakeholder feedback on health care provision arrangements as an opportunity to address issues and bring clarity to current Program requirements for health care coverage and workplace safety insurance, which will be carried over to the new Agriculture and Fish Processing Stream. Feedback and new ideas or models in this area are not only welcome but encouraged.

2. Background

The health care system in Canada provides all Canadian residents with reasonable access to medically necessary hospital and physician services without paying out-of-pocket. Under existing federal and provincial/territorial (P/T) policy, temporary foreign workers across Canada can obtain access to health care services when working in Canada. While there are TFW Program requirements in place to ensure workers have access to health insurance when working in Canada, overall, healthcare falls under P/T jurisdiction.

In terms of workplace safety insurance, employers must always ensure that the temporary foreign workers they want to hire under the TFW Program are covered from the provincial/territorial workplace safety insurance provider, where required by law. In the event of a workplace injury or illness, such insurance generally provides loss of earning benefits, medical benefits and rehabilitation services.

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2.1 Amendments to the *Immigration and Refugee Protection Regulations*

Regulatory amendments to the [Immigration and Refugee Protection Regulations \(IRPR\)](#) came into force in September 2022, to enhance the protection of temporary foreign workers during their stay in Canada. As such, one of these regulatory amendments concerns the provision of private health insurance for temporary foreign workers during coverage gaps in provincial health insurance. This amendment requires all employers, except for those hiring through the Seasonal Agricultural Worker Program (SAWP), to obtain and pay for private health insurance that covers emergency medical care at no cost to the worker. This private health insurance must be equivalent to the P/T health insurance plan and cover any period during which the temporary foreign worker is not covered by the applicable P/T health insurance when arriving to Canada. As for the SAWP, the agreement between Canada and participating SAWP countries includes health insurance provisions, arranged by the source countries.

	If/When Eligible for P/T Coverage	If/When Ineligible for P/T Coverage
Worker covered by...	Supplemental Health Insurance <i>(provided by SAWP country, paid for by SAWP workers)</i>	
	P/T Health Coverage	Private Health Insurance <i>(provided and paid for by employer)</i>

It is important to note that waiting periods for P/T health coverage vary. It is the employer’s responsibility to ensure that arrangements for the private health coverage are made, and this coverage is in place from the time the temporary foreign worker arrives in Canada until they are covered by the appropriate P/T health insurance plan. ESDC will accept a basic private health insurance plan so long as it ensures that the temporary foreign worker will not have to pay for medical care if they become sick or injured while working in Canada and they are not yet covered by P/T health insurance. Employers must also ensure that temporary foreign workers register for P/T health insurance as soon as they become eligible. (See Annex A for a detailed summary of provincial coverage by Province).

Further, health coverage eligibility in each province is also determined based on the validity of the work permit and the minimum duration of that work permit (Outlined in Annex A).

2.2 Workplace Safety: Temporary Foreign Worker Program Requirements

In addition to the basic private health insurance plan provided by employers during periods where temporary foreign workers are not covered by P/T health insurance, all TFW Program employers are required to register temporary foreign workers with the appropriate public or private workplace safety insurance where required by law. Employers must ensure that any private plan chosen provides the same level of compensation to that offered by a P/T (for example, must

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provide the same or better coverage than that offered by the P/T), and that all employees on the worksite are covered by the same provider.

It is important to note that the workplace safety coverage purchased by the employer must correspond with the temporary foreign workers' first day of work in Canada and the costs must not be recovered from the temporary foreign workers.

