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MEDIA RELEASE

**Statement by Senator the Honourable Jennifer
Baptiste Primus,
Minister of Labour and Small Enterprise
Development
On the side of Canada-bound Farm Workers**

The attention of the Minister of Labour and Small Enterprise Development was brought to an article written by Nirad Sharma which appeared in a Newspaper dated April 30th, 2020, referred to as Equality News the headline of which read "T&T Minister in hot seat over Canadian Farm Workers Program".

In summary the article alleges that the Honourable Minister stood in the way of over one hundred (100) citizens of Trinidad and Tobago travelling to Canada to work on Canadian farms under the Commonwealth Caribbean Seasonal Agriculture Workers' Programme (C.C.S.A.W.P).

For the benefit of those who are not aware, the employment of agriculture workers in Canada began in 1967 and is governed by a Memorandum of Understanding between the Government of Canada and the Government of the Republic of Trinidad and Tobago for the supply of low-skilled workers on the Commonwealth Caribbean Seasonal Agricultural Workers' Programme (C.C.S.A.W.P). The main feature of the C.C.S.A.W.P. is the organized movement of workers via the Public Employment Service that allows Canadian farmers to hire seasonal agriculture workers to plant and harvest Canada's fruit and vegetable crops as Canadians and permanent residents have avoided employment opportunities in this sector.

Each year, nationals of Trinidad and Tobago travel to Canada via the Farm Programme Unit of the Ministry of Labour and Small Enterprise Development for employment on farms in Ontario and Alberta under the Seasonal Agriculture Workers' Programme



(S.A.W.P.). In 2019, a total of seven hundred and twenty-seven (727) workers were employed across one hundred and twenty-seven (127) farms in the provinces of Ontario and Alberta. The stipulated period of employment is no more than eight (8) months from January 1 to December 15, provided the Canadian farmer is able to offer the workers a minimum of two hundred and forty (240) hours of work within a period of six (6) weeks or less.

There are currently sixty three (63) nationals in the province of Ontario and thirty five (35) in the province of Alberta. These nationals would have travelled during the period January to March before the borders were closed both in Canada and Trinidad and Tobago. These nationals are due to return no later than September/October. The Trinidad and Tobago Consul (Labour) at the Labour Liaison Branch in Toronto, Canada has advised that all nationals are in good health.

Regrettably, in spite of these indisputable facts, the newspaper article was laced with a litany of inaccuracies, lies and distortions for the most part allegedly made by UNC Opposition Member of Parliament for Couva South, the Honourable Rudy Indarsingh; the details of which bear no resemblance to honesty and truth. The fact is that both the Canadian High Commissioner to Trinidad and Tobago, Mr. Kumar Gupta and the Trinidad and Tobago Minister of Labour and Small Enterprise Development have been collaborating with each other on this very critical matter.

Put simply, the timing of the processing of the applications to travel to Canada by the persons in question moved into gear just about the time when the two countries were painstakingly focussed on responding to the threat of the COVID-19 Pandemic which had already begun to wreak havoc in over 299 countries all over world.

Prior to December 2019, workers were medically examined and were found fit to perform manual/physically challenging work as an 'agriculture worker'. The Canadian Embassy in Trinidad granted one hundred and seventy eight (178) Canadian visas valid until December 15, 2020 to one hundred and seventy eight (178) "named" workers who were expected to travel to Canada between March 18 2020, and April 8 2020, for employment as Seasonal Agriculture Workers in the provinces of Ontario and Alberta. It should be noted that ninety-five percent (95%) of these workers were requested by employers in Ontario which currently has the second highest number of positive cases and deaths from COVID-19 followed by Alberta.

Regrettably, it happened at a time when, in a move to curb the spread of the COVID-19 in Ontario and Alberta and protect the public, the Canadian provinces had enacted a declaration of emergency and the Federal Government of Canada closed the borders to anyone but Canadians and Americans after midnight on Wednesday, March 18, 2020. Closure of the borders therefore meant that no Seasonal Agriculture Workers from the Caribbean would have been allowed to enter Canada after the said March 18, 2020.



