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AWA Quebec launches Human Rights complaint on behalf of Guatemalan workers

Andrea Galvez, the coordinator of the Quebec chapter of the Agricultural Workers Alliance, an organization devoted to the defense of agricultural workers' rights and liberties, submitted a complaint on behalf of Guatemalan agricultural workers that come to Quebec. Guatemalan workers are invited to come to Canada (and Quebec) within the temporary agricultural workers program. They have been suffering discrimination of their civil rights in Quebec.

The facts are focused on the unequal treatment in comparison with other workers, including Quebec residents, in regards to their fundamental rights, notably: the Guatemalan agricultural workers are required to pay a rent raise of \$45 every week; the conditions of recruitment of these workers includes the

obligation of providing a deposit which they lose if they want to quit. However, the employers can break the contract at any time without any kind of penalty.

The Guatemalan agricultural workers denounce a discrimination towards their right to be called back and towards the dismissal period. Furthermore, they had been dismissed before their Mexican colleagues, and they also suffered salary discrimination. For the same tasks non-immigrant workers (i.e. citizens, permanent residents

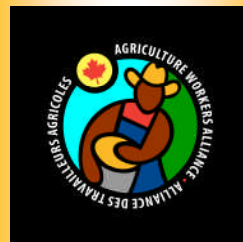
and refugees) had enjoyed better salary conditions, practice that goes against the principle of salary equity.

The agricultural workers have difficulty to access protection from the institutional mechanisms offered by the government of Quebec. This discrimination is based on ethnic or national origin and on the social condition. This goes against the principles contained in the Charte Québécoise des Droits et Libertés de la Personne.

If we want to fight against the discriminatory treatment that the workers suffer, it is necessary to have the involvement of the governmental institutions and this cannot be limited to just fundamental rights conditions. There also needs to be a more equal treatment from the agricultural farmers in Quebec that employ them.



AWA Saint Rémi Centre, Quebec



Agriculture Workers Alliance



President Wayne Hanley UFCW Canada

Agriculture Workers Alliance

AWA-ATA.CA

The Report

Volume 1 Publication 1

July 2009

Reign of immigration raids in Southern Ontario continues:

Nine female migrant workers arrested in Leamington

LEAMINGTON, ON, May 28, 2009 – In the early morning of Wednesday, May 27, Canadian Border Services Agency (CBSA) officers agents raided Lakeside Greenhouse in Leamington, Ontario and arrested nine female migrant workers. One of the women arrested and detained is pregnant.

The arrested workers, who are all from Mexico, are being held at the county jail in Windsor, Ontario. A number of the women arrested have pending asylum claims as refugees and

fear for their safety if deported. To date only one of the nine detainees has been released.

This latest raid comes on the heels of a series of U.S. - style raids first conducted by the

CBSA in early April at various Ontario communities including Leamington. In those April raids, over one hundred workers were detained, and many were deported to their home countries.

“These unprecedented raids are shaking Leamington to its core. This is a community with a large and vibrant population of migrant

workers who are being held at the county jail in Windsor, Ontario. A number of the women arrested have pending asylum claims as refugees and

“These unprecedented raids are shaking Leamington to its core” UFCW Canada National President Wayne Han-

(Continued on page 2)



AWA/Union Certified for Quebec Greenhouse

On June 18, the Quebec Labour Relations Board (QLRB) approved UFCW Canada Local 501's application for certification to represent workers at Les Serres Luc Cléroux just north of Montreal with locations in Mirabel, Saint-Eustache, and Blainville.

The flower-production green-

houses employ more than 60 Guatemalan workers who come to Canada under the federal Seasonal Agricultural Workers Program (SAWP) as well as the Temporary Foreign Workers Program (TFWP).

Upon learning of the QLRB's decision, workers at the locations held impromptu

celebrations, saying they look forward to negotiations for a first contract.

Applications for several other Quebec agriculture units are currently before the board.

Great turn ups at the openings of the Abbotsford and Surrey centres in BC, and Simcoe, Ontario



Personnel from the AWA Abbotsford centre with workers.

Last Friday June 5 and Sunday June 7, the centres of Surrey and Abbotsford respectively, held

their opening ceremonies for another season. Simcoe had its grand opening on Friday June 12, 2009.

Surrey's opening was especially notable; as it marks the first time the centre opens its doors to the workers in the surrounding area. Pastor Eduardo Rodriguez; from Faith Lutheran Church blesses the centre. Glenn Toombs from UFCW Local 1518 was also in attendance and gave the opening speech. Two musicians then shared their music

and entertained the workers. Volunteers and students from the University of BC and other union activists from the community joined them as well.

The Abbotsford centre, not to be outdone, had lots of workers from the area on Sunday to celebrate the opening of the centre for another season. Ravi Dhindsa and Glenn Toombs were also in attendance. Ravi coordinated the event and held raffles

(Continued in page 3)

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workers," says UFCW Canada National President Wayne Hanley.