2.3 Health Care Provisions Specific to the Seasonal Agricultural Worker Program

Under the SAWP, source countries such as Mexico and the 11 participating Caribbean countries have arranged for their temporary foreign workers to have private health insurance through COWAN insurance (See Annex B for a summary provided by COWAN insurance on the health coverage for seasonal agricultural workers). This supplemental insurance covers emergency medical care for any period during which the temporary foreign worker is not covered by the applicable P/T health insurance. Although not a TFW Program requirement, this medical arrangement is a requirement that is stipulated in both the Mexico and Caribbean *Contracts for the Employment of Seasonal Agricultural Workers* which is signed and agreed upon by workers and employers. As outlined in the respective contracts for the 2025 season, workers from Mexico are deducted \$1.08 per day for the cost of this private health insurance, and workers from the Caribbean are deducted \$6.26 per working day, as part of a remittance payment that includes coverage for private health insurance. Employers must also ensure that all temporary foreign workers register for P/T health insurance as soon as they become eligible.

As per the contracts, if the worker is not covered by the P/T plan and the foreign government's supplementary insurance is not at least equivalent to the P/T plan, the employer is responsible to ensure that the worker is covered by private health insurance that addresses any gaps in coverage. In addition to this arranged medical coverage by the source nations and as outlined in the SAWP contracts in the section for the "health and safety of workers", SAWP employers are required to provide P/T workplace safety insurance or a private insurance policy that provides health coverage to the worker. Under no circumstances should a worker not be covered in situations of illness or injury during the period of employment. Any costs related to additional health insurance cannot be recovered from the worker.

3. Potential Approach

Feedback and new ideas or models in this area are not only welcome but encouraged. The objective for the proposed health care provisions is to build on the SAWP approach and to ensure that temporary foreign workers under the new stream have health coverage throughout the duration of their work period, beginning on the first day of employment and ending on the last. As specified in section 2.1, all employers under the new Stream would continue to be required to obtain and pay for private health insurance for any period under which the temporary foreign workers are not covered. Employers would also be expected to continue to assist all temporary foreign workers to register for P/T health insurance as soon as they become eligible. For workers

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hired under the Bilateral Country Agreements category, source country deductions for private health insurance are expected to continue. For workers hired under the open-source category, employers will need to assume the current practice of arranging for private health coverage beginning on the first day of work, until the worker is eligible for P/T health coverage. This also includes the requirement to obtain workplace safety insurance, or private workplace safety insurance if P/T insurance is not available.

The same requirements would apply for seasonal jobs. Employers under the current regime are responsible for paying for private health insurance during the seasonal work periods beginning on the first day of employment and ending on the last. This would remain the same under the new Stream. In addition, if a temporary foreign worker has not yet met the admissibility period for P/T health coverage and is changing employer, the new employer would be required to obtain and pay for private health insurance during the period of work for which the worker is not covered by the P/T health insurance program.

As for workplace insurance, we are seeking stakeholders feedback to determine if the program should introduce a requirement to provide workplace insurance when not mandatory in a given jurisdiction. This would help ensure that temporary foreign workers have equal coverage regardless of jurisdiction (Refer to Annex C).

4. Discussion Questions

This section outlines questions that are intended to guide stakeholders in providing feedback on their expectations regarding current healthcare program requirements. The discussion questions below may be used to guide input; however, input is not limited to these questions. At the same time, not all questions may be applicable to your organization/or interest group.

Questions for all Stakeholders:

- 1) Are the current private healthcare benefits under all TFW Program streams sufficient? What areas could be improved?
- 2) Is information on healthcare requirements under the TFW Program, including P/T waiting periods, easily accessible to employers and temporary foreign workers?
- 3) Should employers under the new Stream be allowed to make deductions for private health insurance?
- 4) Is there a desire to require employers to obtain the appropriate insurance for costs associated with a worker's death in Canada, which would include coverage for the repatriation or burial of the body? Do employers currently obtain insurance for this?

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- 5) Should workplace safety insurance on a farm become mandatory under the new Stream regardless of jurisdiction?

Questions Specific to Provinces/Jurisdictions:

- 6) In your jurisdiction, would a temporary foreign worker lose their healthcare coverage if they return to their home country and return to Canada to work a new contract at a later date (within their work permit validity)?
 - a. Have you had any experience/issues with workers moving between provinces?
- 7) Could a waiting period be waived/carried over in situations where a temporary foreign worker moves to work in your province from another province when the temporary foreign worker has almost completed the waiting period in the previous province?
- 8) For your jurisdiction, is the information on Health insurance (Annex A) and workplace safety insurance (Annex C) accurate and reflective of current rules and regulations?