However, in keeping with Canadian industry interest, amid concerns about potential food shortages in Canada and the viability of farmers, the Federal Government of Canada reconsidered its position on air travel restriction for migrant agriculture workers as a result of which, on March 27, 2020 the Federal Government announced that migrant agriculture workers would be exempt from COVID-19 air travel restrictions. It was a period when the COVID-19 infected cases in Ontario and Alberta had begun to take a steep climb and the situation was increasingly tenuous.

In fact, the Public Health Information System (PHIS) of Canada has reported that as of April 26, 2020 the total number of positive COVID-19 cases in Canada and specifically in the provinces in Ontario and Alberta where nationals of Trinidad and Tobago are sent on farms to work are as follows:

Region/Province	Total positive COVID-19	Total COVID-19 Deaths	Increase from previous report
Canada	46,895	2,560	8,473 new positive cases 726 new deaths
Ontario	14,432	835	2,697 new positive cases 173 new deaths
Alberta	4,480	73	1,385 new positive cases 12 new deaths

It was however not until April 17th, 2020 that under cover of a memorandum dated April 17, 2020, that the Ministry of Labour and Small Enterprise Development was advised, through a Diplomatic Note from Foreign Affairs, Trade Development Canada that: *"The Government of Canada recently announced that as of March 18, 2020, all non-Canadians travellers who are not citizens or permanent residents are prohibited from entering Canada in an effort to stop the spread of COVID 19. However, as of March 27, 2020, all seasonal agricultural workers have been exempted from these travel restrictions provided their application for a work permit has been approved and they have received written notice of their approval and they have the visa or travel authorization required to travel to Canada"*



At that time, seventy four (74) workers had been due to travel on March 18, 2020, the date when the Government of Canada actually closed its borders.

The challenge facing the Trinidad and Tobago Government therefore was that of making a determination as to whether it would have been prudent to knowingly expose these citizens of Trinidad and Tobago, and by extension their families, to provinces in Canada which were experiencing high levels of COVID-19 infections; not the least of whom were farmers who were infected from among the very population of workers from neighbouring Caribbean countries who had already succumbed to the risk.

It is beyond all reason and level headed conscience for any individual with the slightest modicum of a spirit of humanity to allege or imply that given the exigencies of the COVID-19 Pandemic that any Minister of this Government can be ascribed as uncaring and not interested in the welfare of the farm workers. Just to entertain the thought is to trivialise the complexity and significance of the decision which had to be taken when all the implications of the life and death of the head of the household are considered.

The farmer workers can be assured that all the pros and cons of the issue at hand have been clearly identified and clinically ventilated among those who have their best interests and that of their families at heart.

In my capacity as line Minister, I submitted a note to Cabinet on this matter for its consideration.

Meanwhile, one day thereafter, the Minister of Labour and Small Enterprise Development was greeted with a pre-action protocol letter from Attorney-at-Law Gerald Ramdeen obviously rife with errors and misleading, but nevertheless cavalierly claiming to represent the interests of one of the farmers in Canada as well as one hundred and thirty-five (135) of farmer workers here in Trinidad; some of whom had no locus standi. The letter was referred for the attention of the Honourable Attorney General; who secured a legal opinion from Senior Counsel which enabled the Solicitor General to respond to Mr. Ramdeen's pre-action protocol letter.

Therefore, the matter is currently engaging the attention of Cabinet and a decision on the way forward should be known imminently.

In the final analysis, the matter for consideration is ensuring that the farmer workers are fully seized of the pros and cons and have been allowed sufficient time to deliberate, discuss and sensitize their families and establish the necessary support mechanisms for their dependents during their absence under the pandemic crisis or determining whether the Government should endorse the travel of nationals to Canada to participate in the farm program in the provinces of Ontario and Alberta; conscious of the risks to their lives and the pain and suffering which could descend upon their families.



In both circumstances, it will be incumbent upon the Government, having fully shared with the farm workers and their families the issues at hand, to receive written agreement from the said farm workers indemnifying the Government and people of Trinidad and Tobago from any liability arising out of any adverse consequences which the workers may experience, encounter, endure or suffer due to the ravages of the COVID-19 pandemic.

In the end it is the Government's desire that whatever the decision arrived at by the Cabinet, would be after good sense had prevailed.

END
