



Perspective

Rotten asparagus and just-in-time workers: Canadian agricultural industry framing of farm labour and food security during the COVID-19 pandemic

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Abstract

In early stages of the global COVID-19 pandemic, the Canadian farming industry expressed panic that travel restrictions could disrupt the arrival of migrant farmworkers from the Majority World. In this Perspective essay, we consider how farm industry lobbying successfully framed delays to hiring migrant farmworkers as a threat to national food security. After demonstrating how migrant workers have long been situated in spaces of legal exceptionalism, we argue that framing migrant farmworkers as essential for the national public good of domestic food production conceals how they are also essential for private capital accumulation in agribusiness. In the haste to hire migrant workers quickly, Canadian federal and provincial governments largely failed to prevent farmworker COVID-19 outbreaks and deaths predicted by researchers and activists. We conclude by underscoring the need to fundamentally transform temporary labour migration programs in ways that uphold migrant dignity beyond exceptionalism.

Keywords: Migrant workers; farmworkers; farm workers; COVID-19; food security

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Introduction

When people in Canada were just beginning to grapple with the global spread of a deadly, poorly understood virus in the spring of 2020, the farming industry warned of another looming existential threat: widespread domestic food scarcity. To curb the spread of COVID-19, the federal government announced domestic and international travel restrictions in March 2020 (Table 1). The Canadian farming industry declared these restrictions could lead to delays in hiring migrant farmworkers from the Majority World, with labour shortages leading to massive food shortages. This prominent industry-driven framing of migrant workers during the pandemic emphasized that hyperproductive migrant workers were essential to Canadian food security, that there was no other way to address farm labour requirements, and that exceptional measures were therefore appropriate to swiftly ensure migrant workers' continued presence in fields, orchards, and greenhouses.

Yet the hurry to match just-in-time workers with time-sensitive seasonal crop demands largely took precedence over taking the time needed to proactively ensure health and safety for migrant workers, which might have delayed their arrival or incurred greater costs for employers. Researchers and migrant advocates warned of heightened risks for workers stemming from the existing precarity baked into migrant farm workers' inability to freely choose their employers or easily transfer farms, barriers to accessing basic rights in practice, and deportable immigration status (e.g., Haley et al., 2020; Wright, 2020). They argued that it was dangerous for governments to devolve responsibility for monitoring workers' health to industry and individual employers, particularly given pre-COVID research showing some employer-provided housing was substandard and overcrowded (Horgan & Liinamaa, 2016). Despite these warnings, Canadian provincial and federal governments' choices resulted in widespread outbreaks. An estimated 8.7 percent of migrants tested positive for COVID-19 in Ontario alone in 2020, with outbreaks and deaths continuing into 2021 (Paperny, 2021).

In this Perspective essay, we critically examine the framing of migrant agricultural workers as essential to Canadian food security during the COVID-19 pandemic. While driven largely by industry, such framings have been circulated among government officials, the media, and civil society. How has this framing shaped outcomes for migrant agricultural workers, and what dynamics of agri-food capital does it obscure? Our piece provides insight into the Special Issue query about approaches to food system transformation that focus not on food itself, but on broader issues of decent work, racial justice, and dignified migration (Rosol et al., this issue). Specifically, we consider how government and industry actors frame capitalist-friendly labour migration policies as necessary to prevent national food insecurity, and how such policies clash with civil society efforts to advance health, safety, and dignity for migrant agricultural workers. Our analysis underscores the hazards of discursive strategies that equate the “essential” labour of migrant farmworkers with putting food on Canadian tables.

