

ABBOTSFORD'S AGRICULTURAL ACCOMMODATION:

**AN EXAMINATION OF FOREIGN AGRICULTURAL
WORKER LIVING ACCOMMODATION IN
ABBOTSFORD, BRITISH COLUMBIA**

by

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Abstract

This study evaluates the state of agricultural housing accommodation in Abbotsford, British Columbia for migrant seasonal workers entering Canada under the Seasonal Agricultural Worker Program (SAWP). The study examines whether enough quality housing exists for Seasonal Agricultural Workers (SAW) using data collected from Citizenship and Immigration Canada and the City of Abbotsford. Based on a provincial standard of 7.44m² of living space per SAW, the study finds a shortage in quality housing for SAW between 2005 and 2007, with the problem at least temporarily abating in 2008. After evaluating a number of policy alternatives, the study proposes the City of Abbotsford include the living space requirement detailed in provincial migrant worker housing guidelines in zoning bylaws 210.10 and 220.10. Inclusion of the requirements in city bylaws will ensure that each worker hired by a farm operator be provided with the minimum 7.44m² of living space.

Keywords: Seasonal Agricultural Workers Program (SAWP), Seasonal Agricultural Worker (SAW), Pilot Project for Occupations Requiring Lower Levels of Formal Training Program (ORLLFT), Low Skill Temporary Foreign Worker (low skill TFW), Ministry of Agriculture and Lands (MAL), Abbotsford, British Columbia

Executive Summary

The number of temporary migrant workers employed in Canada has risen since the beginning of the 21st century (CIC, 2010). This trend is apparent in the agricultural sector where the number of seasonal agricultural workers (SAW) has increased by more than 8,000 individuals in the past ten years to over 23,000 employees (CIC, 2010). This surge in the number of foreign agricultural employees across Canada raises concerns about the degree to which these workers access quality housing.¹

Ensuring SAWs access quality housing in communities across Canada is an extremely complex issue. Three levels of government are involved with the creation of policies that seek to provide quality housing for seasonal agricultural workers and each level of government possesses different responsibilities and control over issues that affect seasonal worker housing. Canadian federal and provincial governments set broad seasonal agricultural worker housing guidelines in Canada, while municipalities oversee and enforce regulations meant to ensure quality housing for workers.

This study evaluates the extent to which SAW's obtain quality housing in Abbotsford, British Columbia and outlines a set of policy proposals by which the City of Abbotsford might best ensure that local SAW housing is of sufficient quality. The study begins by reviewing provincial reports, discussion papers, as well as academic and labour studies describing SAW housing, defining "quality housing" as the amount of living space provided to each SAW as defined in the provincially approved Guidelines for the Provision of Seasonal Housing for

¹ Concern about a lack of quality housing was expressed by an employee of the British Columbia Ministry of Agriculture and Lands who asked to remain anonymous.

Migrant Farm Workers in BC. The study then uses a unique dataset to examine SAW housing availability in Abbotsford. Analysis shows that although Abbotsford experienced a shortage of quality SAW housing between 2005 and 2007, the problem at least temporarily abated in 2008 and 2009.

The study proposes three possible policy alternatives aimed at addressing the degree to which Abbotsford SAWs have access to quality housing including: (1) continuing with the status quo; (2) including the provincial guidelines recommended 7.44m² living space requirements in city bylaws; and, (3) implementing an in-house housing quality monitoring system. The study evaluates these three alternatives according four criteria: (1) administrative complexity and cost; (2) effectiveness; (3) farmer acceptability; and (4) City of Abbotsford acceptability. The evaluation suggests Abbotsford should pursue option 2 and incorporate a housing living space requirement in city bylaws. Inclusion of the living space guideline will ensure housing inspections confirm that each SAW receives the minimum 7.44m² of living space as required by the provincial government.

Dedication

To...

Mom and Dad

Nana and Pa

Oma and Opa

Adam and Liz

Thanks for the encouragement, love and support.

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Glossary

British Columbia (BC)	Canada's westernmost province.
Seasonal Agricultural Worker (SAW)	A migrant worker who has entered Canada to help Canadian agricultural employers meet their human resources needs when domestic workers are not available.
Seasonal Agricultural Worker Program (SAWP)	The Seasonal Agricultural Worker Program matches workers from Mexico and the Caribbean countries with Canadian farmers who need temporary support during planting and harvesting seasons. This support is accessible when qualified Canadians or permanent residents are not available. (HRSDC, 2010)
Pilot Project for Occupations Requiring Lower Levels of Formal Training (ORLLFT)	Started as a pilot program in 2002 and expanded to Abbotsford in 2007 the goal of the program is to increase the number of low skilled temporary foreign workers in Canada classified as being in the C or D National Occupational Classification set out by HRSDC. (HRSDC, 2010)
BC Ministry of Agriculture and Lands (MAL)	The British Columbia Government Ministry mandated to develop and monitor the provincial agricultural sector.
Human Resources and Skills Development Canada (HRSDC)	The Canadian Federal Government department that administers the rules and operations of the SAWP and ORLLFT.

1: Introduction

The number of temporary foreign workers entering Canada has grown rapidly since the beginning of the 21st century (CIC, 2010). Part of the surge in temporary workers entering Canada stems from workers admitted through the Seasonal Agricultural Worker Program (SAWP) and the agricultural occupations in the Pilot Project for Occupations Requiring Lower Levels of Formal Training (ORLLFT) program. The SAWP and Pilot Project program are federal government programs allowing farm operators to employ seasonal agricultural workers and low skilled temporary foreign workers when an operator is unable to meet their labour needs through the employment of domestic employees (Preibisch, 2010).

The increase in the number of migrant workers in British Columbia has caused concern among the province and municipal governments about where to house workers. For example, members of the agricultural community including the mayor and various sector observers believe that more than 1,000 SAW are residing in Abbotsford (Mayor, personal communication January 27, 2011). In addition, BC based interview research asserts that SAW housing provided by farm operators is often overcrowded and of low quality. For example, a 2009 interview records a seasonal agricultural worker in British Columbia stating, “People are living 10, 11 to a house with access to one bathroom, without even a stove but three or four electric hotplates for nine people (Otero, 2009, p.55).”

This study investigates SAW housing in the agricultural city of Abbotsford, British Columbia. Specifically this study investigates the extent to which living space is provided for seasonal agricultural workers coming to work in Abbotsford under Canada’s main agricultural migrant worker program between 2005 and 2009 using data from Citizenship and Immigration

Canada and the City of Abbotsford. The report concludes by analysing a series of policy alternatives meant to ensure the continued accommodation of Abbotsford's SAWs. The policy alternatives are evaluated according to a set of four criteria. Policy alternatives include the status quo, a municipal mandatory living space requirement and a mandatory worker and housing monitoring system. The study is separated into eight sections. Section 2 defines terms and introduces the study's policy problem. Section 3 describes the methodology, including data collection and key stakeholder interviewees. Research findings are offered in Section 4. Section 5 presents the criteria used to analyse the considered policy alternatives outlined in Section 6. Section 7 evaluates these policy options and delivers the recommendation offered to alleviate the policy problem. A conclusion is provided in Section 8.

2: Background and Policy Problem

The City of Abbotsford is the largest urban centre within the Fraser Valley Regional District and contains the most intensively farmed community in Canada.² The city covers a land base of 36,840 hectares and has a population of 123,864 (Statistics Canada, 2010). Of the 36,840 hectares of land, 27,700 hectares (75%) are lands reserved for agricultural production as designated by the provincial *Agricultural Land Reserve Act*.³ Of these 27,700 hectares of reserved land, 22,515 hectares (61 per cent of the city) were under cultivation in 2001. Abbotsford's high agricultural productivity is reflected in the average gross farm gate sales in 2001 (the most recent year examined) per acre, which exceeded \$7,140 in 2001. For purposes of comparison, the Niagara Region in Ontario produced \$2,195 per acre in 2001 (ACC, 2008). Seventy-five per cent of Abbotsford's land area is reserved for agricultural purposes, though the community has little room to expand and remains highly dependent on agricultural activity.

This study examines agriculture in Abbotsford, specifically housing for seasonal agricultural workers. This section introduces background information and the main policy problem at issue in this study. It defines terms and provides an overview of the seasonal agricultural worker program and low skilled temporary foreign worker program. It also defines "quality housing" and outlines related government housing requirements for the two federal worker programs.

² See Appendix A for a map of the City of Abbotsford and surrounding Agricultural Land Reserve.

According to the 2006 Census, Abbotsford is ranked 11th among Canadian Census Metropolitan Areas with a population density of 254.1 residents/km² (Statistics, 2008b).

³ Geographically Abbotsford is approximately the area of the cities of Vancouver, Richmond and Burnaby combined.

2.1 Seasonal Agricultural Workers and Low Skilled Temporary Foreign Workers

Farmers in British Columbia often hire seasonal agricultural workers (SAWs) during peak production periods. The BC Ministry of Agriculture and Lands suggests aging farm-owner populations and fewer family members pursuing family farming as careers serve to drive foreign worker demand. Increasing farm acreage and harvesting intensity common to modern Canadian agricultural production add to the pressure faced by farmers (BC MAL, 2009). Some suggest domestic workers are less and less willing to undertake seasonal farm work, instead preferring to pursue long term and stable employment (Welte, personal communication, February 2, 2011). Others claim changes in the BC Employment Standards Act further reduce employment incentives for domestic agricultural workers, as BC exempts agricultural employees from statutory holiday pay, annual paid vacations, overtime and hours-worked pay provisions and all overtime entitlements (Fairy, 2008).

In this study, SAWs are farm employees entering Canada as part of the federal Seasonal Agricultural Worker Program (SAWP). The SAWP permits workers from Mexico and the Caribbean to work for Canadian farms in need of temporary employment because of a shortage of labour in the domestic market. The SAWP requires farm operators employing SAWs to provide housing for their employees based on specific federal rules outlined in section 2.3.1.

The designation of low skilled temporary foreign workers (low skilled TFWs) denotes farm employees that have entered Canada as part of the federal government Pilot Project for Occupations Requiring Lower Levels of Formal Training (ORLLFT) program. The Pilot Project program permits workers from around the world to work for Canadian businesses (i.e. not just agriculture). Farm operators hiring low skilled TFWs are not required to provide housing. Farmer's must only prove that housing is available within the employment region.

The titles domestic employee or domestic worker refers to farm employees that are Canadian citizens or individuals that are permanently residing in Canada. Domestic labour as defined by this study includes all employees that are in Canada permanently and are not participants in the SAWP or the Pilot Project for ORLLFT program. A shortage of domestic employment on a Canadian farm permits the farm operator to seek SAWs or low skilled TFWs to fill the employment gap.

The seasonal agricultural workers coming to Canada under the SAWP are arriving from the Caribbean and Mexico and staying to work for a maximum eight months. Farm operators hiring low skilled temporary foreign workers as part of the ORLLFT program may hire from any country and the workers may remain in Canada as employees for up to two years before returning home (HRSDC, 2009). The lower cost employment provided by seasonal agricultural workers is one of the only ways that farms, “can exercise some degree of control over their profit margins...in the highly competitive markets in which they sell their goods (Preibisch, 2010, p.429).” The ability for Canadian farmers to hire flexible employment from other countries means that the upward trend of foreign agricultural employment is likely to continue (Preibisch, 2010).

Employment of migrant workers in the British Columbia agricultural sector has increased with the introduction of the SAWP and Pilot Project for ORLLFT program. Demand for SAW and low skilled TFW employment is focused in the most intensively farmed regions of the province including, the Thompson-Okanagan Valley, Vancouver Island and the Lower Mainland where Abbotsford is located. Together, these regions account for more than 80 per cent of the province’s agricultural employment (Province of British Columbia, 2010, Figure 42). The programs are described in further detail in the following subsections

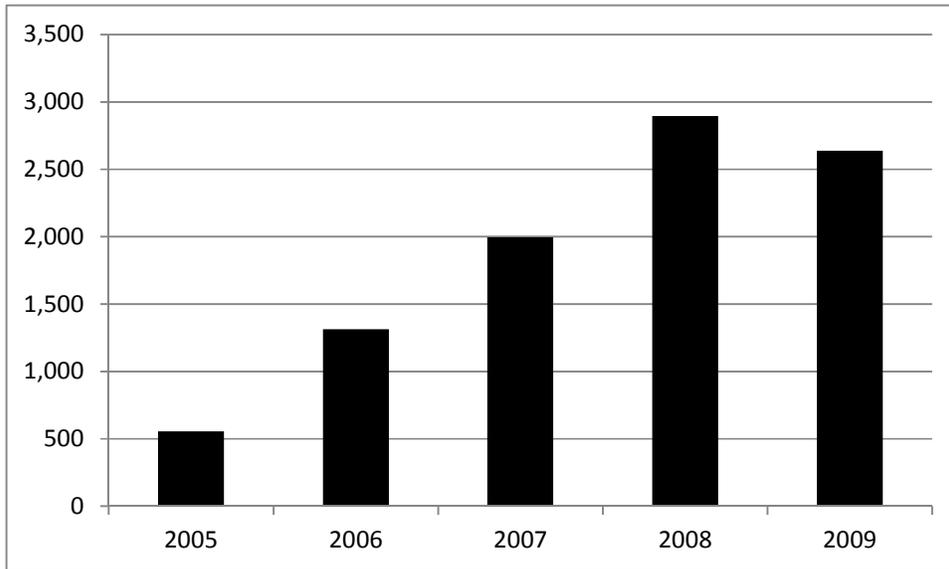
2.1.1 Seasonal Agricultural Worker Program (SAWP)

Introduced to British Columbia 2004, the Seasonal Agriculture Worker Program (SAWP) requires British Columbia's provincial Ministry of Agriculture and Lands and agricultural municipalities to adjust to an increasing seasonal rural workforce. The SAWP allows migrant workers into Canada to fill temporary gaps in the Canadian employment market (HRSDC, 2009). In 2009, the program allowed 23,372 SAWs workers into Canada (CIC, 2010) and in 2008 almost 3,000 SAWs came to BC (BC MRE, 2010), a significant increase since the year 2000 when 16,710 SAWs entered Canada (CIC, 2010).

