

A Door to Canada

Mexican Temporary Workers

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Migration is an economic phenomenon undoubtedly linked to the political, social and religious spheres. However, many factors make up the current complex migratory system, among them wars, over-population, famine, natural disasters, climate, joblessness, shrinking wages in countries of origin and the growth of poverty. In Mexico, about 26 million people live in abject poverty or below the poverty line according to National Population Council estimates. This is the case of Mexican farm workers. Officials put

estimates of poor migrant farm workers at about 3.4 million. The deterioration of the peasant economy has led to acute impoverishment among rural families, and it is precisely poverty and the search for ways out, non-existent in their places of origin, that lead millions of farm workers into exodus. For increasing numbers of these workers, migration is a survival strategy. Farm workers are indigenous and peasants from almost all states in Mexico and are received on the international market as cheap labor. Because they are undocumented, it is easy to manipulate their human and labor rights in accordance with employers' interests. For the receiving country, illegal migration is a necessary evil. They know

that it will provide them with surplus profits, which is why they have no genuine interest in solving the problem. But the documented work force is also exploited, particularly through temporary agricultural programs controlled both by countries of origin and receiving countries, as, for example, in the case of the seasonal farm workers' program established by Mexico and Canada.

The thirtieth anniversary of the signing of the Memorandum of Understanding with Canada for this program will take place next year, under the Fox administration. This memorandum opened up the door for Mexican peasants to go work in Canada's provinces through a contract called the Mexican

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Seasonal Agricultural Workers Program (M/SAWP). This administrative accord was formalized in 1974, thereby opening up the international market to cheap seasonal labor. Both signatories agreed that the memorandum did not have to be recognized by international norms and that the parties involved would resolve by themselves any discrepancy that arose between employers and workers.

The main prerequisites for hiring skilled, specialized labor were that the Mexicans really be peasants (the main requirement to be able to compete with Canadian farm workers), thus guaranteeing the employer an abundant harvest. Under the inter-governmental arrangement, more than two dozen Mexicans were sent the first year; this pilot group was successful in achieving the program's objectives: guaranteeing specialized agricultural labor. The Mexican workers receive a weekly wage equivalent to that of a Canadian worker, lodging, air fare, medical care and benefits set in each province, and are employed for anywhere between 42 days and nine months.

With the initial success, the governments approved the seasonal migration of increasing numbers of peasants, with the backing of Canadian farmers' associations, which decide the number of farm workers not only from Mexico, but also from Caribbean nations, with which Canada has similar agreements.

From the beginning, the Mexican government left to farm workers the responsibility of proving themselves capable, strong and resistant, regardless of the time they had to work in the fields, as a condition to be rehired to return the following season. They would also bear the responsibility of others missing out on "the opportunity of leaving the country with the government's blessing" and the door being closed because of

their incompetence if they failed. It is unfortunate how the government deals with the issue, knowing that economic necessity is vital to the peasants, who have no work at home (the countryside no longer provides a living for them and the federal government has withdrawn the few subsidies that once "supported" them). All of this has forced the peasants to accept the conditions on Canadian farms and maintain higher productivity than was traditional on these lands. For more than a quarter of a century, the number of farm workers has

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grown: at first, between 1974 and 1984, it was stable at an average of 640 workers a year; since 1986, it has increased, reaching 10,681 in 2002.

On the other hand, Canadian farmers no longer worry about whether Canadian or Caribbean laborers want to work the land; there is a specialized reserve army at their disposal that they can pick from with no restrictions; all they have to do is request that Mexico send the exact number of peasants they require to fill their needs. It is a real problem for the employers if the Mexican or Caribbean workers demand their labor rights since all they are interested in is production, but if one set of workers does not comply with their demands, there are others who will, most probably Mexicans, since the Mexican government never intervenes when their rights are violated. This is not the case with Canadian or Caribbean work-

ers, whose representatives do protest and demand respect for them, and whose national legislation does back them up when their rights are violated.

Several factors limit the respect for Mexican farm workers' labor rights, but perhaps the most important is the language, which is a real barrier to communication and being heard. Another problem is the farm workers' lack of direct, face-to-face contact with Mexico's consulates in Canada. Telephone consultations are by no means ideal, and consular staff is practically absent from

the farms themselves. Yet another factor is the isolation and distance from one farm to another: the workers feel alone and abandoned. When they return to Mexico, they must make a "return report" in which they state how much they earned, how much they spent, what they spent it on, how much they sent to their families, what relations with their employer were like and what problems came up on the farm. Usually, the worker omits the fact that his labor rights were violated and he limits himself to saying, "Everything was fine. The boss was a good boss." When they do denounce violations of their rights to Mexico's Labor Ministry, hardly ever is any solution arrived at, and the worker feels let down when he gets no response.