Table 1: Timeline of major policy changes affecting migrant farmworkers in Canada during COVID-19 pandemic

| | |
|------------------------|--|
| 25 JANUARY | First suspected case of COVID-19 in Canada |
| 11 MARCH | WHO declares COVID-19 a pandemic |
| 16 MARCH | PMO announces international travel restrictions |
| 17 MARCH | Grower associations begin to lobby government to exempt migrant farmworkers from travel restrictions |
| 18 MARCH | International travel restrictions take effect; Canada establishes emergency response committee with farm industry stakeholders to assess labour issues |
| 26 MARCH | Emergency order takes effect exempting some foreign nationals, including migrant workers with valid work permits, from travel restrictions; 14-day quarantine required |
| MID-MARCH TO MID-APRIL | Employment and Social Development Canada halts migrant farmworkers housing inspections for six weeks, then later resumes audits remotely |
| 22 MARCH | Ontario's Norfolk County Medical Officer of Health (MOH) caps the number of self-isolating migrant farmworkers to 3 per bunkhouse; faces legal action by local farmers until mid-November |
| 31 MARCH | BC Interior Health Authority announces investigation of COVID-19 outbreak at Bylands Nursery in West Kelowna among 14 migrants |
| 12 APRIL | Agriculture Minister Marie-Claude Bibeau announces \$50 million fund to help employers of migrant workers comply with 14-day quarantine |
| 13 APRIL | B.C. government begins to pay for and organize quarantine services for migrant farmworkers in Vancouver-area hotels |
| 20 APRIL | Federal government amends <i>Immigration and Refugee Protection Regulations</i> , requiring employers of migrant workers to prevent COVID-19 spread and protect health and safety for workers |
| 30 MAY | First death of migrant farmworker from COVID-19, Bonifacio Eugenio Romero |
| 5 JUNE | Second death of migrant farmworker from COVID-19, Rogelio Muñoz Santos |
| 15 JUNE | Mexican ambassador to Canada announces a pause in sending migrant farmworkers due to escalating COVID-19 safety concerns |
| 20 JUNE | Third death of migrant farmworker from COVID-19, Juan Lopez Chaparro |
| 21 JUNE | Mexico resumes sending SAWP workers after Canada and Mexico agree on farmworker safety improvements |
| 24 JUNE | Ontario Chief MOH David Williams issues public health guidance indicating COVID-positive asymptomatic workers may continue to work; explains rationale is to encourage agricultural employers to participate in mass testing |
| 1 JULY | Ontario's Windsor-Essex County MOH issues stop-work and isolation order for Nature Fresh Farm amid 191 COVID cases among mostly migrant workers |
| 31 JULY | Federal government announces \$58.6 million for infrastructure and housing improvements, farm inspections, and migrant worker outreach |

We begin by summarizing key health, safety and human rights issues that have affected migrant agricultural workers in Canada during the pandemic, including a timeline of major policy events in the spring and summer of 2020. Our Perspective essay draws from a selection of online mainstream news media coverage and government documents published within that sequence of events. Although we focus on agricultural workers, many of the issues we underscore bear relevance to pandemic employment conditions affecting migrant workers in industries such as seafood and fisheries, meatpacking, and food processing (e.g., Foster & Barnettson, 2020). Next, we draw on the concept of exceptionalism to make sense of industry and government failure to heed warnings from activists and researchers about the structural risks facing migrant workers. We argue that framing migrant workers as essential for the national

public good of domestic food production conceals how they are also essential for private capital accumulation in agribusiness. We conclude by reflecting on how the case of migrant agricultural workers in Canada relates to broader trends of employer power across the agriculture and agri-food industry, and opportunities to support migrant dignity in the pandemic and beyond.

The structure of Canada's migrant farmworker programs

For over half a century, Canadian farm employers have hired a steadily increasing number of workers from the Majority World on temporary seasonal contracts. In 1966, the Seasonal Agricultural Worker Program (SAWP) was initiated as a pilot project through a bilateral agreement between the Canadian and Jamaican governments. The SAWP eventually expanded to include Mexico and numerous other Caribbean Commonwealth countries (Satzewich, 2007). The SAWP remains the dominant agricultural stream of the overarching Temporary Foreign Worker Program. In 2018 migrant agricultural workers predominantly from Mexico and Jamaica made up 20 percent of all employees in Canadian agriculture, predominantly in labour-intensive sectors such as fruits, vegetables, and greenhouses (StatCan, 2020a; see also Hjalmarson, 2021).