Canada's flagship temporary seasonal agricultural worker program began in 1966 when the Ontario farm sector asked for assistance with an acute agricultural labour shortage in the province. The SAWP began as a temporary program brokered with the Government of Jamaica to bring 263 unskilled farm labourers from the Caribbean to Southern Ontario (F.A.R.M.S., 2010). Forty-four years after the first Jamaican worker entered Canada, the SAWP program now applies to workers from 10 additional Caribbean and Central American countries, allowing employment in nine of Canada's provinces. In 2009, the SAWP program granted entrance to 23,372 workers (CIC, 2010), 2,638 of which came to work in British Columbia (BC MRE, 2010).

As shown in Figure 1, the total number of seasonal agricultural employees coming to British Columbia has increased dramatically between 2005 and 2009. Approximately 566 workers came to BC in 2005. The number increased to nearly 3,000 in 2008 before declining slightly in 2009 (BC MRE, 2010). As discussed in section four, these data do not show where the workers are employed in the province. While provincial data has been available in the public domain, researchers concerned with the issue of housing in several municipalities have not accessed city specific data adding to the difficulty of micro-level evaluations of these programs (Fairey, personal communication, 2011).

Figure 1 Total SAWP Employees, British Columbia



Source: Adapted from (BC MRE, 2010)

The process of accessing SAWP employees has four main steps. First, farmers attempt to recruit Canadian citizens or domestic permanent residents to fill available positions. Employers must detail the work conditions, pay and expected employment duties in any advertising. Described work conditions, pay and duties must match those eventually offered to a migrant employee. If after advertising, the farm operators have not adequately recruited, they may apply for a Labour Market Opinion (LMO) from Human Resources and Skills Development Canada (HRSDC). The purpose of the LMO is to report employment shortages to HRSDC and initiate foreign hiring (HRSDC, 2010). By completing the LMO application, farm operators agree to abide by a number of stipulations including to; 1) offer the same wage rate that would have been paid to a Canadian; 2) provide round trip airfare to and from Canada; 3) pay the workers' immigration visa cost recovery fee; 4) ensure the workers are covered by provincial or private health insurance and register the worker with the provincial worker compensation board; 5) enter into an employment contract with the worker and a foreign government official and 6) provide seasonal housing approved by provincial, municipal or private inspection services (HRSDC, 2010). The focus of this study is the requirement to provide housing.

2.1.2 Low Skilled Temporary Foreign Workers (Low Skilled TFWs)

The Pilot Project for Occupations Requiring Lower Levels of Formal Training program is monitored by HRSDC and allows for the temporary settlement of workers to Canada in order to fill employment shortages. The Pilot Project may be used to employ migrant workers in any occupational field (i.e. not just agricultural). The program applies to occupations requiring no more than high school level education or two years of on-the-job training. The program requires employers to first seek domestic employees and if unsuccessful, apply for a Labour Market Opinion with Human Resources and Skills Development Canada.

The program differs from the SAWP regarding duration of stay, eligible countries of origin, requirement of a contract with the country of origin, housing requirements as well as the fact that the program is available to employers from all industries and sectors. The SAWP allows workers to remain in Canada for a maximum of eight months before returning to the country of origin. As stated in section 2.1.1, the SAWP is limited to countries with an agreement with Canada. The Pilot Project allows low skilled TFWs to remain in Canada for up to 24 months. The Pilot Project allows a business to employ workers from any country in the world as long as they meet the provisions set by HRSDC. While the SAWP requires farmers to provide housing, the Pilot Project only requires that employers prove to HRSDC that housing is available within the community. If a farm operator hiring low skilled temporary foreign workers does house employees on the farm premises then the farmer is guided by the same municipal bylaws that apply for all other on-farm worker housing (City of Abbotsford, 1996)

2.2 Quality Housing for SAWs

One of the most challenging problems concerning seasonal worker housing is ensuring housing quality. Lack of quality housing is demonstrated by a survey of a group of BC farm workers in 2008 that found, “significant problems with the quality of migrant worker housing, including overcrowding (Fairey, 2008, p.33).” These conclusions are similar to those found

elsewhere. For example, an American study found that a lack of available housing quantity for SAW lead to poor quality conditions and illness among migrant agricultural workers in the United States (Hansen, 2003). Research focused on seasonal agricultural worker housing in the Minnesota agricultural sector finds that more than 20 per cent of survey respondents listed issues of overcrowding and a lack of privacy as their primary concerns (Ziebarth, 2006). Preibisch (2003) describes seasonal worker housing as a problem with great discrepancies in the quality of accommodation provided, where those discrepancies hinge on the difference of a unit being overcrowded or spacious.

There are many possible methods by which to determine the extent to which housing is of sufficient quality. This study uses available floor space per worker to determine quality. Even this basic measure is open to debate as different measures of minimum floor space requirements exist in different jurisdictions. For example, living space requirements in Europe range between 7.5m² per person in France and the Netherlands to 20m² per migrant in Denmark (Barral, 2005). In Florida, the state Department of Health's administrative code for migrant labour camps requires a minimum 4.6m² of living space be provided to migrant workers (State of Florida, 2008). The International Finance Corporation stipulates guidelines for migrant worker housing of 4 to 5.5 m² when funding projects employing migrants (IFC,2009). In British Columbia, the only municipality to mandate a specific minimum floor area per occupant is the City of Richmond. The bylaw 8039, S 221.7.02, requires that there be a minimum of 10m² of floor space per farm worker accommodated (City of Richmond, 2006). This study uses the metric established in the British Columbia provincial migrant worker housing guidelines of 7.44m² (BC Government, 2005).

When the Seasonal Agricultural Workers Program was expanded to British Columbia in 2004 (BC MAL, 2009), the Ministry of Agriculture and Lands and the agricultural sector agreed that the province needed an accompanying set of guidelines for recommending how seasonal

worker housing should be built and maintained. The discussion resulted in the sector written Guidelines for the Provision of Housing for Migrant Farm Workers in BC that were a modification of migrant worker housing guidelines that had been written in Ontario⁴. These guidelines suggest SAWs be provided with a minimum of 7.44m² per worker (Guidelines, 2005). This standard is used as a minimum baseline for quality housing in this study. It is important to note that while both the Ministry of Agriculture and Lands and the agricultural sector state the importance of the guidelines in an effort to ensure quality housing for migrant workers, these guidelines do not carry any legal weight and remain voluntary suggestions only (BC MAL, 2009).

2.3 National, Provincial and Municipal Housing Regulations for SAWs and Low Skilled TFWs

This section details the relevant federal, provincial and municipal requirements for farmers providing housing for SAWs with Abbotsford as the case example. The following three subsections explain the requirements that the federal, provincial and Abbotsford municipal government has placed on farm operators seeking SAW employment. Understanding the legal and regulatory requirements for each jurisdiction is necessary in order to follow the specific housing issue in Abbotsford.

2.3.1 Federal Government Housing Requirements

Human Resources and Skills Development Canada oversees federal regulations concerning the SAWP and Pilot Project for ORLLFT programs. While slight differences exist, regulations for both outline minimum standards for employer-provided housing. Table 1 explains the housing obligations that an employer has under the SAWP and Pilot Project for ORLLFT program.

⁴ See Appendix C of BC Government (2005)

Table 1 Federal Government Housing Requirements

SAWP HOUSING REQUIRMENTS	PILOT PROJECT FOR ORLLFT HOUSING REQUIREMENTS
<ul style="list-style-type: none"> • Housing is inspected and approved by a municipal, provincial or private accredited housing inspector. • Housing is provided by the farm operator. The operator may deduct 10% up to \$632 from the gross pay of a Mexican employee’s salary for housing costs. Caribbean workers may only be charged up to \$505. 	<ul style="list-style-type: none"> • Employers are not required to provide accommodations for their workers. • Employers are required to prove to the federal government that affordable housing is available to the workers within their employment region. • If housing is provided on the farm then the operator must abide by the same requirements of the SAWP. • If an employer provides their workers with housing then they are able to recover an amount of their costs similar to SAWP requirements.

Source: Adapted from F.A.R.M.S. (2010)

As seen earlier, while farm operators are required to provide housing for all SAW employees, they are not required to do so for low skilled TFWs in Canada as part of the Pilot Project for ORLLFT program. A farm operator hiring a low skilled TFW is only required to prove housing is available within their employment region. While federal regulation does not require farmers to house low skilled TFWs, reports from the BC Ministry of Agriculture and suggest that many farmers choose to supply on-farm housing (MAL, 2009). Farmers choose to house employees in on-farm housing as the close proximity to work reduces daily transportation costs to and from the farm, thus providing the same benefit of an onsite workforce provided by the SAWP (Otero, 2009). If a farmer chooses to house their low skilled TFWs on-farm, farm operators must operate their housing under the same guidelines set by the province and municipal government to control the SAWP.

2.3.2 Provincial Foreign Agricultural Worker Housing Policies

Presently, no provincial legislation in BC exclusively affects SAW housing. Legislation and regulation that partially affect SAW housing is the Agricultural Land Commission Act (ALC)

and Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC. The ALC Act contains restrictions and rules associated with the construction and use of agricultural accommodation in British Columbia. The ALC Act provides power to municipalities to regulate and approve the use of additional residences on farmland if deemed necessary for farm use [ALC Act, 2002, Section (D) point 2,]. The devolution of land use planning power to municipalities explains why responsibility for monitoring SAW housing is attributed to municipalities.

When British Columbia adopted the SAWP in 2004 (BCMAL, 2009), the Ministry of Agriculture and Lands alongside the agricultural sector agreed that the province needed an accompanying set of guidelines for regulating how SAW housing should be built and maintained. The resulting guidelines are a modified version of the Ontario migrant workers housing guidelines⁵. The guidelines are the principle statement of provincial seasonal worker housing policy in the province of BC. The guidelines outline best practices for all types of housing quality including living space, sanitation, laundry facilities and potable water. For the purposes of this study, the essential measure of quality is the minimum living space standard, 7.44m² as stated in Appendix C section A2. While both the Ministry of Agriculture and Lands and the agricultural sector state the importance of the guidelines, the guidelines do not carry any legally binding force and remain voluntary only.

2.3.3 Municipal By-law Zoning Requirements

Municipalities regulate aspects of SAW housing with regulations and bylaws. The City of Abbotsford has zoning bylaws 210 and 220 that outline requirements for seasonal employee housing, termed accessory seasonal employee residences (City of Abbotsford, 1996). These bylaws concern: 1) Land Restrictions; 2) Farm-City Declarations and Covenants and 3) Farm Use Restrictions.

⁵ See Appendix C for BC Guidelines on housing for farm workers.

The first group of bylaws concern land restrictions. Land restrictions in Abbotsford have caused concern between the agricultural sector and the municipality. The concern is that prime land in the agricultural land reserve in this community is being lost in part due to an inflow of seasonal worker housing units. In response to this concern, the City of Abbotsford has created some of the strictest housing land use restrictions for seasonal housing of any community in British Columbia (BC MAL, 2009). By limiting SAW housing to declared farms under the BC Assessment Act within the ALR and to plots of at least 3.8 hectares, the city ensures only legitimate farm operations build and operate seasonal worker housing. Housing built for seasonal agricultural employment must be located on the farm the workers will be employed, eliminating the ability of farmers to procure land in another part of the city and house workers at that location. These restrictions are important as they eliminate the ability for farmers to build off-farm seasonal worker housing in an effort to provide quality space for workers and limit the impact on their farmland.