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Annex A- TFW Health Insurance Coverage by Province or Territory & Stream

P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High- Wage Positions	Low- Wage	High- Wage	GTS
Newfoundland and Labrador	Waiting Period:	No						
	Start Date:	Start date of work permit						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.			Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. Work permit must be valid for at least 12 months for a specific employer in NL. A work permit for at least 6 months, for a specified employer in NL, is required for international workers entering the province under the Newfoundland and Labrador Provincial Nominee Program (NLPNP), or under the Atlantic Immigration Program (AIP). Confirmation letter from the employer is also required for this category.			

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High- Wage Positions	Low- Wage	High- Wage	GTS
Prince Edward Island	Waiting Period:	No						
	Start Date:	Start date of work permit						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.			Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. Work permit is required to demonstrate that the TFW can legally work in PEI for at least 183 days. PEI Medicare may request a proof-of-employment letter.			
Nova Scotia	Waiting Period:	No						
	Start Date:	Start date of work permit						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.			Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. The work permit must be at least 12 months. The worker cannot be absent from NS for more than 31 days unless it is a requirement of their employment.			

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High-Wage Positions	Low-Wage	High-Wage	GTS
New Brunswick	Waiting Period:	There is no waiting period if the TFW comes from outside of Canada and the start date depends on the work permit start date and date of move to Canada.						
	Start Date:							
	Validity Period:	There is a 3-month waiting period if TFW comes from another P/T regardless of if they had coverage in the other P/T. The start date depends on the work permit start date.						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. Work permit must be at least 12 months.					

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High-Wage Positions	Low-Wage	High-Wage	GTS
Québec	Waiting Period:	No	No (only for TFWs from Guatemala, Honduras, and El Salvador.)	Yes				
	Start Date:	Day of arrival	Day of arrival	3 months				
	Validity Period:	Duration of the work permit 98 days for seasonal workers, can be less than 6 months and is rarely issued for more than 9 months.	Specific work permit can be less than 6 months and is rarely issued for more than 24 months.	Until expiry of work permit				
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. All workers must register upon arrival, even those who are subject to a waiting period of up to 3 months. Work permit duration must be valid for over 6 months.					

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High-Wage Positions	Low-Wage	High-Wage	GTS
Ontario	Waiting Period:	No	No					
	Start Date:	Upon arrival	Start date of full-time employment					
	Validity Period:	Until expiry of work permit	Until expiry of work permit					
	Conditions / Exceptions:	Work permit must be issued under SAWP. Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. Work permit must be a minimum length of 6 months full-time continuous employment with an Ontario employer. Effective March 19, 2020, the 3 months waiting period was temporarily removed due to COVID-19 pandemic and remains removed at this time.					
Manitoba	Waiting Period:	No						
	Start Date:	Start date of work permit						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. Work permit must be a minimum of 12 months					

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High-Wage Positions	Low-Wage	High-Wage	GTS
Saskatchewan	Waiting Period:	Yes						
	Start Date:	3 months after residency						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.					
Alberta	Waiting Period (Y/N):	Yes						
	Start Date:	3 months after residency						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. Work permit must be valid for a minimum of 12 months.					

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High-Wage Positions	Low-Wage	High-Wage	GTS
British Columbia	Waiting Period:	Yes						
	Start Date:	2 months after residency						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. To be eligible, work permit must be a minimum of 6 months. Effective May 1, 2022, eligible individuals residing in BC with maintained status while waiting for a subsequent work or study permit may be eligible for an initial 6 months to temporary coverage, with addition temporary coverage provided is applicable.					
Yukon	Waiting Period:	Yes						
	Start Date:	3 months						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. The work permit must be at least 12 months.					