Canadian farm employers frequently assert that without productive workers hired from the Majority World, their operations would be unviable and Canadian food security could collapse (Weiler et al., 2017). Employers often describe migrant agricultural workers as more productive than Canadians and crucial to filling domestic labour shortages, at times drawing on racialized and gendered stereotypes to infer that such productivity is inherent (Cohen & Caxaj, 2018; Preibisch & Binford, 2007). Migrant workers' productivity arises in a highly coercive labour-migration context, and their extensive manual skills and experience are not rewarded with commensurate pay or opportunities for upward mobility (Binford, 2019). Amid racialized global inequality, migrant-sending communities have been undermined by processes such as free trade agreements and structural adjustment programs (Otero, 2011). This backdrop of poverty and unemployment shapes how workers "consent" to conditions in Canada and perform productivity (Binford, 2013). Binford (2019) argues that by allowing employers to circumvent market pressure to make wages and working conditions more appealing for domestic workers, the SAWP has in effect made long-term labour shortages self-fulfilling. The COVID-19 pandemic dealt a deep socioeconomic blow to already struggling migrant-sending countries (e.g., Gaitán-Rossi et al., 2021), thus narrowing migrants' range of viable livelihood options and ratcheting up global asymmetries.

Unfreedom and deportability are core features of Canada's migrant farm worker programs (Encalada Grez, 2022; Smith, 2015). Migrant farmworkers hired through the SAWP are typically permitted to work in Canada for up to eight months annually. Formal routes to permanent residency are largely inaccessible, even if they return to Canada each year for decades. If a worker encounters substandard employment or housing, it can be difficult or impossible to change jobs because their visa is tied to an individual employer. Once a worker's

contract is terminated, they typically face immediate repatriation along with a loss of contractually provided housing, healthcare, and legal authorization to work in Canada. Workers face pressure to fulfill stereotypes of being an “ideal worker” because they know employers could repatriate them at any point, decline to rehire them the subsequent season, or give them a negative end-of-season evaluation (Basok & Belanger, 2016; McLaughlin, 2010). Employers are permitted to request workers based on their gender and nationality, which acts as a proxy for race (Gabriel & Macdonald, 2019).¹ As we discuss below, employer and government practices during COVID-19 have intensified migrant workers’ precariousness and unfreedom.

Pandemic panic

The flurry of policy changes affecting migrant farmworkers early in the COVID-19 pandemic exemplifies both the Canadian government’s sensitivity to agricultural lobbying and the potency of framing labour-migration delays as an urgent threat to national food security. As indicated in Table 1, on March 16, 2020, the Canadian government announced international air travel restrictions to prevent the spread of COVID-19 (Trudeau, 2020). This federal announcement immediately raised panic among growers anticipating the arrival of migrant farmworkers. Restrictions were to take effect at 12:01am ET on March 18 and barred incoming air travel for those who were not Canadian citizens, permanent residents, or Americans.² Immediately after the federal announcement, individual employers and growers’ associations nationwide called for exempting migrant farmworkers from travel restrictions:

“We will see shortages within our grocery stores in spring, summer and fall if the Seasonal Agricultural Workers Program (SWAP) [sic] is put on hold and we’re not allowed to bring those workers in.”

-Ken Wall, CEO, Sandy Shore Farms, Port Burwell, Ontario
(Lupton, 2020, para. 2)

“We don’t know what running out of food is like. I don’t want to experience that. I’m worried that because of good intentions to slow the spread of coronavirus, we’ll be seeing the next issue of a food shortage.”

-Brett Schuyler, Schuyler Farms, Simcoe, Ontario (Antonacci, 2020, para. 32)

“[paraphrased]: One missed seeding season throws off the whole year, affecting food prices in as little as six months.” . . . “It’s absolutely

¹ Legal complaints against gender discrimination by the United Food and Commercial eventually compelled the Mexican government to end discriminatory employer hiring practices by 2021. However, because an estimated 97 percent of SAWP workers are men, the employer practice of requesting workers by name each year reproduces gender inequities (Gabriel & McDonald, 2019).