The Mexican Seasonal Agricultural Workers Program contract specifies that both parties have rights and obligations. One example is medical insurance for

workers who fall ill or have accidents. Since usually the employer makes sure doctors do not treat the workers, the insurance is a dead letter. It does not make sense for the temporary workers to complain because they run the risk of being considered troublemakers and not being chosen to come back the following season. Despite the fact that both nations have legislation to protect agricultural and migratory workers from risks, danger and labor abuses, most of the time the laws are ignored.

All migrants must not only be under the jurisdiction of their own national

the contrary, it must move in the direction of recognizing and defending all migrants' rights—whether documented or undocumented—and designing policies with an eye to ordered—which is not synonymous with controlled—migration and reconciling both parties' interests (those of workers and employers) fairly.

At the different inter-governmental meetings held over recent years, with the participation of all the Mexican institutions involved in the program, observers have noted that its operational cost is greater than the benefits to the

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legislation, but must also be protected by international law and, of course, enjoy the right to organize and belong to a union, collectively bargain, strike, have vacations and other benefits, choose their own place of residence, etc. No one must be denied any right. Therefore, Mexico's government will have to seek an international treaty with Canada to improve farm workers' conditions and not be satisfied with a new administrative accord similar to the current one which treats the worker as a commodity and not a human being.

The program is not the panacea nor the kind of strategy that will stop migration. Migration cannot be stopped, but it can be managed. The Mexican government must stop defending the interests of Canadian farmers and thinking of its fellow countrymen as cheap commodities sent abroad for sale. On

country. Nevertheless, the Labor Ministry has expressed its interest in the program continuing since it represents jobs for peasants, even if only for a few thousand and not the millions of Mexicans who are anxiously seeking employment. The reason that the program has not been widely publicized is precisely that, given its small size and the current job situation in Mexico, it would attract a much larger number of applicants than it could handle.

Farm workers labor in beekeeping, and the cultivation of vegetables, fruit trees, tobacco and ginseng, as well as irrigated agriculture. More than 80 percent go to Ontario. The work that requires the most employees (40 percent) is truck and tobacco farming, although the figures varied in 2002. Truck farming is followed by greenhouses in the number of employees (18 percent).

Tobacco dropped from 20 percent to 13.3 percent, and fruit dropped to 12.5 percent of workers. The greatest increase in hiring vis-à-vis 2001 was for cutting Christmas trees, although there was also an increase in vegetables, greenhouses, apples and ginseng. See the table for the number of farm workers sent to work with each kind of crop in Canada's different provinces.

One important category is that of "nominal workers," made up of individuals requested by name by the employers because they know them and have developed personal relations with them through the seasons. Even though the Mexican worker is able to state his reasons for not wanting to return to a specific employer, he must do so clearly and convincingly to the Labor Ministry's General Employment Office. This constitutes a limitation of his right to freely decide whether he goes back to that specific employer. By contrast, it is sufficient for the employer not to want to rehire a farm worker, with no explanation whatsoever, for him to be replaced by another. In the 2002 season, the employers' demands were not met since, of the 7,295 farm workers requested by name, only 2,412 actually went. The difference was made up by new workers who the bosses had to train, which sometimes means delays in bringing in the harvest.

Program administrators should evaluate these results and, of course, ask themselves why most "nominal" workers did not go back as expected. Perhaps they preferred to cross the border on their own and thus have the opportunity to choose where they work. This hypothesis was borne out in some interviews with workers in which they stated they were mistreated by employers. They complained about vio-

DEMAND FOR MEXICAN AGRICULTURAL WORKERS BY TYPE OF CROP (2002)

PROVINCE	VEGETABLES	APPLES	TOBACCO	GREENHOUSE	NURSERY	GINSENG	TREES	FRUIT	BEEKEEPING	TOTAL
Quebec	2,060	15	232	86	129	0	2	102	0	2,626
Ontario	1,984	476	1,185	1,835	209	282	349	1,233	0	7,553
Manitoba	266	0	0	0	16	0	0	0	0	282
Alberta	128	0	0	0	38	0	5	0	49	220
TOTAL	4,438	491	1,417	1,921	392	282	356	1,335	49	10,681

Source: Labor Ministry General Employment Office.

lations of their labor rights, insufficient pay and workdays; being forced to stay on the farm 24 hours a day on call; being locked in and having no freedom of movement. Despite their difficult living conditions in Mexico, some workers undoubtedly have decided not to return to the program. If we compare 2001 and 2002, we can see that in 2002, the number of workers increased by 4 percent, while in 2001, it increased 12 percent. It is interesting to note that only some of those who go for the first time are offered a one-time economic stipend; the ideal would be that this single payment be made to all those who wish to join the program. The money is for travel expenses from their place of origin to Mexico City to cover the red tape required by the Labor Ministry, and receipts must be presented to justify the expense.