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P/T	Item	Prim-Ag: SAWP	Prim-Ag: Agricultural	Prim-Ag: Low-Wage Positions	Prim-Ag: High-Wage Positions	Low-Wage	High-Wage	GTS
Northwest Territories	Waiting Period:	No						
	Start Date:	Start date of work permit						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. The work permit to legally work in NT must be at least 153 days.					
Nunavut	Waiting Period:	No						
	Start Date:	Start date of work permit						
	Validity Period:	Until expiry of work permit						
	Conditions / Exceptions:	Employers must ensure that TFWs register for P/T health insurance. TFWs coming from Mexico and the Caribbean have private health insurance through COWAN per int. agreements.	Employers must obtain and pay for the TFW's private health insurance during periods when the worker is not eligible for P/T health coverage. The duration of work permit must be at least 12 months.					

Annex B – COWAN Insurance under the SAWP



Platinum member

We care about what you care about
cowangroup.ca



Introduction

As a Seasonal Agricultural Worker, you are covered by a comprehensive benefits program that protects you during your stay in Canada. This pamphlet summarizes the key benefits you will enjoy.

When Coverage Begins

Cigna, as your insurer, provides benefits on an ongoing basis to all Seasonal Agricultural Workers. The benefits highlighted in this pamphlet are effective upon your arrival in Canada. There is no dependant coverage.

Eligibility

A member is eligible if he/she is a worker under the terms of the Mexico-Canada Seasonal Agricultural Workers Program and is:

- a citizen or resident of Mexico;
- under 85 years of age;
- legally employed in Canada throughout the period of insurance;
- covered under the Government Health Insurance Plan (in the province where this is offered) for the full duration of the period of insurance.

Insurer

Cigna insures the Seasonal Agricultural Workers group benefits program.

Plan Administrator

Cowan Insurance Group is the administrator of the plan and will be processing claims.



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Benefits	What's covered?
Basic Term Life Insurance	Amount of Insurance: \$50,000
Basic Accidental Death and Dismemberment and Specific Loss Benefits	Principal Sum: \$50,000 Amount Payable: The amount payable is the principal sum or the factor or portion of the principal sum, depending on the loss suffered. Please refer to the Table of Losses in the Group Policy booklet.
Short Term Disability Income Benefits	<ul style="list-style-type: none"> • 90% of weekly earnings, paid from the first day of disability, rounded to the next higher dollar. • Benefit Period: 12 weeks - Tax Status: Non-taxable
Healthcare Expense Benefits	<p>Reimbursement Level: 100% - Annual Maximum: \$500,000</p> <p>The following benefits are paid during the Period of Insurance for necessary medical care or surgery supplied by a public (not for profit) health facility, as part of the emergency treatment arising from a medical condition, unless covered by a provincial plan:</p> <p>Hospital Care Hospital confinement is covered if:</p> <ul style="list-style-type: none"> • It starts while the person is insured under this benefit provision; and • It represents acute, convalescent, or palliative care. <p>Physician Services Services of a physician are covered when provided in the physician's office, the patient's home, or in a hospital or other treatment facility. Services of a surgeon and other specialists are also provided.</p> <ul style="list-style-type: none"> • Coverage is provided for: <ul style="list-style-type: none"> o Diagnosis and treatment, including x-ray procedures and the administration of anesthetics; o Routine visits, limited to one visit per calendar year. The routine visit is one not related to an emergency treatment. <p>Diagnostic Services Diagnostic laboratory and x-ray procedures performed in the person's province of residence are covered when coverage is not available under his/her provincial government plan.</p> <p>Medical Supplies The following medical supplies are covered when prescribed by a physician: breathing equipment, orthopedic equipment, prosthetic equipment, mobility aids, communication aids, diabetic supplies.</p> <p>Note: For supplies available on a rental basis, Cigna covers either the rental cost or, at its discretion, the cost of purchase.</p> <p>Paramedical Services The following paramedical services are covered when provided out of hospital:</p> <ul style="list-style-type: none"> • Chiropractors, Physiotherapist, Podiatrists, Chiropodists, Osteopaths • Covered up to \$250 per practitioner per calendar year. • Dietician / Nutritional Counselling up to \$500 per calendar year. <p>Ambulance Services Ambulance services, including air ambulance services are covered.</p> <p>Prescription Drugs The following drugs are covered when prescribed by a physician or other person entitled to by law to prescribe them, and provided in Canada:</p> <ul style="list-style-type: none"> • Drugs requiring a prescription by law; • Injected drugs; • Life-sustaining drugs; • Oral contraceptives; • Vaccines to prevent disease. <p>No benefits will be paid for:</p> <ul style="list-style-type: none"> • Fertility drugs, whether or not prescribed for a medical reason; • Drugs used to treat erectile dysfunction; • Smoking cessation products. <p>Note: Exception for Quebec residents – For members residing in Quebec, no limitation is applied to in-province expenses for drugs listed in the Liste de médicaments published by the Régie de l'assurance-maladie du Québec in effect on the date of purchase, except to the extent allowed by law.</p> <p>Dental Accident Coverage Treatment of accidental injury to sound, natural teeth when:</p> <ul style="list-style-type: none"> • The accident occurs while the person is insured for this coverage; and • Treatment starts within 60 days after the accident. This requirement is waived if a medical condition delays treatment beyond 60 days. <p>Note: A sound tooth is any tooth that did not require restorative treatment immediately before the accident. A natural tooth is any tooth that has not been artificially replaced.</p> <p>Dental Emergency Dental treatment, when required due to an emergency and ordered by or received from a licensed dentist, up to a maximum of \$1,000, in addition to Prescription Drugs.</p>