The second group of seasonal worker housing regulations defined in Abbotsford zoning bylaws 210.10 and 220.10 concern farm and city signed declarations and covenants. The signing of declarations and covenants between the city and farms ensure housing is used for the sole purpose of farm worker housing. These documents are signals to persons analysing the issue of quality SAW housing in Abbotsford that this policy problem is a concern for City Hall. The documents require a farm operator to prove that housing will be used for the sole purpose of housing farm workers as well as detailing the period of time that the housing will be occupied.

The final category of bylaws concerns farm use restrictions. Zoning bylaw 210.10 limits seasonal worker housing in Abbotsford to farms involved in either berry or vegetable production - the dominant forms of agriculture in the city. By limiting seasonal worker housing to these crops, the city has limited the expansion of housing to 477 (40 per cent of total) of the 1197 farms in the city, as documented in the 2006 census of agriculture farm data and farm operator data tables (Statistics Canada, 2008a). Abbotsford's municipal zoning bylaws define and limit the number

and size of housing currently permitted on each farm to one housing unit of a maximum 200m² for farms under 40 hectares and 300m² for farms over 40 hectares (City of Abbotsford, 1996).

The creation of municipal bylaws regulating seasonal farm employee residences is evidence of civic involvement in the regulation of seasonal worker housing in the City of Abbotsford. Bylaws 210.10 and 220.10 are the regulatory requirements for seasonal employee housing in the city of Abbotsford, British Columbia. Section 2.4 describes the policy problem of too little SAW living space in Abbotsford that is examined in the remainder of this study.

2.4 Policy Problem

This study evaluates the extent to which SAWs employed in Abbotsford have access to quality housing – with quality defined as the amount of living space available to each worker. The study responds to initial concerns about quality housing for seasonal workers, at least in part stemming from a 2008 study detailing problems related to the exploitation of migrant workers, reporting that agencies responsible for safety and health have failed farm workers by not creating comprehensive regulations and/or by not carrying out proactive and continuous enforcement of existing regulations (Fairey, 2008). In response, municipalities now act as the first point of contact in a complaint based monitoring system that is increasingly controlled as much by municipal bylaws as it is by federal and provincial legislation (Fairey, 2008).

While federal and provincial governments control seasonal worker housing requirements and guidelines, farmers and municipal officials often oversee regulation enforcement (Driediger, personal communication, 2011). Initial interviews with local Abbotsford officials suggest resource scarcity limits the extent to which city officials monitor SAW housing quality (Mayor, 2011). Further, the only oversight of SAW housing occurs when farm operators receive individual annual inspections from private inspectors as part of their HRSDC Labour Market Opinion or after complaints. Abbotsford community-planning employees indicate that although bylaws require a statutory declaration to be submitted to the city for all farm worker housing on an annual

basis, farmers do not submit these declarations nor does the city pursue procedural enforcement. Currently the city employs only six bylaw officers responsible to enforce over 700 local bylaws, with each officers costing the city approximately \$100,000 (Mayor, 2011).

The City of Abbotsford and provincial government are concerned about a lack of quality living space for SAW since the introduction of the SAWP in Abbotsford in 2005. According to one BC Ministry of Agriculture and Lands employee, “anyone who thinks that issues related to temporary foreign worker housing in BC are not important is not paying attention to what is happening.”⁶ This study focuses on the policy alternatives available to a single municipality in British Columbia seeking to ensure quality living space for SAW. Many provincial, federal and non-governmental studies have examined SAW housing issues on a province and nationwide level. Few studies actively deconstruct the employment and housing problems of one municipality and attempt to clarify what is occurring in that single area. This study accomplishes that task for the city of Abbotsford and concludes by offering policy recommendations. The following section details the methodology used by this study to determine the quality of SAW housing in Abbotsford.

⁶ Concern about a lack of quality housing was expressed by an employee of the British Columbia Ministry of Agriculture and Lands who asked to remain anonymous.

3: Methodology

This section outlines the methodology used to explore the availability of quality SAW housing in Abbotsford. The two methodologies used for this analysis are a data analysis and an interview analysis. I have chosen to use a data analysis to show the demand and supply of seasonal agricultural worker living space in the city of Abbotsford. The data analysis is completed in a three-stage process. First data is presented that shows the demand for SAW housing in Abbotsford. The analysis shows the number of SAWs and low skilled TFWs residing in Abbotsford between the years 2005 and 2009. Second, the analysis describes SAW housing supply using data collected from the City of Abbotsford Community planning and building permit offices. The data analysis is completed with an assessment of a quality-housing ratio comparing the number of SAWs in Abbotsford to the housing supply. The interview analysis uses semi-structured interviews with key Abbotsford agricultural sector stakeholders. The interviewees were not asked the same exact questions but were asked questions about similar issue and themes such as explanations for the increased employment of SAW in Abbotsford, current SAW housing policies in Abbotsford and other Canadian agricultural communities and definitions of what attributes contribute to quality housing for SAWs..⁷

3.1 Data Analysis

3.1.1 Seasonal Agricultural Worker Housing Demand

The study seeks to understand agricultural housing demand in Abbotsford by examining data from Citizenship and Immigration Canada (CIC) received by the British Columbia Ministry of Regional Economic and Skills Development, Immigration Research Unit. These data detail the

⁷ Interview Question Themes – Appendix D

number of approved SAW and low-skilled TFW workers in Abbotsford.⁸ The Immigration Research Unit data provides “stock” and “flow” data tracking the number of employees approved to work in Abbotsford during a calendar year. Stock data are recorded by CIC once a year on the 1st of December whereas flow data tracks the entries of SAW and low skilled TFW permitted to work on farms located in the city of Abbotsford during a calendar year. This study uses stock data. Most seasonal agricultural employees enter Canada during the middle of the calendar year and leave before the December 1st count. Low skill TFW may stay in Canada up to two years meaning that a count of annual entries would not compute employees remaining in Canada from a previous year (SIB, 2010). The data presented in this report is a best measure annual stock count of all employees legally able to work on Abbotsford farms as permitted by the federal SAWP and low skilled TFW programs.

3.1.2 Seasonal Agricultural Worker Housing Supply

The process for approval of seasonal worker housing permits in the City of Abbotsford requires that two types of seasonal worker housing permits be examined to determine the supply of SAW housing. The first group of permits originates from the Abbotsford community-planning department and are representative of additional farm worker housing that did not require new building permits, as they are either old primary dwellings or temporary units (i.e. mobile trailers). The second group of permits are provided by the building permit department in the City of Abbotsford and record the available square metres of housing for newly built seasonal farm worker accommodations (see Appendix B).

The data analysis ratio is computed using the building permit information provided by the Abbotsford building permit department. The building permit data accessed for this research is representative of building permits issued between 2005 and 2009 under the Agriculture Building

⁸ According to data received from Citizenship and Immigration Canada, the Abbotsford low skilled TFW workers reported in this report are employed in the agricultural sector.

Permit application. Of the eleven seasonal farm worker accommodation units counted in this analysis, all were completed or under construction when the building permits were issued. This housing is guaranteed SAW housing capacity.

In addition to the guaranteed capacity counted by the building permits approved for seasonal farm work accommodation, the city also tracks the number of community-planning approved and active accessory seasonal housing permits. This study analyses the approved permits between 2000 and 2009 (Section 4.2). “Active housing” refers to permits that a farm operator has the legal authority of the municipality to build or maintain. This housing is not guaranteed capacity. This analysis cannot distinguish between completed housing, temporary housing units and housing that is permitted but has not been built, as the City of Abbotsford does not record the information based on these distinctions. The study incorporates the available information as it represents potential housing that the city has approved beyond the twelve guaranteed seasonal worker-housing units approved by the Agriculture Building Permit application. Analysis of this data will be completed in section 4.2.

3.1.3 Quality

This study completes the data analysis by evaluating housing quality using the metric of 7.44m² of living space per SAW. According to assumptions made by BC Ministry of Agriculture employees and staff at the City of Abbotsford, the quality of housing for SAW is not meeting provincial guidelines. The data analysis determines the extent of the housing shortage. In order to determine the quality of housing based on the living space metric of 7.44m², a ratio is created to compare the SAW housing demand with the guaranteed SAW housing built in Abbotsford since 2005. The extent of a quality housing shortage will define the governmental response required.

3.2 Key Stakeholder Interviews

Four key stakeholder interviews provide professional insights on agricultural accommodation problems challenging Abbotsford's agricultural communities. Interview participants were chosen because of their familiarity with the problems of SAW housing. The interviews provide insight into the policy problems of SAW living space in Abbotsford and BC. The interviews add depth of analysis to what the CIC and Abbotsford permit data describe and therefore help in the evaluation of policy alternatives. Interviewee responses provide information integral to the formation and evaluation of policy alternatives. The four interview participants are:

- Mayor George Peary and Councillor John Smith of Abbotsford City Council. Mayor Peary and Councillor Smith were interviewed in person on January 27, 2011 during a one-hour session. Mayor Peary has been the Mayor of Abbotsford since 2008. Prior to 2008, Mayor Peary spent 18 years as a city councillor. Councillor John Smith has been a member of Abbotsford's city council since 2005 and is currently a member of the city Agriculture Advisory Committee. John Smith spent three previous years as Chair of the Abbotsford Chamber of Commerce. While both Mayor Peary and Councillor Smith are speaking from the perspective of municipal council, it must be stated that responses are their opinions and views and not necessarily those of the council or municipal government as a whole.
- David Fairey, Director of the BC Trade Union Research Bureau. David Fairey was interviewed on January 31, 2011 during a one-hour phone interview. David Fairey is a researcher and analyst with the British Columbia Trade Union Research Bureau. In the past, Mr. Fairey has worked with worker advocacy groups such as *Justicia for Migrant Workers*, as well as other academics specializing in the field of migrant worker settlement, rights and accommodation, such as Dr. Kerry Preibisch, professor of sociology at the University of Guelph. As part of his work on the issue of agricultural accommodation in British Columbia, Mr. Fairey has participated as an interlocutor in the city of Delta, advocating for a more

holistic and socially minded approach to the development of municipal policies related to seasonal worker housing.

- Mike Welte, Chair of the Abbotsford Chamber of Commerce Agriculture Committee. Mike Welte was interviewed on February 2, 2011 during a one-hour phone interview. Mr. Welte is a lifelong Abbotsford resident and professional employed in the field of agricultural financing. As a member of the Abbotsford Chamber of Commerce Mr. Welte is the chair of the Chambers Agriculture Committee. Mr. Welte was approached because of his position as a community business leader and his familiarity with Abbotsford's agricultural sector.
- Rhonda Driediger is an operator of Driediger farms in Langley, BC and is affiliated with the BC agricultural industries' umbrella organization the British Columbia Agriculture Council (BCAC). Rhonda Driediger was interviewed on February 2, 2011 during a one-hour phone interview. The BCAC represents 33 crop and sector groups in the province. In addition to sector experience, Ms. Driediger was a key participant in the writing and establishment of the sector written and provincially endorsed Guidelines for the Provision of Seasonal Housing for Migrant Farm Workers in BC.

The interviews with the Mayor of Abbotsford George Peary and Abbotsford City Councillor John Smith were conducted in person over a one-hour session. The interviews with David Fairey, Mike Welte and Rhonda Driediger were conducted by telephone conversation and each interview continued for approximately one hour. Interviewees were asked various questions about their concerns for SAW living space quality in Abbotsford in order to help in the analysis of the policy issue. In addition, interviewees were asked what changes they believe could be made to current Abbotsford SAW housing policy in an effort to ensure quality living space in the future.

3.3 Summary

A number of challenges arose during the research for this report. The primary challenge dealt with the choice of methodology. No methodology is able to provide a flawless analysis of why too little living space may exist for seasonal agricultural workers in Abbotsford. A challenge arose because of permit approved farm worker housing that does not record living space. A shortcoming of the analysis arises because of what the city terms “New for Old,” building permit applications.⁹ A new for old application is an application where the farm owner applies for a building permit to construct a new home. The farm operator would inform the building permit department of the intention to remove the old home once the new home is built. The complication for tracking the living space of housing occurs because some farmers may decide that they are going to build their new home but also wish to keep their old home for farm workers. Since the old home is already built, no building permit detailing size specifications is required and therefore it is unrecorded. The second challenge with using community-planning services data for determining the availability of living space is that not all housing is used specifically for SAWs. Some of this housing is also used to house low skilled TFW and domestic employees. Understanding the limitations of the Abbotsford housing permit data is important for this study as it demonstrates that conclusions made from this research are part of a preliminary analysis of Abbotsford agricultural accommodation and are not fully conclusive. The analysis of descriptive data from Citizenship and Immigration Canada the BC Immigration Research Unit and the City of Abbotsford provides a clearer assessment of the SAW housing problem on Abbotsford’s farms than has been provided in the past.