"Rather than criminalizing our society's most vulnerable workers, the resources used to carry out these raids should be re-directed to support desperately needed enforcement of decent working conditions and accommodation for migrant workers. These raids only further stigmatize workers,

making them even more vulnerable to unscrupulous employers and labour recruiters."

UFCW Canada and the Agriculture Workers Alliance have joined forces with local legal clinics and community groups to provide support and advocacy for the arrested workers, and other migrant workers in the Leamington community.

As Canada's largest private-sector union, UFCW Can-

ada has been advocating for the rights of migrant workers across Canada for almost two decades. In association with the Agriculture Workers Alliance (AWA) (www.awa-ata.ca), UFCW Canada also operates nine agriculture worker support centres across Canada, including one in Leamington, Ontario. These centres have provided assistance to tens of thousands of workers since the first centre opened its doors in 2002.

Agriculture profits up 63% – what is the farm workers share?

Total net revenues increased for the second consecutive year to \$3.3 billion



June 1, 2009

This week Statistics Canada reported that farm sector

total net revenues increased for the second consecutive year to \$3.3 billion – up \$1.3 billion or more than 63% from 2007. Meanwhile wages for most agriculture workers remain the lowest in Canada "because the system is set up to keep these workers powerless," says Wayne Hanley, the

national president of UFCW Canada and the AWA.

"The blatant discrimination against agriculture workers has to end," said Hanley. "It means billion in profits for the agriculture industry at the cost of the workers' health, safety and workplace rights."

Human rights violation of Ontario agriculture workers continues

Supreme Court of Canada to review Ontario Court of Appeal order to allow farm workers to form and join unions for the purpose of collective bargaining

TORONTO, April 2, 2009 / CCNMatthews/

The violation of the labour and human rights of Ontario agriculture workers will be in front of the Supreme Court of Canada again, after the highest court in the land agreed to review a recent Ontario lower court decision that ruled the province's current prohibition on farm unions is unconstitutional.

"We're disappointed that the justice delayed to Ontario farm workers will be further delayed," said Wayne Hanley, the National President of UFCW Canada - the union that for more than a decade has advocated in the community and in the courts for the rights of Ontario farm workers.

"We're also enraged that the Ontario government has chosen to continue denying the human rights of the province's most vulnerable workers. The actions of the McGuinty government and the corpo-

rate farm lobby are shaming Canada's international reputation."

"As Canadians, we can't stand back while human rights get trampled in our own backyard," said Hanley. "That said, we believe the Supreme Court will rule as it did a decade ago, and again in 2007 - that the right to collective bargaining is guaranteed under the Charter of Rights and Freedoms."

On Thursday, the Supreme Court of Canada agreed to an application for Leave to Appeal by the Ontario McGuinty government. The application was filed in January, following a November 2008 Ontario Court of Appeal decision that ruled current Ontario legislation that prevents farm unions is unconstitutional. The Ontario ruling was based in part on two earlier decisions by the Supreme Court of Canada which ruled the right to collective bargaining is protected under the Freedom of Association provisions of the Charter.

"Twice now the Supreme Court has ruled that labour rights are human rights," said the leader of UFCW Can-

ada, which in association with the Agriculture Workers Alliance operates nine agriculture worker support centres across Canada - four of them in Ontario.

"If in its wisdom the Supreme Court wants the opportunity to render a final definitive ruling, we must abide by that," said Hanley.

"The delay is unfortunate but in the meantime we will continue to advocate for the rights of Ontario agriculture workers. We'll also press on with our case at the International Labour Organization that the Ontario ban on farms unions contravenes two United Nations labour rights Conventions that Canada is a signatory to."

"At the end of the day, a worker is a worker and Ontario agriculture workers have an equal claim on the same workplace rights and protections that other Ontario workers and other Canadian workers have enjoyed for decades," Hanley said, "and we expect the Supreme Court will uphold that, and finally put an end to this gross injustice."

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for the workers throughout

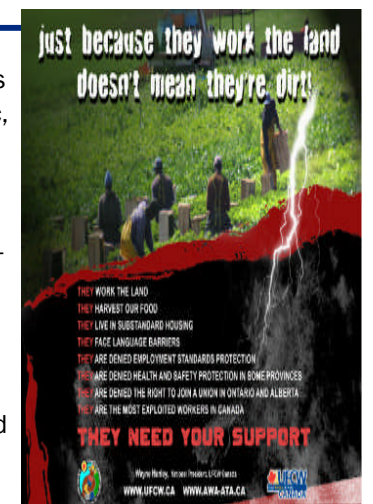
the event, with the grand prize of a pre-paid cell phone.

Simcoe had a great event as well. Full of noise and music, the centre welcomed many

workers from Mexico, Jamaica and the Caribbean. Raffles, speeches and lots of other activities were held for the workers. Overall, the workers had a great time and had a chance to unwind and forget about their fatigue after a long day's work to enjoy the festivities.



Raul Gatica y Glenn Toombs give a warm welcome to the workers during the AWA Surrey opening ceremonies.



Visit our website for more information about this and other campaigns
www.awa-ata.ca