continued...

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Critical Illness By Allstate	<p>\$5,000 Basic Benefit Amount</p> <p>Basic Benefit Amount paid upon diagnosis of 9 illnesses: Heart Attack – 100%, Stroke – 100%, Major Organ Failure – 100%, Kidney Failure – 100%, Carcinoma In Situ – 25%, Invasive Cancer – 100%, Alzheimer’s Disease – 100%, Parkinson’s Disease – 100% Amyotrophic Lateral Sclerosis (ALS) – 100%</p> <p>Disclosure:</p> <p>Group Comprehensive Critical Illness benefits are provided under policy form GCIP. The coverage provided is limited benefit supplemental critical illness insurance. This is a brief overview of the benefits available under the group policy underwritten by Allstate Insurance Company of Canada (Home Office, Markham, Ontario). Allstate Benefits is a trademark of Allstate Insurance Company, used under license by Allstate Insurance Company of Canada</p>
Substance Use Management By ALAViDA	<p>Substance Use Management Program - ALAViDA is virtual care for people concerned about their alcohol or other substance use. Whether you’re looking to cut back for the first time, have been trying to quit for years, or just want to feel a little more in control, you’ve come to the right place.</p> <p>The ALAViDA TRAIL is a smart platform that is 100% confidential and designed to give you the tools to reach your goal. With consumption tracking, progress reporting, self-guided therapy, and a library of educational content, the ALAViDA TRAIL is customized to your needs.</p> <p>To start your journey on the ALAViDA TRAIL:</p> <ol style="list-style-type: none"> 1) Visit https://try.alavida.co/hola and click ‘Sign up’. 2) Enter your information. 3) Receive an email from us and follow the instructions to access your TRAIL. <p>What are the substances I could get help with?</p> <ul style="list-style-type: none"> • Alcohol • Cannabis • Opioids (prescribed or otherwise) • Cocaine • Amphetamines • Barbiturates (sleep or anxiety medications, etc.) • Other
TeleHealth by Cigna	<p>Speak with licensed doctors by phone — to discuss your symptoms and the best next steps for you. You can schedule an appointment from anywhere, 24 hours a day in the language of your choice including Spanish. Access by calling 1.800.243.1348 or by downloading the <i>Global Health Complete App</i>.</p>
Medical Benefits in Mexico	<p>Benefits will be paid for: Medical expenses incurred resulting from an illness or injury that occurred in Canada, after the member returns to Mexico, in 150 days after the member has left Canada, provided Cigna has recommended that the member return to Mexico, to a calendar year maximum of \$10,000. These expenses must be pre-authorized by Cigna.</p>