Section 4 provides the study’s data analysis. It uses the data analysis and interview results to evaluate the severity of the policy problem. The analysis of the data is followed by various

⁹ Municipal terminology explained by an anonymous member of the Abbotsford Community Planning Department.

policy alternative suggestions meant to assist in the effort of improving the quality of Abbotsford seasonal agricultural worker accommodation.

4: Data Analysis

This section examines SAW housing in Abbotsford as assessed by a measure of quality where each SAW should be provided with 7.44m² of living space. Seasonal worker housing permit data show that while housing supply was inadequate according to these standards between 2005 and 2007 the problem has abated by 2008 and 2009. Four interviews provide professional insights into the housing problem in Abbotsford and explain what current perceptions are and how the problem might be relieved.

4.1 Housing Demand Analysis

Table 2 shows the total number of SAW and agriculturally employed low skilled TFW in Abbotsford.¹⁰ The first employees from the Seasonal Agricultural Worker Program entered Abbotsford in 2005 and the first low skilled TFW came to Abbotsford in 2007. The figure shows the change in the number of seasonal workers in Abbotsford from its introductory year in 2005 to the most recent year recorded, 2009. The data is important for the analysis as it shows the rise and then slight decline in the number of SAWs living in Abbotsford as of December 1st each year.

¹⁰ Data presented in this section is stock data as defined in section 3.1.1.

Table 2 Seasonal Agricultural Workers and Low Skilled Temporary Foreign Workers in Abbotsford

	2005	2006	2007	2008	2009
Seasonal Agricultural Workers	33	183	90	84	82
Low Skilled Temporary Foreign Workers	0	0	17	51	53

Source: Adapted from BC MRE (2010)

Table 2 shows that very few migrant workers actually arrived in the city of Abbotsford, compared to the 1,000+ speculated to be arriving by certain stakeholders and groups, including city council (Mayor, 2011). As the figure shows, the number of SAWs and low skilled TFW workers peaked in 2006, when 183 SAWs were permitted to work on Abbotsford farms. When considered as a total of the entire Abbotsford population, these 183 SAWs represent a small fraction (0.001per cent) of the entire city population.¹¹

Two additional and significant observations can be made for the analysis of this study based on the data in table 2. The first observation is concerned with the rapid increase and decrease of SAWs in Abbotsford between the years 2005 and 2007. Definitive conclusions cannot be made about why there is such a significant increase in the number of SAWs in the year 2006. However, I can speculate why a significant increase occurred during the second year of the SAWP. An assumption I make is that the appeal of SAWs as a secure labour source was seen in 2005 by farmers when the first SAWs entered the city. In 2006, a number of new farm operators chose to hire SAWs as a source of stable employment. Then in 2007, the number of SAWs decreased again as farm operators were now familiar with the numerous additional rules and regulations including housing requirements that farm operators must accept when employing

¹¹ City of Abbotsford population as of the 2006 Canadian census was 123,864 (Statistics, 2010).

SAWs. The appeal of stable employment might have been reduced by the additional regulatory burdens of employing migrant workers.

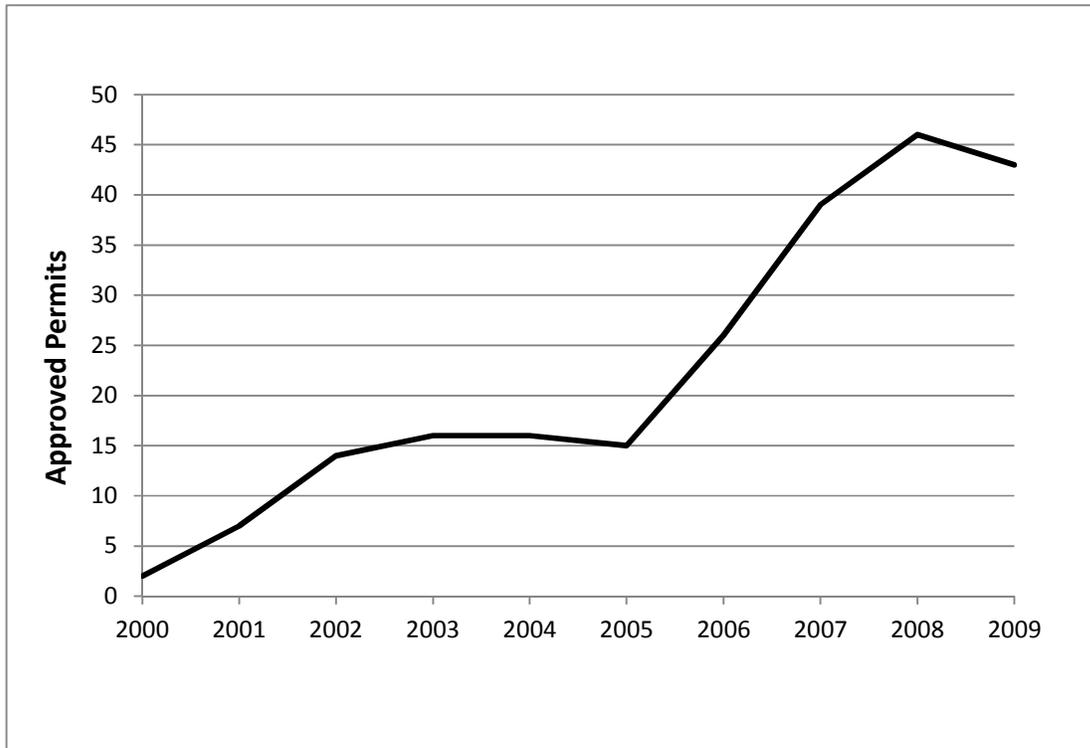
The second observation is that since the introduction of low skilled TFWs available to the Abbotsford agricultural sector in 2007, the number of SAWs entering the city has been on a gradual decline. This decline in SAWs and increase in the number of low skilled TFWs is significant. The shift in employment from one program to another will probably have ramifications on the policy problem of too little quality living space for SAWs in the future and may create new policy problems for the city and province that will need to be researched in coming years. One potential problem is explained below.

Section 2.3 of this study listed the federal, provincial and municipal housing requirements for farm worker housing that impact the City of Abbotsford. In the list of requirements, the study explained that when a farmer hires SAWs through the SAWP the farmer is responsible for providing housing to them. The study also explained in section 2.3 that a farmer hiring low skilled TFWs is not required to provide housing for the employees. If the trend seen in table 2 continues, where the number of SAWs decreases and the number of low skilled TFWs increases in Abbotsford, the city may not be concerned about why there is too little quality living space for seasonal agricultural workers. If an increasing number of low skilled TFW's are employed by farmers in Abbotsford, a new policy problem may arise where too many low skilled TFWs are being hired by the farms without being able to access quality housing upon their arrival in the city. While the shifting employment programs for migrant workers in Abbotsford is beyond the research of this study, the potential for a new policy problem is something that should be considered and addressed by policy analysts in the future.

4.2 Housing Supply Analysis

Figure 2 shows the number of active planning services applications approved for farm workers between the years 2000 and 2009. Figure 2 shows that there has been an increase in the number of active farm help housing permits in the years since the introduction of the SAWP in 2005. Farm worker housing applications are approved for occupation by different groups of workers in the city of Abbotsford. In some cases farm help housing is to be used for low skilled TFWs, domestic workers or SAWs. Figure 2 data represent all farm worker housing applications approved by the community-planning office. These applications include the 11 applications detailed in table 3, as well as approved applications submitted for the conversion of already built structures that will be converted to farm help housing or applications seeking to place mobile housing on a farm property. Figure 2 shows the potential total housing units if every unit approved by the community-planning department was built or converted to farm worker housing. One finding of the housing supply analysis is certain. The variance in the use of the term farm help housing by the community-planning department creates a high degree of uncertainty among community planners and policy makers when trying to quantify the available living space of housing for SAW in Abbotsford.

Figure 2 Active Planning Services Farm Help Housing Permits Annually Approved in Abbotsford



Source: City of Abbotsford (2010)

The supply of seasonal agricultural worker housing in Abbotsford has increased since 2005 with the approval of new building permits for seasonal worker accommodation as itemized on the Abbotsford agricultural building application (Appendix B).

Table 3 Abbotsford SAW Living Space

Year	Approved Permits	Square Metres Built
2005	1	227.6
2006	2	255.5
2007	1	96.8
2008	2	235.2
2009	5	887.9
Total	11	1703.0

Source: City of Abbotsford (2011)

Table 3 shows the new living space built in Abbotsford on an annual basis between the years 2005 to 2009 and the total for the period. The new SAW living space measured in square meters represents the amount of floor space built by city farmers for SAWs entering Abbotsford. In 2005, the 227 square metres of new living space was created through one building permit. In 2006, three building permits allowed 225 square meters of new SAW housing to be built. In 2007, one permit was approved and in 2008, two permits were approved for the addition of 96 and 235 square metres of living space respectively. The year 2009 had the most approved building applications and an additional 887 square meters of housing stock was built in Abbotsford. Since 2005, 1703 square metres of additional living space have been added to the SAW housing stock in the City of Abbotsford.

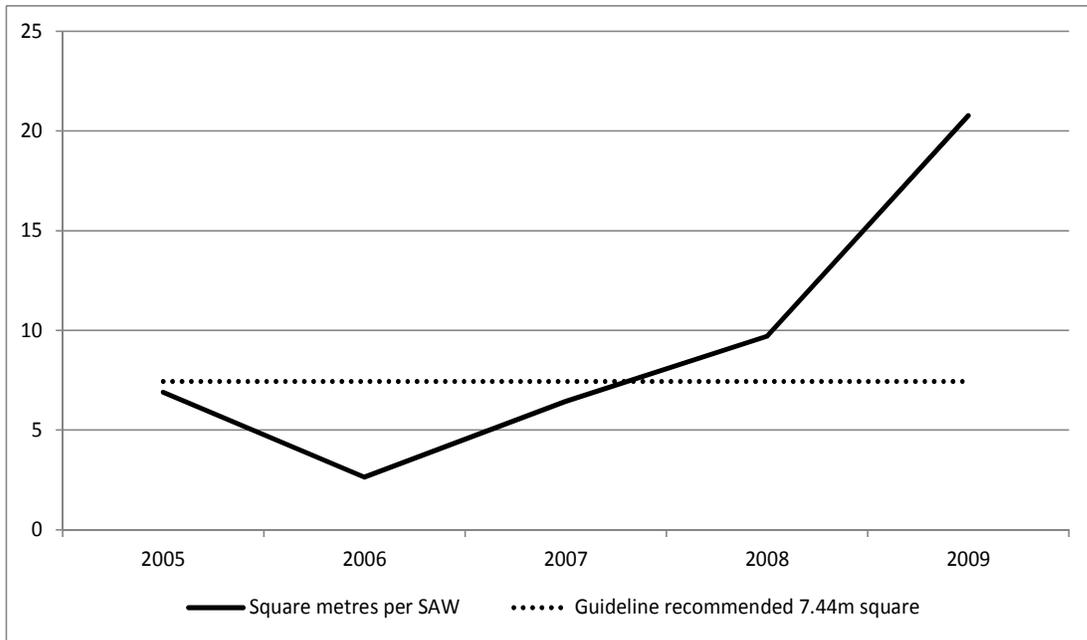
It is important to note that unlike data presenting the number of SAW entering the City of Abbotsford on an annual basis that show static annual numbers where workers counted once, living space data is cumulative. The living space available in 2005 accumulates with new living space built in 2006, 2007, 2008 and 2009 to create a stock supply of SAW housing that can be used repeatedly from year to year.

4.3 Quality Analysis

The provincial guideline for achieving quality housing in Abbotsford is to provide 7.44m² of living space per SAW and as mentioned earlier, I use that benchmark in the analysis of Abbotsford's SAW housing supply. The ratio in Figure 3 shows the relationship between the numbers of SAWs entering Abbotsford with the housing stock total available for seasonal farm worker accommodation in a given year. The ratio is calculated by dividing the number of available cumulative square metres of living space recorded in table 3 over the number of SAWs

permitted to work in Abbotsford on an annual basis as seen in table 2. The figure shows the ratio of square metres of living space per seasonal agriculture worker between 2005 and 2009, the introduction of the SAWP and the most recent year recorded.

Figure 3 Ratio-Available Square Metres of Living Space per SAW in Abbotsford, BC: 2005-2009



Source: Adapted from City of Abbotsford (2011) and BC MRE (2010).

Figure 3 shows that SAW housing was probably inadequate between 2005 and 2007. The ratio demonstrates that based on this study's measure of quality housing an accommodation problem may have existed between 2005 and 2007 and caused the concern that currently exists among provincial and municipal policy makers.

