



April 17, 2025

Employment and Social Development Canada
Health Care Provisions and Wages and Deductions for the New Agriculture and Fish Processing Stream
Discussion Papers

Letter sent by email: edsc.dgce.tet-tfw.seb.esdc@hrsdc-rhdcc.gc.ca

Dear Sir or Madam,

Re: Ontario Pork submission on ESDC Temporary Foreign Worker Program: Health Care Provisions and Wages and Deductions for the New Agriculture and Fish Processing Stream Discussion Papers

Ontario Pork appreciates the opportunity to provide input on the ESDC Temporary Foreign Worker (TFW) program discussion papers on a stream-specific health care provisions, wages, and deductions.

From “farm to fork” Ontario’s 1,898 family farms employ over 16,550 full-time job equivalents and contribute \$1.4 billion in GDP and \$3.7 billion in economic output to Canada’s economy. Led by producers, Ontario Pork is a leader in the agriculture industry and is committed to sustainable growth in the pork sector, delivering government representation, research investment, and industry improvements in areas including animal care and environmental sustainability, while growing the brand and reputation of producers and their product.

Foreign workers in the pork sector fill an ongoing struggle for the sector to find Canadian workers willing to work on farms in rural Ontario, doing labour-intensive jobs. The TFW program is crucial to the continued viability and sustainability of the pork sector and across all of agriculture as the pork sector could not exist without these workers.

The dedication, hard work, and contributions of TFWs to our industry cannot be overstated. They have not only filled labour gaps but have also integrated seamlessly into our communities, becoming valued members of our workforce. Their presence has enabled pork farms to operate efficiently, meet production demands, and uphold the high standards of animal welfare and food safety that define the pork industry in Ontario.

Ontario’s pork sector is proud of the respect and exemplary treatment afforded to TFWs in our sector, from fair wages to quality housing, to assistance with community integration. We also understand the continued need for regulations and safeguards to ensure the fair treatment of foreign workers and the integrity of the program, and we are committed to working collaboratively to uphold these standards.

In terms of the discussion papers, **Ontario Pork's comments are specific to TFWs that are employed year-round**, which is the practice in the pork sector as compared to those in other agriculture sectors that employ seasonal workers.

HEALTH CARE PROVISIONS DISCUSSION PAPER

Question 1: Are the current health care provisions under all TFW program streams sufficient? What areas could be improved?

We believe that TFWs should be able to apply for health care benefits as soon as they land in Ontario and that there be no waiting period as it currently the practice under SAWP. There should be no difference between an employee under SAWP or a year-round employee. It is burdensome to employers who employ TFWs year-round to have to apply for OHIP for their employees, or who have to provide other health insurance at the employer cost. The lack of consistency between the two streams does not make sense.

Question 2: Is information on health care requirements under the TFW program, including waiting periods, easily accessible to employers and TFWs?

No, it is not. Depending on the location, not every Service Ontario will assist with health care applications for TFWs. This is frustrating for both TFWs and employers, and we believe that the government, when providing work permits, should also include an information package on where and how to apply for OHIP, while also addressing what is required in order to apply (work permit, ID, letter of employment, confirmation of address). The package should also include information on which Service Ontario locations provide services required by TFWs, rather than the employer and TFWs, in some cases, going to several Service Ontario locations before finding one that can assist them.

Question 3: Should employers under the new Stream be allowed to make deductions for private health care insurance?

Yes. Given that Canadian employees have deductions for the provision of private health care, the same should apply for TFWs, including insurance if there is a wait period for OHIP.

Question 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 repatriation or burial of the body? Do employers currently obtain insurance for this?

We do not support the employer having to obtain additional insurance and incur additional costs associated with added insurance premiums for a worker's death. In some cases, the premium costs may be more than the cost to return the person back to their home country in the event of a death. We believe that support can and should be provided, but do not support mandatory insurance for worker deaths.

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

This is already mandated for workplaces in Ontario; therefore, we agree with what it currently is in place.

Question 6: In your jurisdiction, would a TFW lose their health care coverage if they return to their home country and return to Canada to work a new contract at a later date? Have you had any issues with workers moving between provinces?

Currently in our jurisdiction, TFWs have their health care coverage (OHIP) for the full contracted time. At the end of the contract the health coverage ends. When a new work contract takes effect, new health care coverage will start for the new contract duration.

Question 7: Could a waiting period be waived/carried over in situations where a TFW moves to work in your province from another province when the TFW has almost completed the waiting period in the previous province?

Yes. However, as per our response to Question 1, we believe that health care should be provided immediately upon the TFW landing in Ontario for year-round workers.

Question 8: Is the information on health insurance and workplace safety insurance provided in the discussion paper correct for your jurisdiction?

Yes. However, we believe that three month waiting period for health care coverage should be waived.