Contact us:

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The statements in this pamphlet are only a summary of some of the provisions in the master policy. If you need further details on the provisions which apply to your group benefits you must refer to the master policy available from your plan administrator.



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Annex C – Provincial and territorial requirements for workplace insurance on farms.

Province or Territory	Coverage for Agricultural / Farm workers*	Workplace Safety Requirements	Source(s)
Newfoundland and Labrador	Yes	<p>7.(1) The board of directors shall establish policies and programs in relation to</p> <ul style="list-style-type: none"> (a) compensation benefits to injured workers and dependents; (b) rehabilitation and return to work of injured workers; (c) health care; (d) assessments and investments under this Act; <p>45. (1) This Act applies to workers and employers engaged in or in connection with an industry in the province or workers otherwise excluded.</p> <p>52. (1) The right to compensation provided by this Act is instead of rights and rights of action, statutory or otherwise, to which a worker or dependents are entitled against an employer or a worker because of an injury in respect of which compensation is payable or which arises in the course of the worker's employment.</p>	SNL2022 CHAPTER W-11.1 - WORKPLACE HEALTH, SAFETY AND COMPENSATION ACT, 2022
Prince Edward Island	Yes	<p>Class 2 - AGRICULTURE, FISHING AND NATURAL RESOURCES</p> <p>The WCB uses six (6) Classes which reflect the major economic sectors on Prince Edward Island (PEI). The six (6) Classes are: • Sales and Professional Services • Agriculture, Fishing & Natural Resources • Manufacturing • Construction & Related Services • Transportation • Public Sector & Education. Each SIC code is assigned to a Class according to the primary line of business which the WCB determines to best fit one of the six (6) Classes.</p>	2025 Classification of Industries and Assessment Rates Policy Number: POL-42 Information for Employers
Nova Scotia	No (Exempted)	<p>Scope of coverage—exclusion of classes of workers</p> <p>9 (1) The following persons are excluded from the Act:</p> <ul style="list-style-type: none"> (d) farm labourers or domestic or menial servants or their employers. 	Workers' Compensation General Regulations -

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<u>Province or Territory</u>	<u>Coverage for Agricultural / Farm workers*</u>	<u>Workplace Safety Requirements</u>	<u>Source(s)</u>
			Workers' Compensation Act (Nova Scotia) WCB list of industries fact sheet WCB assessment sheet
New Brunswick	No (To be confirmed)	<p>WORKERS' COMPENSATION ACT</p> <p>For the purpose mentioned in section 50 of the Act, all industries within the scope of Part I of the Act are included in the New Brunswick Industry Class.</p> <p>PART II Application of Part II</p> <p>86 This Part applies to industries to which Part I does not apply, but not to farm labourers, domestic or menial servants, or their employers or fishermen. R.S., c.255, s.80; 1981, c.80, s.3</p>	WorkSafeNB Acts and Regulations W-14.pdf
Quebec	Yes	<p>Workers who suffer an employment injury may receive benefits, such as an indemnity, a reimbursement for certain expenses or an allowance.</p> <p>Farm workers, whether seasonal or not, have the same rights under the Loi sur les "normes du travail" as all workers and are covered in the event of a work accident or occupational disease.</p>	Compensation and reimbursements Commission des normes de l'équité de la santé et de la sécurité du travail - CNESST A-3 - Workers' Compensation Act Farm workers Commission des