² Exceptions were made for diplomats, immediate family members of citizens, and essential workers.

critical for farms and for food production that we get this labour . . . This needs to happen now.”

-Kenton Possberg, Parkland Ventures, Humboldt, Saskatchewan;
Director, Western Canadian Wheat Growers Association (Chiu & Saba,
2020, para. 30; 31)

“I have a lot of stakeholders that just don’t know what they’re going to do. We’re in an agricultural sector that literally when the fruit needs to be picked, you have hours to pick it.”

-Joe Sbrocchi, General Manager, Ontario Greenhouse Vegetable Growers
(Maru, 2020, para. 13)

“One of the things that we want to avoid at all costs during an event like the one we are going through is a food shortage or an explosion in the price of food due to its scarcity. Without the 15,000 [Temporary Foreign Workers] due to arrive in Canada starting in April, the entire horticultural production season is at stake.”

-Marcel Groleau, General President, L’Union des Producteurs Agricoles,
Québec [translated from French] (Groleau, 2020, para. 7)

These quotations illustrate the widespread industry framing of migrant farmworkers as essential to Canadians’ food security, with the warning that any delays in hiring migrant workers due to COVID-19 safety protocols could threaten time-sensitive crops and generate national food scarcity. This framing, which was echoed by Conservative opposition politicians and the seafood industry, compellingly taps into a basic human emotion—fear of insufficient food. Civil society organizations such as Food Secure Canada (2020) also described migrant workers as “ensur[ing] a steady food supply for Canadians” (p. 17) during the pandemic, but rather than foregrounding industry demands for just-in-time workers, their emphasis was on the need to strengthen workers’ rights. Later in the pandemic, the agriculture industry also framed delays, shortages, or outbreaks of COVID-19 among migrant farmworkers as a morally charged issue of food waste (e.g., Knox, 2020). This is exemplified in media coverage mourning the loss of 450 acres of asparagus due to a COVID-19 outbreak at an Ontario farm; some coverage did not even mention that at that time seven migrant employees were hospitalized due to COVID-19, one of whom later died (Antonacci, 2020; Sonnenberg, 2020).

By framing delays to hiring migrant workers as a threat to national food security, the agricultural industry successfully achieved their aims. On March 18th, an Emergency Response Committee was quickly formed to liaise with government officials and industry stakeholders. Two days later, the Canadian government announced that all migrant workers would be excluded from the travel restrictions. As part of the new exemptions, migrant workers were required to undergo health screening and quarantine for fourteen days upon arrival in Canada, while growers were responsible for quarantine housing and remunerating for the duration. The federal government subsequently released a series of guidelines for employers of migrant workers to minimize the spread of COVID-19 (Government of Canada, 2020). The federal government’s rationale for the travel exemption was to maintain Canada’s food security, in recognition of the

integral role of migrant workers in Canadian agriculture, seafood/fisheries, and food processing (IRCC, 2020). As Agriculture Minister Marie-Claude Bibeau explained, “The participation of temporary foreign workers on our farms and in our food businesses is absolutely necessary. It is nothing less than an issue of food security” (IRCC, 2020, para. 15). Industry organizations like the Canadian Federation of Agriculture applauded this move by the federal government (Wright, 2020).