4.4 Key Stakeholder Interview Analysis

These research findings were presented to four stakeholders in January 2011. This analysis summarizes the responses given by the four interviewees about the data provided by CIC, as well as what they believe to be the cause of too little quality SAW housing availability in Abbotsford. The interview data is compared with the SAW and housing data to determine the best policy

alternatives and recommendation to ensure quality accommodation in Abbotsford's agricultural sector. While discussion in the analysis section is limited to the topic of SAW housing supply and demand, interviewees were asked a wider range of questions, the answers of which will help in the analysis of policy alternatives.¹²

4.4.1 SAW Housing Supply and Demand

When I received data from Citizenship and Immigration Canada, it became apparent that one of the key questions concerned whether stakeholders trusted the data I had received from Citizenship and Immigration Canada through the BC provincial government. In order to discover the answer to this question I probed each stakeholder with a variant of the following statement:

Based on the data I have received from Citizenship and Immigration Canada there were approximately 120 SAWs and low skilled TFWs in Abbotsford in 2009 with a maximum peak of 183 workers in 2006. What are your impressions upon examining the data related to SAW and Abbotsford active housing permits?

Three of the participating stakeholders suggested the data are flawed. Both Councillor Smith and Mayor Peary gave an ardent dismissal of the data, both believing the data to be severely flawed, speculating from a select group of farm visits and other reports that the actual number of workers in Abbotsford under the auspices of the SAWP and low skilled TFW program is in excess of 1,000 workers.

Contrary to the opinions given by city hall, Ms. Rhonda Driediger stated that it is important to focus on the data provided by the federal government. In an ideal world (outside of the time constraints of this research), verifying the data with the various state consulates involved with the SAW programs in Abbotsford would be extremely beneficial. "The LMO's (Labour Market Opinion's) we submit to HRSDC clearly identify where the employees will be working

¹² Thematic topics discussed during the interview process are listed in Appendix D.

and the number of employees being requested.” Ms. Driediger makes a crucial point about the collection of LMO’s. Every year that a farmer requests the help of a SAW, they must submit an LMO with an attached inspection report to HRSDC requesting employees. At that time, the employer and HRSDC then refer the information to Citizenship and Immigration Canada who provides the temporary work visa. These programs are strictly monitored and the data accurate.

The conversation with Mayor Peary and Councillor Smith was a week before the conversation with Ms. Driediger. Their negative response to the data was anticipated based on the literature review and previous conversations with City staff that was completed as part of this research. Anticipating the potential for this response and fervidly trusting the CIC data a counter question was posed to Mayor Peary and Councillor Smith. It was suggested that many of the workers that council sees on city farms did not arrive in Canada as part of the federal SAWP or Pilot Project for ORLLFT program. I suggested that workers referred to by the Mayor and Councillor have arrived in Abbotsford as part of traditional immigration channels of family and permanent residency programs, which for the previous 50 years have been the primary source of farm workers in the Fraser Valley (Hansen, 2006). The two men remained sceptical, though Ms. Driediger supported the data and specified that farmers must annually submit their hiring requests to HRSDC and CIC for work and immigration permits and therefore this information must be deemed accurate.

4.4.2 Why is there an Accommodation Problem?

The problem of accommodation on Abbotsford farms is more complex than believed. Initial assumptions about a shortage of quality housing for SAWs, lead me to research this policy problem. The data received from CIC and the city of Abbotsford building permit and community-planning office shows that while a problem may have persisted in the early years of the SAWP any concerns about a shortage of quality housing have dissipated. The results of the data do not negate the fact that an accommodation problem may have existed. Understanding this dilemma,

the interviewees were asked what could be done within municipal jurisdiction to limit a potential future policy problem of too little quality housing availability for SAW in Abbotsford.

All interviewees responded that one of the most significant barriers to creating meaningful agricultural housing policy is the lack of information available on the issue. Mike Welte of the Chamber of Commerce maintains that, “one of the biggest challenges of creating research and writing policy dealing with the issue of SAW housing is that people truthfully do not know what is occurring as a result of inter-jurisdictional responsibility and a lack of information sharing.” This is re-iterated by the Mayor and Councillor. Mr. Fairey states, “Without information on seasonal workers and housing it is impossible to make informed public policy decisions.”

Comments made by Ms. Driediger however had a slightly different tone than the others. Ms. Driediger agreed the lack of information creates challenges for the creation of public policy. Her response provided a note of caution about the potential solutions to information sharing. The challenge with creating a national information sharing system focused on the issue of SAW housing is that HRSDC considers much of the information collected within the SAWP private and confidential, so it is doubtful that a formal sharing process could be accommodated. In a secondary question posed to Ms. Driediger about the potential success of an information-sharing program linked to accessory seasonal worker housing, Ms. Driediger stated her scepticism about such a proposal. Ms. Driediger stated that should Abbotsford wish to become more aware of what is happening within its boundaries the city would have to act unilaterally. Ms. Driediger believes that it is unlikely that the federal government will change their policy for information sharing and unlikely that the agricultural sector will voluntarily provide information to the city without being legally obligated to do so.

The assessment by Ms. Driediger leads the analysis to the second issue regarding the perceived problem of quality SAW housing in Abbotsford. The secondary issue hinted at by Ms. Driediger and stated by Mr. Fairey is that municipalities too often do not examine issues related

to farm workers outside of zoning policy and are unwilling to accept greater responsibilities.

“Cities simply have not recognized the issue as one requiring social recognition and to date have not sought to take action.” Mr. Fairey believes that unless Abbotsford is willing to take the lead on issues of quality agricultural housing they will continue to be neglected. A City cannot be concerned with an issue and then not take action to solve clearly visible problems. With a federal government focus on bringing workers to Canada and a provincial policy focus to date that has analysed large-scale solutions to a problem that may only require small-scale answers, the city is left as the only governing body capable of ensuring the safety of its seasonal employees.

4.4.3 Stakeholder Interview Summary

The research in this study suggests that the various levels of government are currently examining solutions to a problem that they have little proof exists beyond subjective analysis. Currently municipal policy is being created based on the assessments of provincial and federal governments. Policy proposals aimed at alleviating a shortage of SAW housing in agricultural communities to date include solutions such as mobile housing or off-farm urban housing solutions within the community (BC MAL, 2009). Yet all of these alternatives are meant to solve a SAW living space shortfall that does not seem present in Abbotsford.

One of the most important discoveries of the key stakeholder interviews and analysis is the varying perceptions between stakeholders on the admissibility of the data reported by CIC. Upon receiving the data from the BC Immigration Research Unit, I was rather surprised by the data having previously been told by BC Ministry of Agriculture and Lands employees and City of Abbotsford community-planning staff about the very high number (1,000+) of seasonal workers believed to have entered Abbotsford annually since 2005. Being surprised by information does not mean that the information should be rejected because it does not fit with initial expectations. When interviewees such as Mayor Peary and Councillor Smith refuted and in the case of David Fairey and Mike Welte, questioned the low number of workers documented, I confirmed the

validity of the data with the BC Immigration Research Unit. The questions posed to the BC Immigration Research Unit sought clarification on the data provided and the boundaries of the city of Abbotsford used to count the number of workers entering the municipal jurisdiction. As the City of Abbotsford was created in 1995 after the amalgamation of the Districts of Abbotsford and Matsqui, I was concerned that older and therefore smaller boundaries were being used to count the entrance of SAWs. In response to the question about city boundaries the Research Unit stated that the boundaries used for their analysis comes from the 2001 Canadian census of Geography. Therefore, the boundaries used by the BC Immigration Research Unit are the same boundaries depicted in Appendix A.

The study has so far explained the problem of too little SAW living space in the agricultural community of Abbotsford, British Columbia. An explanation of the SAWP and the Pilot Project for ORLLFT program available to Abbotsford farmers seeking migrant employment and the housing regulations required by those programs has provided background for analysis of the problem. Using a data analysis the study has determined that a policy problem may have existed between the years 2005-2007 and abated by the years 2008 and 2009. The remainder of this study proposes policy evaluation criteria, policy alternatives, evaluation, and a policy recommendation for the City of Abbotsford.

5: Policy Criteria and Measures

This section develops criteria and measures used in the analysis of policy alternatives. Table 4 summarizes each criterion and its measure. While these criteria are not an exhaustive list of all considerations, they are deemed the most important when trying to resolve the problem of quality living space in Abbotsford. The criteria include administrative complexity and cost, effectiveness and stakeholder acceptability for farm operators and the city of Abbotsford respectively. Each criterion is considered equally important for the purpose of this analysis. The criterion are selected to conform with the study's research scope, that policies presented and evaluated are policies that may be implemented by the City of Abbotsford's municipal government. The criteria and subsequent policy alternatives are presented with the goal of achieving a stable supply of SAW living space in Abbotsford now and in the future.

5.1 Administrative Complexity and Cost

Administrative complexity and cost measures the level of long and short-term administrative changes and challenges, as well as costs associated with the implementation and administration of a policy alternative. The administrative complexity and cost criterion is concerned with the administration and costs of the City of Abbotsford municipal government. Administrative complexity and cost is measured by the use of a low, medium and high scale. Low complexity and cost means that both the implementation and administration of a policy alternative requires little or no administrative and financial change from the status quo. A medium ranking means that either implementation or administration of a policy alternative would require significant complex and financial changes from the status quo. A high ranking is measured as

having both short-term complex and costly implementation and long-term complex and costly administrative requirements.

5.2 Effectiveness

Effectiveness measures the degree that a policy alternative improves the adequacy of SAW housing as defined earlier in the study. Effectiveness ensures that City policy is capable of providing the 7.44m² of living space per worker that is required by the provincial guidelines longitudinally into the future. The measure for the effectiveness criterion is a low, medium and high scale. A defined measure of low will be applied if a policy is unlikely to ensure the 7.44m² of living space per SAW required by the provincial guidelines. A medium measure of effective will be applied if a policy is capable of ensuring the 7.44m² of living space per SAW required by the provincial guidelines but there is uncertainty about effectiveness when implemented. A policy will be measured as effective if it is likely to ensure the 7.44m² of living space per SAW required by the provincial guidelines.

5.3 Farmer Acceptability

Farmer acceptability measures the level of support a policy alternative will receive from the Abbotsford farmers. Farmer acceptability is measured based on the opinion of the British Columbia Agricultural Council (BCAC), which is an umbrella organization for the British Columbia agricultural sector. The criterion is measured on a low, medium and high scale. Low acceptability means that farmers see a policy creating unnecessary regulation and oversight of their operation. Medium acceptability means that farmers are accepting of a policy but are not accepting of regulatory burdens. High acceptability means that farmers are accepting of a policy and the regulatory controls required for operation of the policy.

5.4 City of Abbotsford Acceptability

City of Abbotsford acceptability measures the level of support a policy alternative will receive from the Abbotsford city council and municipal employees. The criterion is measured on a low, medium, high scale. Low acceptability means that neither the city council nor municipal employees will accept a policy, medium acceptability means that either city council or employees are accepting of a policy while the other group opposes and high acceptability means that both the council and employees accept a policy alternative.

Table 4 Criteria Matrix

Criteria	Definition	Measure	Value of Measure for Alternative scoring
Administrative Complexity and Cost	How complex and costly is it to implement and administer a policy alternative? Evaluated compared to the Status Quo.	Low- Implementation and administration require little or no change and no additional spending from the Status Quo. Medium - Implementation or administration require little or no complex change and no additional spending from the Status Quo, while the other requires significant change and spending. High - Implementation and administration require complex change and additional spending from the Status Quo.	Low – 3 Medium – 2 High - 1
Effectiveness	How effective is the alternative at ensure that City policy provides the 7.44m ² of living space per SAW that is required by the provincial guidelines.	Low –unlikely to provide required living space per SAW Medium – Possibly provide required living space per SAW. High – Will provide required living space per SAW.	Low – 1 Medium – 2 High – 3
Farmer Acceptability	Farmer support as derived from BCAC opinions	Low-Farmers will not accept an alternative. Medium-Farmers accept parts of an alternative and disagree with other parts. High-Farmers will accept an alternative.	Low – 1 Medium – 2 High – 3
City of Abbotsford Acceptability	Council support?	Low – Unacceptable Medium – partly acceptable High – Fully acceptable	Low – 1 Medium – 2 High – 3

A numerical value of one to three is applied for all criteria. For the administrative complexity and cost criterion, a score of three equates to a low level of cost and one equates to a high level of cost, meaning that it is preferred for a program to be administratively simple and financially inexpensive for the City of Abbotsford. For the three remaining criteria, effectiveness,

farmer acceptability and City of Abbotsford acceptability a score of one equates to a low score, two equates to a medium score and three equates to a high score. Section 6 defines the three policy alternatives suggested in this study. Each policy alternative is evaluated in section 7 based on its performance against the criteria. The ratings are tabulated to calculate a final score for each alternative that is used to define a recommendation for the City of Abbotsford in the pursuit of ensuring quality SAW living space.

