

Embassy of Mexico in Canada



**MEXICO – CANADA
SEASONAL AGRICULTURAL WORKERS PROGRAM
AND ACTIONS TAKEN BY MEXICAN CONSULATES TO ASSIST
MEXICAN WORKERS ABROAD**

Workshop: “Migrant Workers: Protection of Labour Rights and Labour Market Program”

Ottawa, Canada November 28 - 29, 2006



MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

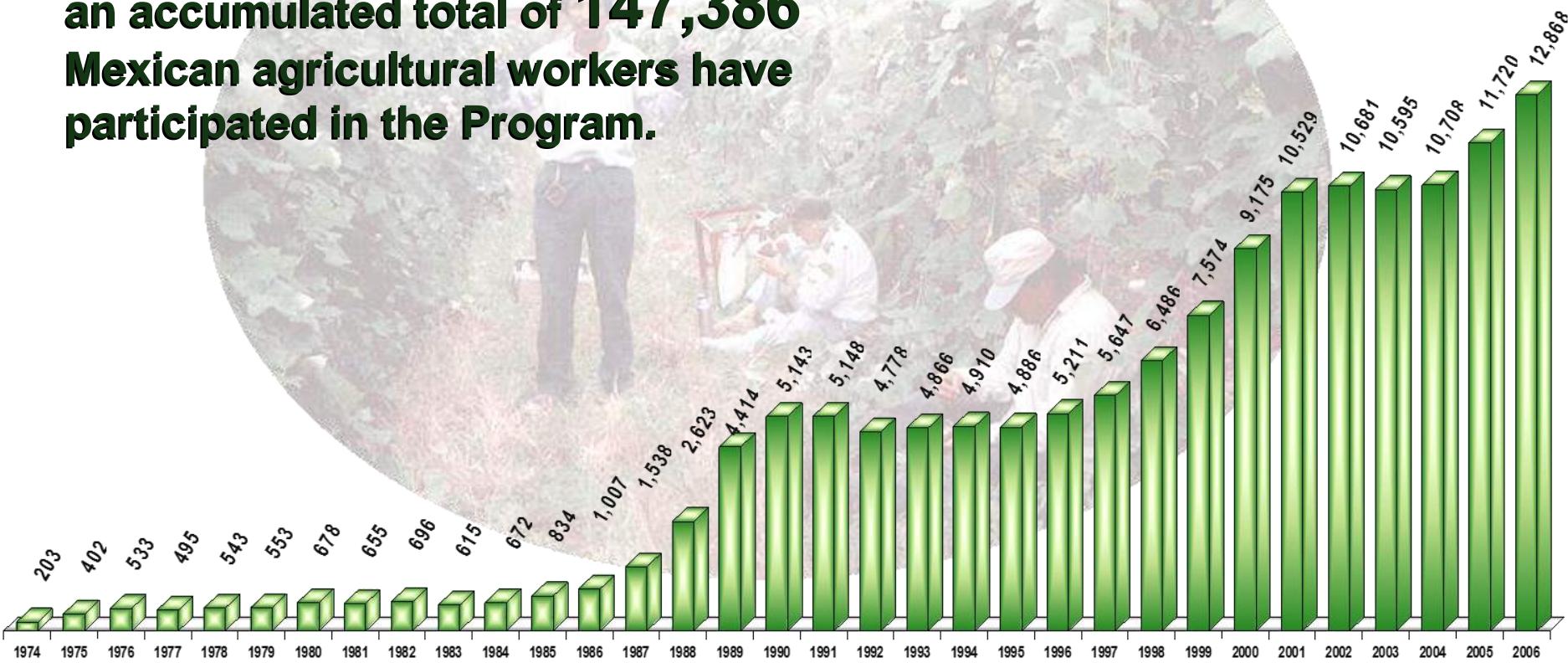
- **The Seasonal Agricultural Workers Program began in 1974 with the signing of a Memorandum of Understanding between the Government of the United Mexican States and the Canadian Government.**
- **In addition to strengthening the bilateral relationship, the Program has become a model of international cooperation, demonstrating the possibility of maintaining migratory flows in a regulated, dignified and orderly fashion.**



MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

PROGRAMA DE TRABAJADORES AGRICOLAS TEMPORALES
MEXICO - CANADA

Since 1974, when the MOU between Mexico and Canada was signed, to date an accumulated total of 147,386 Mexican agricultural workers have participated in the Program.





MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

- During the 2006 season, the number of agricultural workers sent to Canada as of October was 12,868, reflecting a 9.8% increase over the total of 11,720 workers sent in 2005.