Amid the haste to ensure migrant agricultural workers would arrive in time for the growing season, critics raised concerns that the economic interests of Canada’s agriculture and agri-food industry were being prioritized over workers’ health and safety. Researchers and advocates argued that employers were unlikely to consistently follow the federal government’s “Guidelines for Employers of Temporary Foreign Workers” because of a lack of coordination, oversight, and enforcement by government agencies (Emmanuel, 2020; Migrant Rights Network, 2020). For example, Barnetson et al. (2020) warned that federal government inspectors lacked the capacity to ensure employers adhered to farmworker accommodation requirements for the fourteen-day quarantine, pointing out that remote inspections made it easy to misrepresent actual housing conditions. Numerous studies prior to the pandemic had documented overcrowded and substandard employer-provided migrant accommodations, and researchers pointed out that it was highly unrealistic to expect that workers could physically distance from one another under existing housing conditions (Basok & George, 2020). Similarly, opposition party Bloc Québécois leader Yves-Francois Blanchet critiqued the federal government for neglecting the safety of migrant farmworkers and Canadians. He argued that the government should be responsible for quarantining migrant workers in federal facilities after their arrival, rather than leaving it up to farmers to monitor workers’ symptoms on farms (Wright, 2020). In response, Prime Minister Justin Trudeau emphasized, “We will work together to make sure that while meeting the needs of our farmers and our food supply chain, we do have the capacity and the certainty that Canadians are kept safe and that the possible spread of COVID-19 is limited (Wright, 2020, para. 17).”

Unsurprisingly, the rush to meet industry needs prior to developing proactive health and safety measures led to multiple outbreaks linked significantly to congregate housing (Public Health Ontario, 2020). The Office of the Auditor General of Canada (2021) confirmed advocates’ warnings had come to pass; its scathing report underscored the gross inadequacy of federal quarantine and housing inspections, which deteriorated in the second year of the pandemic. Even before the COVID-19 pandemic, Canadian governments had made migrant farmworkers vulnerable to health and human rights inequities by allowing employers to be responsible for overseeing far-reaching dimensions of migrants’ lives within and beyond the workplace (Horgan & Liinamaa, 2016). To stabilize globalized food chains with volatile margins and little built-in redundancy, global North governments before and during the COVID-19 pandemic have accommodated employer demands for just-in-time workers to enable “flexiprofit”—an attempt to nab competitive, short-term profits by devolving costs onto those with less bargaining power (Gertel & Sippel, 2014).

While employers and governments successfully framed the hasty hiring of migrant workers during COVID-19 as necessary for the public good of food security, this simple framing belies more complex flows of agricultural commodities, capital, and power. Likewise, migrant advocates often urged Canadians to support farmworkers' rights in the pandemic on the premise that workers "put food on Canadian tables." Canada's most economically prosperous agricultural operations employ an outsized proportion of migrant agricultural workers (Moldovan, 2015; Mussell, 2015). For example, in 2018, 65 percent of migrants worked on farms with more than \$2 million in revenue (StatCan, 2020b). This includes export crops and non-food sectors such as cannabis, ornamental flowers, Christmas trees, and tobacco. The pervasive framing of migrant workers as essential for the public good of domestic food security during COVID-19 eclipses how migrant workers are also essential for stabilizing private capital accumulation in both wealthy and economically marginal farm businesses (Weiler et al., 2021). Ultimately, migrant workers' need for decent work, a democratic voice in the workplace, and freedom of mobility all remain paramount regardless of whether Canadian eaters happen to benefit from their "essential" labour.

Migrant farmworker exceptionalism

Canadian federal and provincial governments have long relegated migrant farmworkers to a legal space of exclusion, exemption, and exceptionalism. Here, Giorgio Agamben's concept of the "state of exception" sheds light on migrant workers' legal disenfranchisement (Raulff, 2004). A state of exception "establishes a hidden but fundamental relationship between law and the absence of law. It is a void, a blank and this empty space is constitutive of a legal system" (Raulff, 2004, p. 609). For example, agricultural workers in numerous provinces are excluded from standard employment protections such as overtime pay and access to unionization (e.g., Vosko et al., 2019). Moreover, migrant workers' deportability, lack of job security, and employer-tied visas mean they often cannot access in practice the rights they formally have on paper. Migrant workers thus exist in a space of legal exceptionalism and "labour apartheid" (Paz Ramirez, 2013; Walia, 2010), and are therefore consigned to the whims of employers and globalized pressure to stabilize agri-food capital accumulation.