WAGES AND DEDUCTIONS DISCUSSION PAPER

The wages and deductions discussion paper raises many questions regarding how Canadian and TFWs are perceived and treated, in terms of wages provided and housing costs. We understand and support the importance of fairness, but question how many of the proposed TFW program changes will create a sense of unfairness between workers and why it is being proposed that TFW workers be given wage increases that are unreasonable and would in effect pit them against Canadian workers doing the same job but receiving much less in pay. We do not see how ESDC can expect employers to have the means to pay the proposed wage increase of 33% of the wage difference followed by 66%.

Also, when determining housing costs, TFWs already receive many benefits over Canadian workers, who are forced to pay market rates for housing.

TFW and Canadian workers do not incur the same expenses for housing and transportation; when reviewing wage methodology, we believe that ESDC must take this into consideration. We believe that wage methodology should be streamlined for consistency and compliance, regardless of who the worker is.

Question 1: What are your view on the proposal to implement a market-based approach to determine wages and deductions?

a. Should TFWs be paid the regional minimum wage as posted on Job Bank for the relevant NOC and work location?

Employers are already mandated as to wage increases as these are directed and implemented by Service Canada, without any choices or input by employers, including mid-contract wage increases that must be followed.

We do not support TFWs being paid the regional median wage, as depending on where a farm is located, wages would be determined by a factory located in the region, which pays a much higher wage, or for some farms located closer to urban areas, wages would again be determined by businesses that have no comparison to farms and which have higher wages. How is a comparison to a major urban centre fair?

Question 2: What are your views on introducing or reviewing an employer-provided accommodations deduction?

We believe that accommodation deductions must be fair across low and high-skilled workers. TFWs are at a great advantage over Canadian workers, as the employer covers costs that Canadian workers must pay for - heat, hydro, water, wi-fi – but a TFW is not charged for any of these. Given the restrictions on the amount that can be deducted for TFW housing, the employer is required to cover many costs for TFW accommodations. If the accommodation was rented to tenants (non-TFW), much higher rents, based on the market, would be charged, regardless of wage.

Depending on the type of housing, i.e., bunk housing or single dwelling, we believe that a TFW housing deduction should be 30 percent, given that housing and food are their only expenses.

We would also like to add that local health units determine how many TFWs can be housed in a specific type of accommodation, with guidelines provided based on housing type.

Question 3: If transportation is determined to be deducted, and not free for workers, what would be the optimal approach for transportation deductions?

b. If cost sharing is considered, should it be split evenly (50%) between the worker and hiring employer, or would another ration or method be preferred?

Currently, TFWs are provided transportation, including air fare to arrive for contract beginning and end of contract to home county and transportation from the airport upon arrival and to the airport upon the end of the contract, as well as transportation arrangements for grocery shopping, banking and personal needs, all free of charge. Employers do not transport their Canadian workers to and from grocery stores.

We support changing transportation deductions through clear definitions/explanations of transportation requirements, deductions and responsibilities for employers and TFWs and which would include the ability of an employer to:

- Deduct 50% cost sharing for transportation to and from the airport
- Weekly town runs should be shared as well – could use a per km rate to deduct amount from workers' pay. This would be transportation to the nearest full shopping/banking centre. If transporting further, there needs to be a higher rate paid by the TFW.

Question 4: To what extent should the wage and housing deduction be linked?

We believe that wages and housing should be linked and that housing deductions be increased to 30%.

Question 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?

Employers and TFWs enter into contracts which clearly state wages and we firmly believe that the terms and duration of the contract must be honoured, prior to any wage changes. This is in line with current contract requirements that restrict wage increases or the granting of a bonus during the contract duration.

For example, if said changes come into effect in January 2026, all current contracts prior to that date must be honoured, as well as housing deductions for the full contract. If a TFW arrives and their contract starts on December 31, 2025, or prior, wages would be as said contract is outlined, including any wage increases to the minimum wage.

We do not support a mandated wage increase. In addition to being unfair to Canadian workers, who would be working side-by-side with a TFW performing the same work and earning a higher wage, there is also the burden this would place on employers having to determine how to pay these exorbitant wage increases.

Question 6: Are there other elements that should be taken into consideration when reviewing TFW wages and deductions?

We do not support or believe that there is any justification for a 66% increase in TFW wages. This would be heavily burdensome to employers and unfair to Canadian employees. How would this create a fair and balanced workplace? Canadian employees would rightly expect the same amount of wage increase. How does ESDC propose that employers, who already operate under thin profit margins, cover the wage increases?

What must also be considered by ESDC is the impact that any change to minimum wages has on all workers and not just TFWs. Would employers be required to provide the same percentage wage increase to workers, whether Canadian or TFW, who may be at a higher wage? If yes, this would make it exceedingly difficult for employers to incentivise employees as any wage increases would not be performance based.

We believe that any wage and deductions changes require additional consideration of the issues raised in our submission. We strongly believe that the TFW program is vital to the pork sector and to all of agriculture and that any changes must bear this in mind, as well as the importance of fairness to all workers.

On behalf of Ontario's pork producers, thank you again for the opportunity to participate in this important consultation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tara Terpstra', written in a cursive style.

Tara Terpstra
Board Chair