6: Policy Alternatives

The study found the policy problem of too little quality housing for SAW in Abbotsford to be probable between the years 2005 to 2007 and to have dissipated by the year 2008. As such, the policy alternatives discussed in this section are not as expansive or expensive as alternatives mentioned in section 4.4.3 that have recently been advocated by the BC provincial government (BC MAL, 2009), as the problem is not as severe as initially expected. The goal of the policy alternatives is to ensure the 7.44m² per SAW housing requirement is met. In addition to the status quo, adding mandatory living space requirements to municipal bylaws and creating a mandatory housing and worker reporting system are policy alternatives that are explored.

6.1 Option 1: Status Quo

The status quo alternative would entail a continuation of current policies. The city of Abbotsford municipal government will maintain the current permit allocation and annual housing inspection structure outlined by Service Canada. This process allows private housing inspectors to approve housing quality. Although inspectors in Abbotsford are aware of the provincial guideline, an inspector need only ensure 6.9m² of living space per worker. Even then, having less space does not guarantee that a housing permit approval will be refused (Service Canada, 2011). While being concerned about quality housing for SAW, inadequacies in the current system exist because of poorly completed inspections and a lack of compliance by the agricultural sector.

6.2 Option 2: Mandatory Living Space

The policy alternative is suggested as an incremental precaution to ensure that the current stock of SAW housing in Abbotsford remains capable of providing quality housing for SAWs

entering the city. The current best practices for accessory seasonal on-farm agricultural housing in the province of BC is detailed in the 2005 guidelines that were drafted by the BC Agriculture Council and provincially approved for use by the Ministry of Agriculture and Lands. In order to ensure the activation of the procedures by Abbotsford's farm operators, this alternative proposes that Abbotsford's City Council adopt the living space requirements into the city bylaws. While current provincial building, safety and tenancy standards exist, the additional clarity provided by the living space requirements in Abbotsford bylaws would be a benefit to the city and its seasonal workforce by giving legal force to the sector written standards that in text are more prescriptive than any single federal, provincial or municipal seasonal housing standard currently enforced.

As explained in Section 4.3, there is evidence to suggest that current housing inspections are not ensuring that farm workers are provided with the provincial and sector mandated minimum living space of 7.44m² per SAW (Fairey, 2008). Guidelines are not legal regulation. Including the 7.44m² per seasonal worker regulation within City bylaws provides legal enforcement during inspections to the regulations. The new bylaws will ensure that minimum living space is offered by creating a legal requirement that must be met for housing to be occupied by SAW.

Implementation of this alternative will require Abbotsford city council to add a mandatory living space amendment to zoning bylaw 210.10 and 220.10, requiring that all accessory seasonal farm housing in the City of Abbotsford provide a minimum living space of 7.44m² per worker. Currently farm operators seeking the employment of migrant workers must annually submit a labour market opinion to HRSDC that includes a completed housing inspection form or commercial housing contract. The mandatory living space alternative will require that farmers pay for and receive a second housing inspection of employee accommodation during the seasonal occupation of housing that ensures workers are provided with the minimum quality living space. The new bylaw will not affect the approval of labour market opinion applications.

The bylaw will be used as a tool for the enforcement of the living space metric once housing is occupied by seasonal employees. The city is not responsible for paying for housing inspections; the farmers hiring SAW are responsible for ensuring housing is inspected. Using the current standard housing inspection form¹³, minimum living space is not a mandatory consideration for approval. The status quo means that while provincial guidelines may suggest a minimum living space requirement per worker, a housing unit can be approved without meeting the guidelines and therefore be considered overcrowded and of poor quality. The new mandatory living space requirements in zoning bylaw 210.10 and 220.10 will therefore require inspectors or commercial operators to adhere to the new 7.44m² mandatory living space requirement before approving seasonal worker housing for habitation by employees.

6.3 Option 3: Mandatory Housing and Worker Reporting System

The Mandatory Housing and Worker Reporting System alternative is a variant on current policy. This alternative is a direct response to the accessory seasonal worker housing permit and SAW and low skilled TFW employee data. The analysis shows that the living space shortage is not as great a problem as some would suggest, and that a potentially effective alternative in the present context is one that will not drastically change the status quo but inform the conversation about SAW housing quality.

The Mandatory Reporting alternative focuses on learning what the housing capacity and SAW ratio is within the city of Abbotsford by seeking mandatory declaration of the information from farm owners and operators employing seasonal agricultural employees. While discussing the potential of implementing a municipal accessory seasonal employee housing stock registry with trade union officials, the municipal business community and the BC agricultural sector, the general assessment was that such a tool would be beneficial for providing real clarity for future

¹³ Appendix G – Draft National Inspection Form and Report of Agricultural Housing for Temporary Foreign Workers accessed from the British Columbia Agricultural Council

policy analysis and development. The process for achieving the alternative requires that information is collected when accessory farm worker housing units are annually inspected for their Labour Market Opinion approval (as required for their HRSDC application) (Accredited, 2009). At this time, a submission will also be made by the authorized municipally employed housing inspector to the city of Abbotsford detailing the square metres of living space available per housing unit and the number of workers on the application. The information will provide the City with the same metric I employed in the studies data analysis. The information will also provide a more complete picture than the data analysis employed in this study, as the City will also know the number of SAW employed per farm. Abbotsford community-planning staff would be able to construct a database capable of tracking the current and changing state of the housing supply and demand on a farm-by-farm basis. The policy alternative is similar to a current requirement of zoning bylaw 210.10, that housing is not approved unless a statutory declaration is filed with the city.

7: Analysis of Policy Alternatives

This section assesses each of the policy alternatives based on a set of criteria created specifically for this report that were presented in section 5. The criteria will help in the evaluation of a final recommendation. While the criteria used to evaluate the alternatives are not an exhaustive list of all considerations that municipal government officials should or will take into account, these criteria are the ones deemed most relevant considering the impact that agriculture and SAW have on the city of Abbotsford. The criteria included in this evaluation are administrative complexity and cost, effectiveness and farmer acceptability and City of Abbotsford acceptability.

7.1 Analysis of Alternatives

Analysis of the proposed policy alternatives is based on information from the literature review and interview analysis. While the literature review and interviews are key tools, analysis is framed through the lens of the SAW housing data analysis completed in Section 4 of this study. Each policy alternative is given a rating based on how it is evaluated within each criterion. The ratings are tallied to provide a final score. The alternative with the highest overall score is seen as being the best policy alternative for the city of Abbotsford at this time. Literature and key stakeholder interviews suggest that in order to be successful, a policy alternative must ensure the sustainability of a quality housing stock while concurrently working with and not against the politically and economically powerful agricultural sector.

An additional policy alternative considered prior to the stakeholder interviews was mandatory city enforced unplanned bi-annual inspections of seasonal worker housing. The alternative was not included in this study as a legitimate alternative to the status quo as the

political and sector acceptability of the idea is antagonistic at best. Antagonism for an alternative advocating unplanned inspection arises for two reasons. The first being the extremely high cost of employing multiple inspectors (earnings estimated by Mayor Peary and Councillor Smith to be roughly \$100,000 per employee) to monitor the 1000+ farms in Abbotsford. The second issue is that mandatory unplanned inspections by city staff would convey an aggressive tone to the city’s agriculture sector. An aggressive policy focused on the agricultural sector is undesirable in a city where a large segment of the population is employed in agriculture and the sector represents the financial and cultural backbone of the community.¹⁴

The evaluation of the policy alternatives through the criteria has created the policy alternative evaluation matrix in table 5. A numerical value of one to three will be applied to the four evaluation criteria. For the administrative complexity and cost criterion, a score of three equates to a low level of cost and one equates to a high level of cost.

Table 5 Policy Alternative Evaluation Matrix

	Administrative Complexity and Cost	Effectiveness	Farmer Acceptability	City of Abbotsford Acceptability	Score
Status Quo	Low (3)	Low (1)	Medium (2)	Low (1)	7
Mandatory Living Space	Medium (2)	High (3)	Low (1)	Medium (2)	8
Mandatory Reporting	High (1)	Medium (2)	Medium (2)	Medium (2)	7

¹⁴ The 2006 Canadian census stated that 6,510 Abbotsford residents were directly employed in occupations unique to primary industrial production (Statistics, 2010).

7.1.1 Status Quo

The Status Quo alternative received a final score of seven. As the Status Quo, the alternative is also a base line that the other two alternatives can be measured against. This alternative received a low rating with a score of three for administrative complexity and cost as the alternative will not require an implementation strategy. Current administration is very simplistic, centred on a complaint-based system of enforcement, sector self-regulation and limited understanding of what is currently occurring.

Regarding the effectiveness criteria, the Status Quo alternative receives a low score of one, signifying that the alternative is not likely to be effective, as it does not guarantee that quality housing will continue to be offered to SAW in Abbotsford in the future. While the data analyses indicate that Abbotsford does not currently have a shortage of quality housing for SAW, the data from 2005 to 2007 shows that a problem may have persisted in the past and therefore may occur again in the future. The issues expressed in the literature review and interview participants will continue to persist. Considering the farmer acceptability, the status quo alternative receives a medium score of two. Presently the agricultural sector is moderately accepting of the Status Quo position. Farm operators are currently unburdened by the status quo, however the negative attention given to the agricultural sector by a small group of farmers providing poor quality living space has lead the British Columbia Agricultural Council to seek an increase in the housing requirements placed on farmers employing seasonal workers (Driediger, 2011) . The City of Abbotsford has a low acceptance of the Status Quo position. Municipal government concern about the study's policy problem, that too little quality housing for SAW exists, demonstrates that they are not satisfied that the status quo ensures the provision of housing in the long-term.

7.1.2 Mandatory Living Space

The alternative proposing an adoption of provincial living space guidelines received a final score of eight. The administrative complexity and cost of implementing and sustaining this

alternative is moderate and awarded a score of two. The crucial step prior to implementation of the alternative would be for the City to adopt the living space requirement into its accessory seasonal housing bylaws, 210.10 and 220.10. While costs are not a primary consideration for this policy, the increased bylaw regulations placed on the municipality's farm operators would assuredly create tensions among some City Councillors who would see the requirement as being too prescriptive.

The alternative scores three points for a high effectiveness rating. The alternative is seen as being effective at ensuring a continuation of a quality supply of SAW living space in Abbotsford that is sure to have begun in 2008. Providing a legally mandated requirement for housing inspectors when deciding if a unit should be approved for continued habitation during an in-season inspection removes subjective assessments about the definition of quality living space. Abbotsford would be legally declaring what they determine to be the minimum living space necessary for each SAW residing in the community.

Farmer acceptability receives a low score of one. Farmers will not be accepting of the living space requirement. The living space requirement will require farmers to pay for a secondary housing inspection once SAWs have arrived in Abbotsford and begun to occupy housing. The City will see the alternative as a positive development because it increases the legal requirements for SAW housing in the city and ensures that the provincial living space requirements are measured during the annual inspection of farm worker housing. The city acceptability criterion receives a medium score of two. The reason that the city acceptability criterion does not receive a high score is that municipal planners remain unaware of the housing stock and worker population on municipal farms.

7.1.3 Mandatory Housing and Worker Reporting System

The Mandatory Reporting System received a final score of seven out of a possible twelve. The Mandatory Reporting alternative received a high score and only one point for its administrative cost and complexity. The reason for this rating is that initial implementation requires municipal regulatory change and the creation of a SAW housing and migrant worker database. After implementation is complete, the maintenance of the program will require administration by a city employee who collects and inputs the annual data. The occasional monitoring of the information for changes worthy of investigation will also require administration.

The alternative received a medium rating and two points for effectiveness based on its potential success of maintaining the long-term quality of SAW housing in Abbotsford. Being able to monitor objectively the number of workers requested by farm operators and the square metres of SAW living space available per worker provides the City with a tool for long-term monitoring of the program. The future database will allow for the creation of a worker-to-housing capacity comparison that provides a complete picture of the square metres of living space per SAW that is available in a unit on an annual basis, including the unverifiable second dwellings described in section 4.2.

City of Abbotsford acceptability for the Mandatory Reporting System would be moderate. The alternative may not be accepted municipally by all involved as it permits the intrusion of the state into the affairs of what are to be perceived as honest farm operators. The potential for this intrusion is an important consideration voiced by the Mayor and Councillor Smith. While concerned about SAW housing the Mayor and Councillor are disturbed by the idea of excessive state interference in private business. The sector and farmers will generally be accepting though hesitant of implementing the alternative for the same reasons as the city and therefore the farmer acceptability criterion receives a score of two.

This alternative could be a benefit to the sector as it shows that the city of Abbotsford is now an active and not a passive partner in the evaluation and sustainability of a sustainable SAW housing policy. According to the data analysis, this situation may not have always been the case prior to 2008.