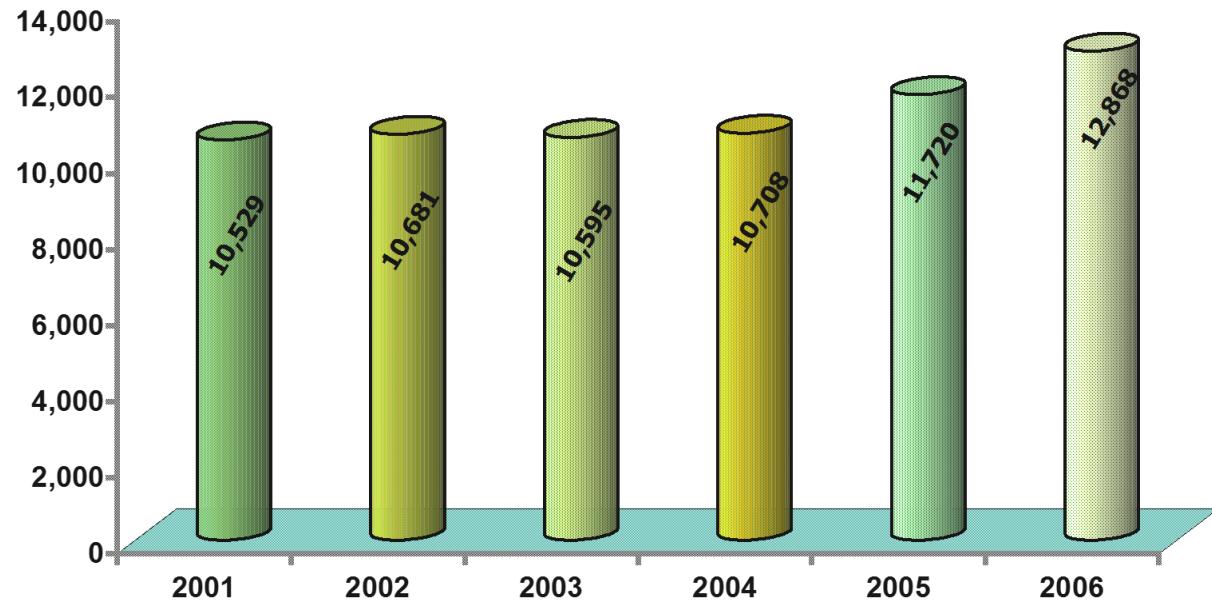
- It has been noted that this growth is due to the interest both Governments have shown in the Program, the benefits it provides for both countries, as well as the administrative work and periodic review of the program by operations personnel.



MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

PROGRAMA DE TRABAJADORES AGRICOLAS TEMPORALES
MEXICO - CANADA

From 2001 to present day, a total of 67,101 workers have been sent to Canada, indicating a constant upward trend in the growth of the Program.





MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

PROGRAMA DE TRABAJADORES AGRICOLAS TEMPORALES
MEXICO - CANADA

PARTICIPATING CANADIAN PROVINCES BY VOLUME OF AGRICULTURAL WORKERS REQUIRED

ONTARIO

QUEBEC

BRITISH COLUMBIA

ALBERTA

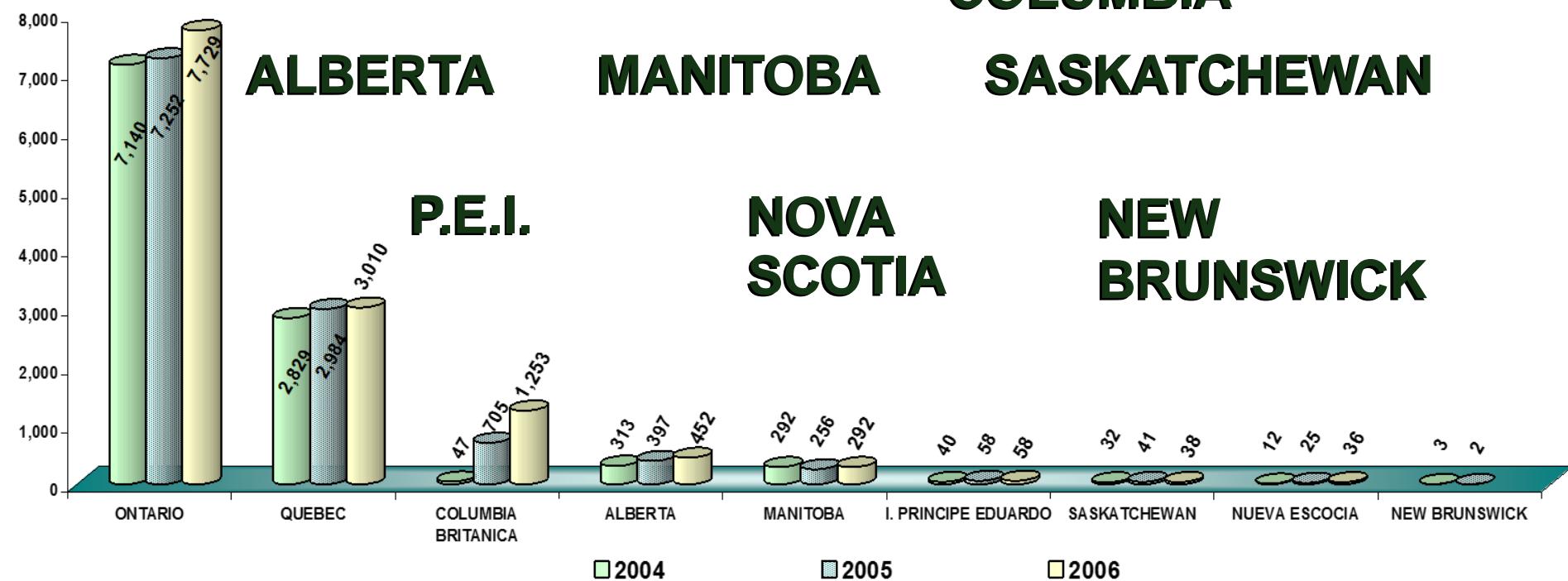
MANITOBA

SASKATCHEWAN

P.E.I.