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<u>Province or Territory</u>	<u>Coverage for Agricultural / Farm workers*</u>	<u>Workplace Safety Requirements</u>	<u>Source(s)</u>
			normes de l'équité de la santé et de la sécurité du travail - CNESST Politique 1.04 - Les personnes admissibles
Ontario	Yes	Agricultural employers are required by law to provide insurance coverage to their employees through the WSIB.	Regulatory Compliance Checklist for Employing Farm Workers - Ontario Federation of Agriculture O. Reg. 175/98 GENERAL ontario.ca Foreign Agricultural Workers WSIB Commonwealth Caribbean and Mexican seasonal agricultural workers – Workplace injuries: A guide for foreign agricultural workers WSIB

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<u>Province or Territory</u>	<u>Coverage for Agricultural / Farm workers*</u>	<u>Workplace Safety Requirements</u>	<u>Source(s)</u>
			Commonwealth Caribbean and Mexican seasonal agricultural workers – Workplace injuries: A guide for businesses WSIB
Manitoba	Yes	<p>Workers compensation coverage protects you and your employees in case they are hurt at work. The Workers Compensation Board of Manitoba (WCB) covers 77 per cent of workers in Manitoba and has over 35,000 registered employers.</p> <p>All businesses in mandatory industries are required to register for WCB coverage. These include:</p> <ul style="list-style-type: none"> • Agriculture and Forestry 	Workers Compensation Coverage Workers Compensation Board of Manitoba
Saskatchewan	No (Optional)	<p>The Workers' Compensation Act provides financial protection, medical benefits and rehabilitation services to workers and their dependents when a workplace injury occurs. A farm owner/operator or farm worker can be covered by Workers' Compensation in Saskatchewan; coverage is optional and an application must be made to the Saskatchewan Workers' Compensation Board.</p>	Agriculture Human Resources - Complying with Regulations Human Resources for Farms Government of Saskatchewan
Alberta	Yes	<p>Coverage for farm operations with paid employees is mandatory as of January 1, 2016. Operations must register with WCB.</p> <p>WCB or private insurance coverage is required for farm and ranch operations with six or more waged, non-family workers who have worked at least six consecutive months as of January 31, 2020.</p>	Workplace insurance: Farm and ranch Alberta.ca

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<u>Province or Territory</u>	<u>Coverage for Agricultural / Farm workers*</u>	<u>Workplace Safety Requirements</u>	<u>Source(s)</u>
British Columbia	Yes (to be confirmed)	<p>General application of compensation provisions</p> <p>4 (1)The compensation provisions apply to</p> <p>(a)all employers, in their capacity as employers, in British Columbia, and</p> <p>(b)all workers in British Columbia, other than employers or workers exempted by order of the Board.</p> <p>**** Exceptions from application — mines and industrial camps</p>	<p>Workers Compensation Act</p> <p>Who does & doesn't need coverage? - WorkSafeBC</p>
Yukon Territory	Yes (to be confirmed)	<p>Eligibility for compensation</p> <p>4(1) A worker who suffers a work-related injury is entitled to compensation unless the work-related injury is attributable to conduct deliberately undertaken for the purpose of receiving compensation.</p>	<p>WORKERS' COMPENSATION ACT</p> <p>STATUTES OF THE YUKON</p>
Northwest Territories	Yes (to be confirmed)	<p>PART 2 COMPENSATION</p> <p>Right to Compensation</p> <p>10. A worker is entitled to compensation for a personal injury or disease suffered by the worker arising out of and during the course of employment.</p>	<p>SNWT 2007, c 21 Workers' Compensation Act CanLII</p>
Nunavut	Yes (to be confirmed)	<p>Application Scope of Act 3. (1) This Act applies to all employers and workers in Nunavut.</p> <p>Injuries and diseases (2) Except as otherwise provided, this Act applies to personal injuries, diseases and deaths that occur after this Act comes into force.</p>	

** The information in this table has been developed based on information found online. The validity of the information remains to be confirmed by provincial and territorial authorities.*