7.2 Recommended Alternative

The policy alternatives presented in this report are crafted with the goal of ensuring a quality supply of seasonal farm worker housing in Abbotsford, British Columbia. Though all alternatives are meant to ensure the quality supply of SAW housing, the adoption of mandatory living space requirements scored the highest during analysis. The high score received by the alternative means that this analysis deems it the best alternative for ensuring the supply of quality SAW housing in Abbotsford.

The choice of the mandatory living space alternative does not detract from the benefits that the other two alternatives provide. The data analysis completed in this report shows that the status quo has been effectively providing a supply of quality housing since 2008. However, though the adequacy of housing has been appropriate to-date, the fault of the policy is evidenced by the large amount of subjective analysis that has guided the interest in the policy problem. The danger for the current policy is that if the continued lack of objective analysis is maintained the city may be unaware of a need for change or act in a manner that makes the situation worse. The mandatory reporting alternative did not score as well because the policy would require an unneeded level of administration and costs and may have the potential to create an unnecessary friction among stakeholders for a problem that has abated.

8: Conclusion

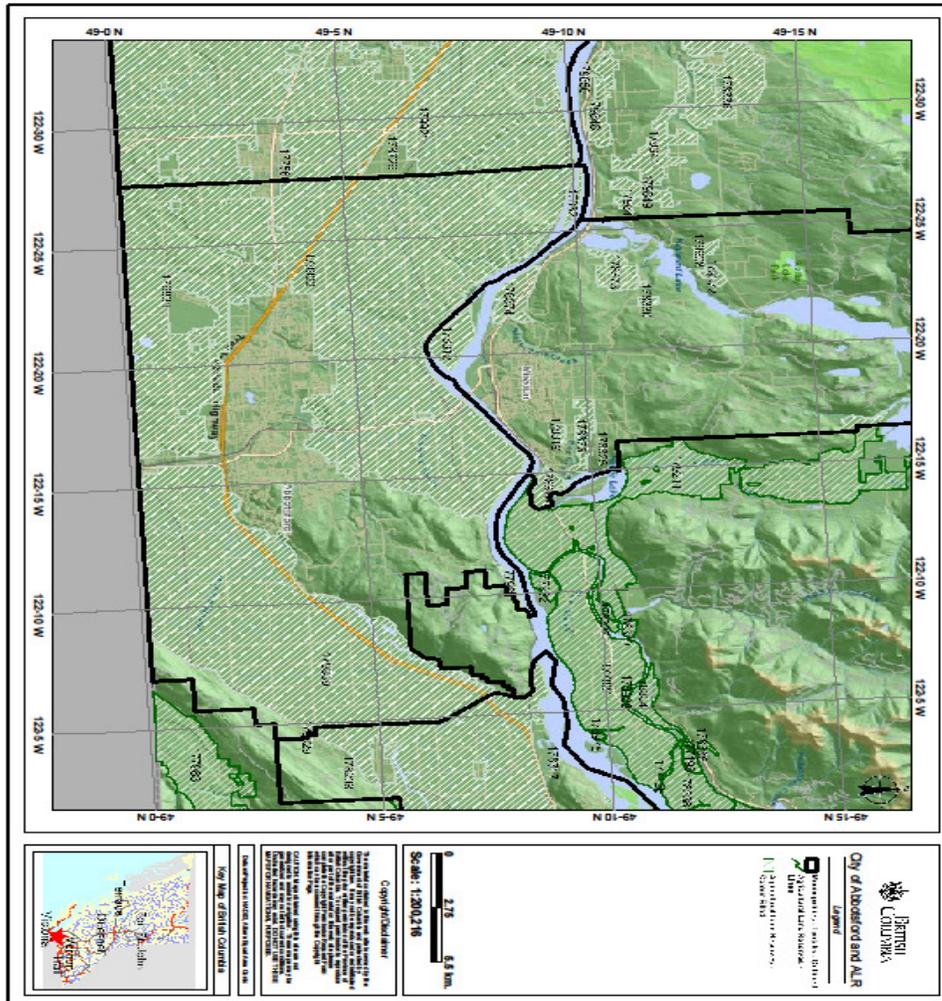
Ensuring the safety of residents and creating a workable plan for future municipal growth are primary functions of all Canadian municipalities. The city of Abbotsford's concern about maintaining a quality supply of seasonal agricultural worker housing arises from its duty to ensure the safety of its residents. To date, the process of ensuring quality SAW housing has been a top-down approach with broad and generalized policy analysis from the federal and provincial governments and non-governmental groups. Problems and solutions are examined on a federal and provincial scale with results superimposed to the local level. While this broad analysis is sometimes beneficial for housing concerns, it neglects to examine individual community profiles. Policy alternatives suggested are often drastic, expensive and unnecessary. At the start of this process, the research and conjecture stated that a substantial SAW housing problem existed in the City of Abbotsford for those workers that have entered under the two federal temporary worker programs. It was discovered that the arrival of workers since 2005 actually accounts for a mere 0.001 per cent of the entire municipal population and that while a housing shortage based on the studies quality measurement of 7.44m² existed between 2005 and 2007 the problem abated by 2007.

In Abbotsford, the primary method of monitoring quality housing by municipal officials to date has been a system of complaint-based monitoring and zoning regulations. With provincial safety regulations and sector guidelines, alongside federal housing requirements and Agricultural Land Commission and city land use planning procedures, city employees have traditionally taken a passive approach to the policy problem espoused to exist. While this position has serendipitously not created problems as of 2009 because of the low number of workers, the data analysis suggests that a problem may have existed between 2005 and 2007. The continuation of a

policy based on subjectivity is not sustainable. If the current process continues, the city may be influenced by mere conjecture, rather than objective fact. In order for this Status Quo position to change, Abbotsford must decide that it has an active part to ensure the safe accommodation of workers in quality housing. The report recommends that the City of Abbotsford adopt mandatory living space requirements as the first step to ensuring the continued supply of quality housing for seasonal agricultural workers. The requirements will provide a legal framework that will be applied during housing inspections, ensuring living space concerns about quality housing are considered when providing approval for housing once seasonal workers have occupied Abbotsford's farm housing. The city of Abbotsford is a *city in the country*. The policy analysis completed in this report has sought to ensure the availability of quality seasonal worker housing and the viability of farm operations in Abbotsford today and in the future.

Appendices

Appendix A – Map of Abbotsford City Boundary and ALR



Created by author using iMapBC (2010)

Appendix B - City of Abbotsford Agricultural Building Permit Application (Example)

Agricultural Application

Please Print Clearly



Application Date: _____

Work Type: New ___ Addition ___ Alteration ___ Demolition ___ Restoration

Other than constructing a new building, please explain in detail what you are doing: _____

Name of Applicant: _____
 Name of Contractor: _____
 Name of Contact Person: _____
 Contact Phone No.: _____ Contact Fax No.: _____
 Construction Address: _____
 Legal Description: Lot: _____ Section: _____ Township: _____ Plan: _____
 Zoning: _____ Development Variance Permit? Yes No

Is this property located in a Flood Plain Area? Yes No Area: _____
 Municipal Water Service _____ **OR** Well _____
 Are you adding any new plumbing fixtures? Yes No
 Septic System Required? Yes No If yes, approval date: _____
 Registered Professional Engineer's Design? Yes No
 Has Construction Started? Yes No

Proposed Building Type: _____

Pole Barn - unenclosed area (sq.ft.): _____ Pole Barn - semi-enclosed area (sq.ft.): _____ Poultry Barn - 1 Storey (sq.ft.): _____ Poultry Barn - 2 Storey - per floor (sq.ft.): _____ Poultry Barn - 3 Storey - per floor (sq.ft.): _____ Barn with loft (sq.ft.): _____ Barn without loft (sq.ft.): _____ Mushroom Growing Barn (sq.ft.): _____ Mushroom Composting Barn (sq.ft.): _____ Hog Barn (sq.ft.): _____ Milking Parlour (sq.ft.): _____ Manure Pit (sq.ft.): _____ Roof over Manure Pit (sq.ft.): _____ TOTAL FLOOR AREA (sq.ft.): _____	Manure Pit with Roof (sq.ft.): _____ Machine Shed semi-enclosed area (sq.ft.): _____ Machine Shed - 1 Storey (sq.ft.): _____ Machine Shed - 2 Storey - per floor (sq.ft.): _____ Lean - To (sq.ft.): _____ Silos - bunker with roof area (sq.ft.): _____ Silos (upright) area (sq.ft.): _____ Poly Plastic Greenhouse (sq.ft.): _____ Glass/Mylar Greenhouse (sq.ft.): _____ Fabric Covered Structure (sq.ft.): _____ Seasonal Farm Workers' Acc. (sq.ft.): _____ Hatchery (sq.ft.): _____ Other: _____
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(over)

Heating Type: _____ Fuel: _____
 Roofing Type: _____ Siding Type: _____
 Number of Drawings per set: _____

I hereby agree that all information, including personal information, contained on this document may be made available to the public. Personal information is collected under the authority of the Local Government Act and the City's bylaws for the purpose of processing this application and for administration and enforcement.

Applicant's Signature: _____ Print Name: _____
 Phone: _____ Email: _____

Source: City of Abbotsford website, Building Permit Application Forms

Appendix C – Guidelines for the Provision of Seasonal Housing for Migrant Workers in BC

GUIDELINES FOR THE PROVISION OF SEASONAL HOUSING FOR MIGRANT FARM WORKERS IN BC

This document is intended to assist local municipalities and /or regional districts in assessing the suitability of housing intended for both domestic and migrant farm workers in BC.

These guidelines are adapted from recommendations developed through consultation among federal agencies, Ontario provincial ministries and industry representatives involved in the Seasonal Agricultural Worker Program (SAWP).

These guidelines are designed to assist in meeting legislative and regulatory requirements and are not to be used as a replacement for specific legislative or regulatory requirements.

A: Structure

1. General

- Buildings to be used as housing for migrant workers should be located in well drained ground at least 100 feet (30.48m) from any building used or intended to be used for sheltering animals or for poultry husbandry likely to cause offensive environmental conditions or other environmental conditions that may be hazardous to health.

2. Construction

Buildings to be used as housing for migrant farm workers should be weather proof and so constructed that:

- Floors are tight fitting, smooth-surfaced, impervious to moisture and readily cleanable.
- Walls extend at least 7 feet (2.13m) to a maximum of 2.44 m (8 ft.) above floor level, are tight fitting and the interior is lined with a smooth painted or treated surface material. Walls may be higher, but 2.44 m (8 ft.) will be used for calculation of airspace in the sleeping areas.
- Roofs are tight-fitting and waterproof.
- Adequate lighting and ventilation are provided at all times by either natural or artificial means or a combination of these.
- Where insect populations are a concern, screens on all openings to the outside are provided from the first day of May through to the first day of November.
- Total useable floor area of at least 7.44 m² (80 sq.ft.) per person with a minimum of 8.5 m³ (300 cu.ft.) of air space per person in the sleeping area. The floor area in the washrooms is not considered useable living area and will not be included in the calculation of useable floor area.
- A minimum temperature of 20°C (68°F) can be maintained.
- Safety hazards are eliminated and housing is detached from any building where highly inflammable materials are used or stored.
- Where combustion-type stoves or heaters are used, they should be connected to exhaust flues of an approved design.
- Mobile homes should have skirting (rodent control).
- Industrial camp trailers should be CSA approved.
- The current British Columbia Building Code, a regulation made under the Province of British Columbia, applies to all new construction and renovations or additions to existing buildings. It is the owner's responsibility to ensure that such construction is in compliance with the Code. This document does not identify all applicable provisions of the British Columbia Building Code. Contact the municipal building department in your area for additional information.

B: Sleeping Facilities

1. Bunkhouses

When a building to be used as housing for migrant farm workers is in the form of a bunkhouse:

Each bunk should be:

- Separate and sleep only one person.
- At least 30.28cm (12 inches) above the floor.
- Provided with a clean mattress and pillow of sound construction.
- At least 46 cm (18 inches) apart from the next bunk when not lying lengthwise along the walls.
- Provided with one storage unit for personal items (i.e. dresser drawers, locker and/or shelf for each bunk, or the equivalent).
- Provided with a minimum of 8.5 m³ (300 cu. ft.) of airspace per person.
- A supply of clean blankets, sheets and pillowcases must be provided upon arrival

2. Family Housing

When a building's intended use as housing for migrant workers is in the form of family housing, there should be:

- A maximum occupancy rate of one person per 7.44 m² (80 sq. ft.) of total useable floor area.
- At least 8.5 m³ (300 cu. ft.) of airspace per person in sleeping rooms.
- A kitchen with food storing, preparing and cooking facilities should be provided and this space should not be used as a sleeping room.
- Basic furnishing such as tables, chairs and beds compatible with the maximum occupancy.
- Sleeping areas should be partitioned from other living areas.

