

Guide to the Commonwealth Caribbean and Mexican Seasonal Agricultural Worker Program (CCMSAWP)

in Canada

The CCMSAWP is a temporary work visa program for farm jobs in Canada.

The program matches farm workers from Mexico and the Commonwealth Caribbean with Canadian farmers during particular planting and harvesting seasons.

Who can work in Canada under the program?

The government of the supply country recruits and selects the workers. Workers must have experience in farming. Also, a person may qualify to work only if she or he:

- is at least 18 years of age;
- is a national of one of the participating supply countries;
- satisfies the immigration laws of both Canada and the worker's home country;
- accepts and signs an employment agreement.

Both men and women can work in the program.

How much will I be paid as a CCMSAWP worker?

Your employer must pay you the greatest of:

- the provincial minimum wage; OR
- the prevailing wage identified by Human Resources and Skills Development Canada (HRSD); OR
- the same rate that the employer pays to Canadians for the same type of work.

Contact HRSD or the Government Agent to find out the minimum wage for CCMSAWP workers in the province where you are working.



What is the employment agreement?

- The employment agreements were created by the governments of Canada and the supply countries.
- The employment agreement is a contract between the employer and the worker.
- There are separate agreements for the Mexican program and the Caribbean program.
- The agreements establish the rights and duties of both parties.

- The agreement must be signed by the employer, the worker, and the Government Agent. The signatures must be witnessed.

Where in Canada will I be working?

Workers are placed in eight provinces: Ontario, Quebec, Alberta, Saskatchewan, Manitoba, New Brunswick, Prince Edward Island, and Nova Scotia. Almost 90 percent of workers are located in Ontario.

How long can I work under this program?

- You must be given at least 240 hours of work in any period of six weeks or less.
- You can only work up to eight months per year under this program.
- Workers begin arriving as early as February and all workers must have left on or before December 15.

How long can I remain in Canada?

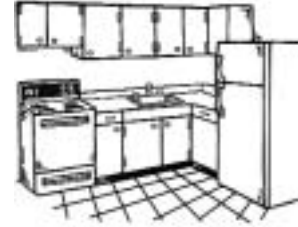
Once your contract has ended, you must return to your home country within seven days of your last day of work. Your employer will arrange your flight home.

Will my employer provide housing?

Yes. The employer must provide free housing that meets municipal building requirements and any health standards set by the province where the work is located.

Will I have to provide my own meals?

- Your employer must provide you with proper and sufficient meals, or if you choose to provide your own meals, your employer must provide pots and pans, fuel and a cooking area.
- You must be given at least 30 minutes of meal time.
- Your employer may deduct no more than \$6.50 from your daily wages to pay for meals he or she provides.



Will I receive health insurance?

- Yes. The employment agreement requires an employer to provide medical insurance in case of illness or accident not related to work.
- Your employer may not take deductions from your pay for medical coverage where you benefit from free provincial health insurance (in Ontario and Quebec).
- If the province you are working in does not provide free provincial health insurance, or if there is a waiting period to receive coverage, your employer must provide you with health insurance through an independent insurer. The government of your home country will select the insurer. Your employer may deduct a portion of each paycheck to recover some of the cost.
- Your employer must also provide insurance for on-the-job injury and illness. You do not pay for this kind of insurance.



What happens if I get injured on the job?

- You must report your injury to your employer immediately and apply for workers' compensation.
- All CCMSAWP workers are covered for work-related accidents, either through provincial workers' compensation programs or through their employer's work injury insurance.
- Employers can not deduct money from your paycheque to recover the cost of purchasing workers' compensation insurance.

What is workers' compensation?

- If you are hurt on the job or become seriously ill because of your job, you are entitled to receive medical and wage benefits.
- You must report your injury to your employer immediately.
- Your employer must then report your injury to the Government Agent and the provincial workers' compensation board within 48 hours of the injury.
- If you need medical help, the employer must immediately arrange for you to see a doctor.

For more information on workers' compensation, see [Guide to On-the-Job Injuries in Canada](#).

May I bring my family with me to work in Canada?

No. Only the worker receives a work visa to enter Canada.

Will my employer pay for my travel costs?

Yes. The employer must pay for travel between the airport (or other point of arrival) in Canada and the place of employment.

Employers must pay the round-trip airfare between your home country and Canada. The employer may recover part of the cost from your pay.

I have worked under the program before. Will I work for the same employer again?

"Named" workers are those workers that a farmer requests by name and who have worked for that farmer before. Most workers in the program are named workers.

The "unnamed" workers are workers selected and recruited by the supply country's ministry of labour.

What can I do if my employer does not follow the employment agreement?

There is a Government Agent from your home country. The Government Agent is stationed in Canada, usually in your country's consulate.

- The Government Agent represents all of the workers from that particular country.
- If your employer does not follow the employment agreement, you have the right to make a complaint to your Government Agent.

Workers can reach their Government Agents at the following numbers:

- Workers from Mexico: 1-888-351-2690.
- Workers from Jamaica: 1-888-898-3951.
- Workers from Eastern Caribbean countries: 1-888-518-3257.
- Workers from Barbados: (905) 851-3083
- Workers from Trinidad and Tobago: (905) 987-3001

What happens if I decide to leave the job?

- If you decide to leave the job, or if your employer decides to let you go after the trial period, you will have to pay for some or all of your travel costs, depending on a number of factors, such as how long you have worked for the employer.
- You should call your Government Agent immediately to be informed about who will pay your ticket home.

The Government Agent

The Government Agent from your home country helps CCMSAWP workers in many ways. The person is also called the consulate liaison officer and is normally located at the consulates. He or she can:

- make sure that you have decent housing;
- make sure that the employer complies with the employment agreement;
- make sure that you are provided health insurance and workers' compensation insurance;
- receive reports of workers' injuries;
- receive pay records from employers;
- approve transfers of workers;
- consult with employers who wish to fire a worker.

What if my employer wants to transfer me to another employer?

- After your first term of employment has ended, another employer may wish to hire you.
- The new employer must get prior approval from HRSD to make the transfer.
- If you are sent to a second employer without permission, the HRSD considers this to be a serious violation of Canadian immigration law.
- If this happens, you may face prosecution and you may not be allowed to work under the program in the future.

Does the new employer have to provide me with the same benefits?

- The new employer must provide the same benefits (minimum wage, housing, health insurance).
- In some cases the second employer will pay for your return trip, and in others the first employer will pay. It depends on the employment agreement.
- The new employer must provide you with at least 240 hours of work in any period of six weeks or less.

SUMMARY OF YOUR RIGHTS

The CCMSAWP requires employers to provide their workers with:

- at least minimum wage;
- safe and clean housing at no cost;
- proper meals;
- at least half of the cost of transportation
- medical insurance;
- workers' compensation if you are injured on the job;
- one day of rest for every six consecutive days of work;
- a trial period of 14 days (seven days for a transferred worker).

You employer must keep accurate attendance and pay records.



Commission for Labor Cooperation