NOVA SCOTIA

NEW BRUNSWICK

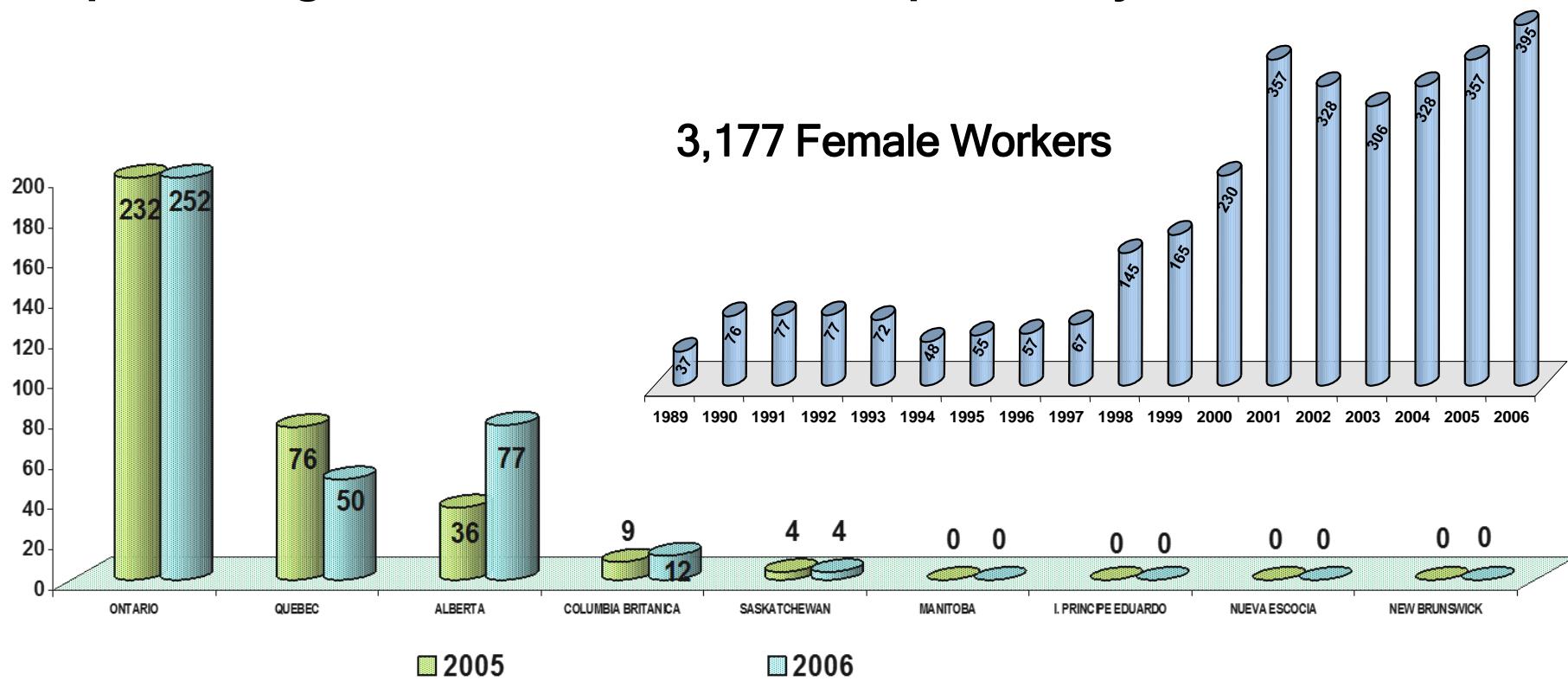




MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

PROGRAMA DE TRABAJADORES AGRICOLAS TEMPORALES
MEXICO - CANADA

In 1989 a total of 37 women joined the Program as seasonal Mexican workers in Canada, a figure that climbed to 395 in the 2006 season, representing a 10.6% increase over the previous year.