C: Washroom Facilities and Sewage Disposal

- Fly-tight, weatherproof, well-ventilated toilet accommodation should be provided for every 10 occupants, or part thereof.
- Constant supply of hot and cold potable water.
- One sink or washbasin for every seven occupants.
- One shower for every ten occupants.
- Toilet facilities must have suitable privacy barriers.
- A supply of toilet tissues should be provided upon arrival.
- Flush toilets are to be kept in good repair and operate efficiently.
- Portable privies should be under a service contract and must be equipped with hand sanitation facilities such as wet wipe/alcohol solution.
- All sewage is to be disposed of according to the provisions of the appropriate regulatory agency.

D: Occupancy Calculation

Occupancy of a facility is to be calculated on the lesser number of:

- 8.5 m³ (300 cu.ft.) per person in a sleeping area.
- 7.44 m² (80 sq.ft.) per person of total useable floor area which includes living and sleeping areas but does not include washrooms.
- 1 washbasin for every 7 occupants
- 1 shower for every 10 occupants
- 1 toilet facility for every 10 occupants

Note: Living, sleeping, kitchen and washroom facilities can be located in separate buildings but need to be conveniently located for easy access.

E: Laundry Facilities

- At least one laundering machine in good working order for every fifteen bunks or the equivalent
- Drying facilities for laundry
- Or, access to a Laundromat once per week

F: Water Supply

- Housing for migrant farm workers shall be provided with a readily available supply of hot and cold water that is bacteriologically safe, under pressure and in sufficient quantity to provide for drinking, washing, food preparation and laundering. Water supplies that are bacteriologically unsatisfactory are to be equipped with a mechanical disinfection device, i.e. chlorinator, UV light.
- When drinking water is provided in a container, it should be bacteriologically safe, the container should be clean, sanitary, covered and equipped with a sanitary dispensing device.
- No person should use a drinking vessel in common with others.

G: Food

- Food should be stored so that it is protected from contamination.
- All perishable foods are to be stored in adequate refrigeration to maintain a temperature not exceeding 4°C (40°F).

1. Meals Provided

- No cups, glasses or dishes that are chipped or cracked should be supplied/used in the preparation, service or storage of food.
- Facilities to be supplied for washing dishes/utensils in water at a temperature of not less than 43°C (110°F) containing a detergent solution capable of removing all grease and food particles, etc.
- Dishes/utensils to be sanitized by an acceptable method and dried by exposure to air.

- Equipment and appliances in the food preparation and dining areas should be constructed as to permit the maintenance of these areas in a clean and sanitary condition.
- Kitchen and dining areas should be kept free from material and equipment that are not regularly used in a kitchen or a dining area.

2. Meals not provided

- Food storage and refrigeration facilities shall be provided.
- Provide an adequate:
 - Amount of kitchenware (plates, cups, bowls, knives, forks, spoons, etc.)
 - Number of pots and pans
 - Stoves / 2 burner hotplates: 1 unit (2 burners)/ 4-5 workers
 - Refrigerators: 1 unit / 6 workers
 - Amount of cupboard and food storage space
 - Number of kitchen tables(s) and chairs and,
 - Number of utensils for cooking and serving food for the number of people being housed.

H: **Garbage Control**

- Rodent and insect proof garbage containers that can readily be cleaned and sanitized should be provided for all buildings used for housing migrant farm workers and in sufficient quantity to store all garbage accumulated between collections.
- Containers should be clearly labeled in English and the language of the workers.
- Garbage should be collected and removed for sanitary disposal at least once every week.

I: **Safety**

- Buildings used for housing migrant farm workers should have fire protection facilities compatible with the provisions of the BC Building Code & Fire Code.
- Buildings used for housing migrant farm workers and their surroundings should be free from any chemical substance or condition that may become hazardous to the occupants.
- Fire extinguisher to be fully charged and have a recent certificate that they have been recharged, properly located, securely mounted. Minimum requirement is ABC rating. (Note: This is a safety protocol and not necessarily an issue for compliance with the Fire Code).
- Smoke alarm(s) are to be provided, properly located, operational and securely mounted. (Note: This is a safety protocol and not necessarily an issue for compliance with the Fire Code).

Appendix D – Interview Question Themes

As each stakeholder interview is meant to gain various perspectives from different groups invested with the issue of SAW housing in Abbotsford, varying types of questions were asked even though a selection of similar themes were broached in every conversation. Below are the thematic areas discussed during the interviews.

1. Explanations for the increased use of temporary seasonal agricultural workers on farms within the city of Abbotsford, British Columbia.
2. Analysis of provincial and municipal policies related to seasonal agricultural workers and temporary farm worker housing throughout Canada and British Columbia. The goal of these questions is to seek and evaluate policy alternatives for what is occurring in Abbotsford.
3. Quality of on-farm temporary farm worker housing in Canadian jurisdictions.
4. Analysis of Abbotsford, British Columbia's temporary farm worker housing shortage. This line of questioning accounts for many aspects concerned with why the city of Abbotsford and provincial Ministry of Agriculture and Lands officials have been concerned with housing seasonal agricultural workers.

**Appendix E – National Inspection Form *DRAFT* accessed from the
British Columbia Agricultural Council (BCAC)**

***National Inspection Form and Report of Agricultural Housing
for Temporary Foreign Workers
DRAFT***

(Employer Version)

EMPLOYER INFORMATION

Employer Name

Legal name: _____

Common name: _____

Address (Number / Street / PO Box #): _____

Mailing address if different _____

City/Town/County/Municipality: _____

Province/Territory: _____

Postal Code: _____

Representative Name: _____

Representative Job Title: _____

Representative Telephone Number: _____

A. BUILDING GENERAL / EXTERIOR / PROPERTY [Bldg # ___ of ___]

1. Nature of accommodation:

- Single Family Dwelling Apartment Dormitory/Bunkhouse
 Converted Storage Area Mobile Home Other:

2. Are the accommodations located on well-drained ground at least 30 meters (OR separated from a foundation wall) from any building to be used or intended to be used for sheltering animals or for poultry husbandry likely to cause offensive environmental conditions or other environmental conditions that may be hazardous to health?

- Yes No

3. Are the following exterior components of the accommodations in good condition and weatherproof?

- | | | | |
|----------------|------------------------------|-----------------------------|---|
| Roof: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Windows: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Doors: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Wall surfaces: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Gutters: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |
| Downspouts: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not applicable |

4. Are the accommodations detached from any building or surroundings where highly inflammable materials are used or stored, and free of safety hazards and/or chemical substances which may become hazardous to the occupants?

Yes No

5. Have sufficient garbage containers with lids been placed around the exterior of the accommodations to ensure all garbage accumulated between collections can be stored?

Yes No

6. If it is a mobile home, has skirting been installed around the bottom perimeter to protect the crawl space from debris and animals?

Yes No Not applicable

Additional Comments: _____

B. BUILDING INTERIOR

General

7. Are the following interior components of the accommodations in good condition and appropriately sealed?

Ceiling:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Windows:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Doors:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Walls:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Floors:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

8. Are the ceilings in the accommodations' living spaces at least seven feet high?

Yes No

9. Can a temperature ranging between 20-23.5 degrees Celsius be maintained in the accommodations at all times?

Yes No

10. Is there adequate lighting by either natural or artificial means?

Yes No

11. Is there adequate ventilation by either natural or artificial means?

Yes No

12. Do all the windows and doors in the accommodation have screens covering all openings to the outside?

Yes No

13. Location of rodent-proof garbage containers:

Kitchen (mandatory) Living Room Dining Room
 Bedroom Other:

14. Do the accommodations have basic furnishings (tables, chairs, couches, shelves, etc.) that are compatible with the number of TFWs requested by the employer?

Yes No

Sleeping Quarters / Facilities

15. Are the sleeping quarters and facilities partitioned from other living areas?

Yes No

16. Are all the beds/bunks equipped with mattresses that are in good condition?

Yes No

17. Are beds/bunks at least 20 cms off the floor?

Yes No

18. Is there a minimum distance of 45 cms between all beds/bunks?

Yes No

19. Has a storage space/compartiment been provided for each bed/bunk?

Yes No

Personal Washing Facilities

20. Are the personal washing facilities partitioned from other living areas?

Yes No

21. Are toilets and showers guarded with privacy barriers?

Yes No

22. Are all toilets operational, sanitary and equipped with toilet paper?

Yes No

23. Have hand washing provisions been installed near toilets?

Yes No

24. Are adequate laundry facilities (e.g. washer) provided on site or has the employer agreed to provide weekly access to a local laundromat?

On site Weekly access No facilities / no access (automatic fail grade)

Kitchen

25. Are all of the following appliances clean, and in working condition?

Refrigerators:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Stoves:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Ovens:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
Hot Plates:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA
Mircrowaves:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> NA

26. Has an adequate amount of protective food storage and cupboard space been provided?

Yes No

27. Has an adequate amount of the following kitchen items been provided?

Plates:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Bowls:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Pots and Pans:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Utensils:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Tables and Chairs:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

C. WATER SAFETY

28. Water Source for the Accommodations:

Public Water System Private Water Supply (e.g. Well)

29. If the water source for the accommodations is from a public water system, have you included a copy of a recent water bill/invoice confirming your water is monitored?

Yes No Not applicable as I have a private water supply

30. If you have a private water supply, have you included your annual water quality test results showing that a sample is safe for occupants to drink?

Yes No Not applicable as I have a public water system

D. FIRE SAFETY

31. Number of fire extinguishers:

32. Location of fire extinguishers:

Kitchen near exit (mandatory) Living Room near exit
 Dining Room near exit Bedroom near exit Other:

33. Are all fire extinguishers easily seen, accessible at all times and located away from potential heat sources?

Yes No

34. Do all fire extinguishers have, at minimum, an ABC rating?

Yes No

35. Number of smoke detectors:

36. Location of smoke detectors:

Kitchen Living Room Dining Room
 Outside each Bedroom/Sleeping Area (mandatory) Other:

37. Have all smoke detectors been securely mounted and tested to ensure they are operational?

Yes No

E. OCCUPANCY CALCULATION

Total living space (square feet): _____ / 75 square feet per person = _____ (a)

Number of showers: _____ x 10 (1 per 10 workers) = _____ (b)

Number of toilets: _____ x 10 (1 per 10 workers) = _____ (c)

Number of sinks in washroom: _____ x 7 (1 per 7 workers) = _____ (d)

Number of ovens or stoves: _____ x 6 (1 per 6 workers) = _____ (e)

Number of fridges: _____ x 6 (1 per 6 workers) = _____ (f)

What is the lowest value in boxes (a) through (f) directly above: _____ *

* Figures indicates the maximum number of workers permitted in accommodation

DRAFT

INSPECTION RESULT

Inspection Result: Pass Pass with follow-up actions Fail

If "pass" or "pass with follow-up actions", the accommodation is suitable for a maximum of _____ workers.

Note: The following criteria is mandatory and will automatically receive a failing grade for accommodations if not met: rodent proof garbage container in kitchen(s); fire extinguisher in kitchen(s); smoke detectors outside each bedroom/sleeping area; proof that water supply is safe to drink; and, agreeing to provide onsite laundry or access to laundromat.

List of follow-up actions required by business to meet inspection standards:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

----- More than 10 follow-up actions is a failing grade -----

11. _____
12. _____
13. _____
14. _____
15. _____

Date all follow-up actions are to be completed: yy/mm/dd ____/____/____

General Comments: _____

Inspector Name: Brian Hunt
Inspector Organization: Manitoba Agriculture, Food and Rural Initiatives
Inspector telephone number: (204) 856-9255

Inspector Signature: _____

Date: yy/mm/dd ____/____/____

Expiry Date: yy/mm/dd ____/____/____

Were photographs taken during inspection? Yes No

EMPLOYER DECLARATION:

I understand that copies of this inspection report will be shared with Human Resources and Skills Development Canada (HRSDC)/Service Canada (SC) for the administration of the Seasonal Agricultural Worker Program (SAWP). HRSDC/SC requires this information in order to make a Labour Market Opinion decision. Should I not consent to disclosing this information to HRSDC/Service Canada, I will not be considered for the SAWP.

This information is collected under the authority of the *Department of Human Resources and Skills Development Act* and will be administered in accordance with the *Privacy Act* and other applicable privacy laws. You have the right to the protection of, and access to, your personal information. It will be retained in Personal Information Bank HRSDC PPU 110. Instructions for obtaining this information are outlined in the government publication *Info Source*, copies of which are located in Service Canada Centres or at the following internet address: <http://infosource.gc.ca>.

I have read and understand the inspection checklist: Yes No

Please print employer contact name: _____

Employer contact name signature: _____

Date: yy/mm/dd ____/____/____

HRSDC/Service Canada

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