Canadian federal and provincial government actions during the COVID-19 pandemic intensified migrant worker exceptionalism while easing regulatory requirements for agricultural employers (e.g., allowing remote housing inspections, enabling farmers to more flexibly transfer workers between different employers, and expanding the list of eligible SAWP employers) (ESDC, 2020). When exempting workers from travel restrictions, the federal government also introduced capitalist-friendly modifications to make the administrative process more flexible, and to extend the maximum contract duration for certain migrant workers (IRCC, 2020). A particularly flagrant case of farmworker exceptionalism occurred on June 24th, 2020, when Ontario Chief Medical Officer of Health, David Williams, issued public health guidelines

indicating some COVID-positive asymptomatic workers could continue to work under appropriate conditions (Office of the Premier, 2020). While the guidance did not solely target migrant farmworkers, its stated rationale was to encourage farm employers to cooperate with mass COVID-19 testing by allaying their concerns of losing migrant workers to mandatory self-isolation (Baum & Grant, 2020a).

A state of heightened exceptionalism was evident in the case of migrant farmworker housing during the pandemic. For a period of six weeks between March and April, the federal government stopped conducting inspections of employer-provided housing, accepted three-year-old inspection reports, and later resumed only remote inspections (Baum & Grant, 2020b). It thus comes as little surprise that journalists documented overcrowded housing, infestations of cockroaches and bed bugs, unsanitary facilities, and workers failing to receive compulsory pay for their initial quarantine (Baum & Grant, 2020b). Reports also spotlighted employers prohibiting healthy migrant workers from leaving the farm premises post-quarantine for several months; two workers in B.C. were fired and repatriated after receiving a delivery of clothing and culturally appropriate food from local residents (Beaumont, 2020; Grant & Baum, 2020). Compared to provinces that left post-arrival quarantine arrangements up to employers, the B.C. government likely helped prevent some transmission of COVID-19 by paying for centralized Vancouver area hotels for migrant agricultural workers' fourteen-day quarantine. Overall, however, the pandemic intensified employers' capacity to restrict migrant farmworkers' movements, and it heightened the isolation and "social quarantining" of migrant workers from surrounding rural communities (Horgan & Liinamaa, 2017). Governments undermined protections for workers in order to stabilize an "exceptional" industry (Weiler et al., 2017).

Conclusion

While the COVID-19 pandemic stirred panic among the farming industry, government, and everyday eaters around food scarcity, the scramble to ensure migrant workers' "just-in-time" arrival for the growing season resulted in profound institutional failures to prioritize their health and safety. Tapping into people's visceral fears of food scarcity in a pandemic successfully encouraged multiple levels of government to carelessly capitulate to industry interests. Instead of proactively preventing outbreaks and deaths, governments and employers amplified racialized migrant workers' risk of exposure to COVID-19 while tightening restrictions on their freedom of mobility. In this respect, federal and provincial governments' responses to migrant workers mirror a broader pandemic trend across numerous global agri-food sectors, notably meatpacking, of prioritizing industry demands for access to workers with severely constrained bargaining power. Our essay thus sheds light on how powerful actors may reshape the flexible discourse of food security, in this case by justifying exceptional measures that prioritize the economic and nutritional securitization of the imagined national community over the wellbeing of racialized non-citizens from the Majority World (Anderson, 2006).

If migrant farmworkers' skills, training, and experience are indeed “essential” to the wellbeing of everyday eaters and the stability of the Canadian agriculture and agri-food industry, they deserve commensurate social and material rewards. This includes the migrant justice movement's calls for permanent residency on arrival, proactive enforcement of safety standards, full inclusion in employment protections, and a redistribution of racialized wealth, power, and ownership (Justice for Migrant Workers, 2020; Klassen et al., this issue). The COVID-19 pandemic offers an opening to reimagine a humane food system that dismantles coercion and upholds dignity for farmworkers.

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