Most of the farm workers come from states near Mexico City like Tlaxcala, the State of Mexico, Guanajuato, Puebla, Hidalgo and Morelos. But this does not mean that only these states participate in the program; almost all the other states in the country partic-

ipate, although with fewer workers. Ontario, Quebec, Manitoba and Alberta are their destinations.

The Seasonal Workers Program will keep the door open as long as Canadian employers continue to profit from using documented workers. This is one of the factors that explains the increase in the demand for Mexican workers. For Canada, the program represents—on a small scale—relief from the pressure of permanent migration and the increase in demographic rates; provincial governments do not have to come up with strategies for housing, education, social or health assistance for temporary agricultural migrants, resulting in considerable economic savings. The expenses they do incur during the farm workers' stay are the responsibility of the employer and, of course, must be included in the farms' production costs.

The program is a small door given the lack of government employment strategies and represents less than one percent of the undocumented migration to the United States. Even though the comparison is of thousands versus mil-

lions, this is the only door open to Mexican peasants.

CONCLUSION

Massive migration of Mexicans to the United States and Canada shows the successive capitalist development models' clear inability to resolve the migration problem and to productively absorb the Mexican work force. The Mexican government's neoliberal labor policies (wage ceilings, austerity in public spending, trade liberalization, technological modernization ruled exclusively by profitability, imports of basic grains, etc.) have brought the swift and continued impoverishment of the rural and urban population, as well as the abrupt deterioration of national production by micro, small and medium-sized companies. This has resulted in the reduction of the work force needed for domestic investment and an increase in migration. It is in this context that thousands of peasants accept becoming part of the Mexican Seasonal Agricultural Workers Program with Canada.

Mexican Canada scholar Sebastián Escalante states that the North American Free Trade Agreement does not seem to have a direct influence on the movement of Mexicans to Canada, given the small number of temporary migrants who participate. Only if ultimately they became a larger flow, similar to that which goes to the United States, will there be a need for an expansion of migration talks and negotiations between Mexico and Canada.

Although it has grown, for Mexico, the Mexican Seasonal Agricultural

cause of the existence of this program, which is actually a copy of previous labor exchange programs like the U.S. Bracero Program.¹

Despite everything, Mexican agricultural workers think participating in the program is beneficial for them and their families since it allows them to resolve their economic needs for short periods every year, even though the price they pay is very hard work and being away from their families. While they receive lower pay than Canadian workers, of course it is more than they would make in Mexico.

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Workers Program with Canada still has limited results given the expectations it created as a solution to the peasant population's need for a decent job, even if abroad.

On the other hand, control of entry and continuity of workers has been a factor in the program's success. Their high productivity has contributed to its expanding yearly and to the program's not becoming a new source of undocumented workers, given the distance between Mexico and Canada. In addition, since the workers are not protected by unions and Mexican consulates are very limited in their systematic relations with them, there is no need to guarantee respect for their labor rights, despite the fact that the agreement explicitly mentions this.

Mexico and Canada have a special migratory relationship, and not only be-

The program operates under the aegis of the Mexican Labor Ministry's General Employment Office, whose workload has increased in trying to satisfy the demand of Canadian farmers for workers. The staff labors in less than optimum conditions. The procedure agreed upon in the memorandum for correcting anomalies in the program and for solving problems that come up between employers and workers presupposes that Mexican consular staff visits the farms. However, because of the long distances involved and the lack of personnel in Mexico's legations, complaints are almost never attended to appropriately or in a timely fashion. This makes it necessary to design plans to organize the work to be able to attend to farm workers' needs, both in the office and on the farm itself, with visits that would bring daily problems

clearly into focus. One option would be to divide the country into zones, establishing local program offices in areas with large numbers of farm workers, who could then be serviced by a representative with support from citizens' organizations in the communities.

The program will probably grow more than 60 percent in the next five years, which will present the Mexican government with a major challenge requiring the urgent use of sufficient human and financial resources to cover the expectations of the Canadian government and, as a result, generate more hard currency for Mexico. In 1998 alone, 25 million dollars came in as a result of the efforts of Mexican workers in Canada.

The program has been successful in terms of the diplomatic relations between the two nations. It will be even more successful if International Labor Organization-stipulated labor rights are recognized. It will be doubly successful—not just for one party but also for the peasants themselves—when the farm workers are taken into account as people and not as goods; the door must be for everyone interested in going through it without limiting his human or labor rights. **MM**

NOTE

¹ One part of bilateral policy that still has not been sufficiently studied is Mexican refugees in Canada. See Sebastián Escalante, "Refugiados mexicanos en el Canadá de los noventa: Reconsiderando algunas suposiciones migratorias," Teresa Gutiérrez, comp., *Canadá, un estado postmoderno* (Mexico City: Editorial Plaza y Valdés, 2000).