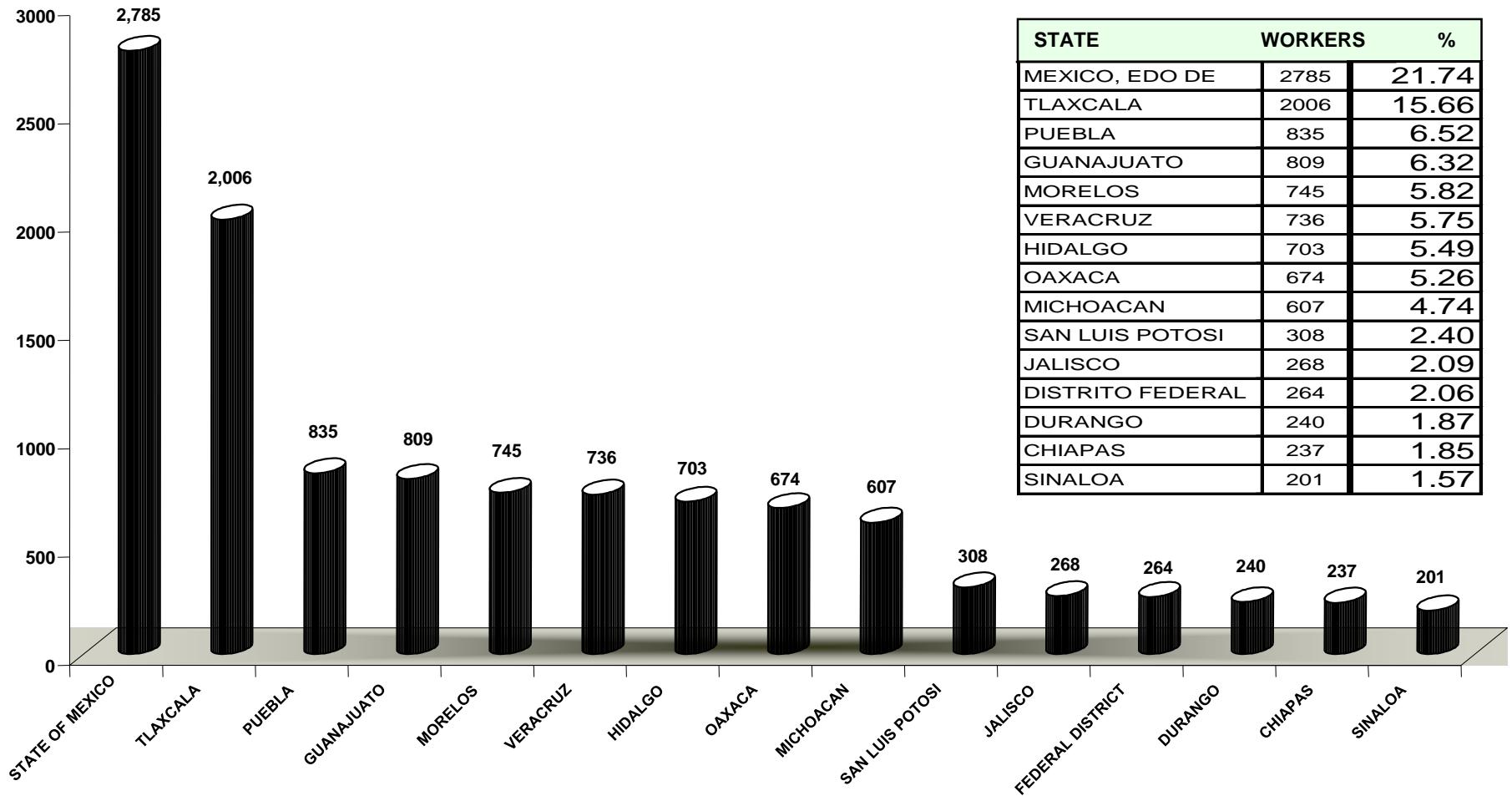




PROGRAMA DE TRABAJADORES AGRICOLAS TEMPORALES
MEXICO - CANADA

MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

STATISTICS BY STATE WITH PARTICIPATION OF OVER 200 WORKERS





MEXICO – CANADA SEASONAL AGRICULTURAL WORKERS PROGRAM 2006

PROGRAMA DE TRABAJADORES AGRICOLAS TEMPORALES
MEXICO - CANADA

Health Sector

The Mexican Government, through the Secretariat of Health, has implemented a decentralization program that allows it to facilitate conducting medical exams for workers closer to their place of residence. Previously, there were 5 health clinics situated in the Mexico City; now, there are clinics in the State of Mexico (2), Oaxaca (2), Jalisco (1), Yucatán (1), San Luis Potosí (1), Puebla (1) and Tlaxcala (2), reaching a total of 15 health centres sanctioned by Canada.

ACTIONS TAKEN BY MEXICAN CONSULATES IN CANADA TO ASSIST WORKERS IN THE SAWP

- Visit farms where they are working.**
- Become familiar with housing and food conditions.**
- Solve in a friendly manner conflicts between workers and employers.**
- Greet workers at Canadian airports.**
- Pay special attention to cases of workplace-related accidents.**
- Take care to ensure that working conditions are respected.**
- Receive calls from the workers.**
- Provide legal information that workers need.**
- Represent them in defending their rights when they are absent.**
- In general, ensure adequate compliance with agreed-upon labour conditions.**
- Assist workers in dealing with the insurance company and federal and provincial government offices.**

VIENNA CONVENTION ON CONSULAR RELATIONS

Article 5

CONSULAR FUNCTIONS

Consular Functions consist in:

- (a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;**
- (e) helping and assisting nationals, both individuals and bodies corporate, of the sending state;**
- i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving state, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;**

ACTIONS WITH RESPECT TO THE LABOUR RIGHTS OF MIGRATORY WORKERS (1)

- This refers to the recognition and dissemination of the labour rights of Mexicans in the United States and Canada.**
- Through institutional channels between governments, the protection of the rights of Mexicans abroad is the responsibility of the SRE, which acts through the Consular Representations of Mexico in foreign countries.**
- In a Joint Declaration between the STPS of México and the US DOL, was expressed, at the Highest level, the common commitment of both governments to carry out the labour legislation in order to protect all of the workers without consideration of their migratory status, and to promote a better understanding of the labour legislation and practices in their respective countries.**
- A Joint Declaration with respect to the labour rights of migratory workers was signed in April, 2002.**

ACTIONS WITH RESPECT TO THE LABOUR RIGHTS OF MIGRATORY WORKERS (2)

- June of 2002, in a Joint Declaration between the STPS of Mexico and the United States' DOL, at the time of ACLAN, the DOL of the United States committed itself to developing informative material (brochures, graphs and videos in Spanish), for distribution in the areas of highest concentration of migratory workers in the United States.
- The DOL of the United States launched, in June of 2003, with the collaboration of Mexican consulates, a program for the protection of the labour rights of migratory workers, which offers information to the workers themselves.
- The program was initiated in Dallas, Texas, and was extended to cities that have a high concentration of migratory workers, such as Phoenix, Los Angeles and Las Vegas.
- In June of 2004, the Secretary of STPS, Carlos Abascal Carranza, signed an agreement with his counterpart of the United States, Elaine L. Chao, with respect to the need to intensify programs of dissemination and labour information directed at Mexicans who live in the country.

ACTIONS WITH RESPECT TO THE LABOUR RIGHTS OF MIGRATORY WORKERS (3)

- In July of 2004, the Department of Labour of the United States and the SRE, ratified the continuation of these efforts of collaboration with the Mexican consulates in the United States by way of a Joint Declaration and two Letters of Intent aimed at reaffirming the commitments established between Mexico and the United States for improving the realization and dissemination of the laws and regulations that protect Mexican workers in the *American Union*.
- Through the mandate of the STPS of Mexico, the Department of Labour of the United States and the Ministry of Labour of Canada, who comprise the Council of Ministers for the Labour Cooperation Agreement of North America, the (*Secretariado laboral*), the trinational office of such Agreement, produced guides on the labour rights of migratory workers in the three countries.
- These guides will be of use to the migratory workers by raising their awareness of their rights, as well as of the resources available to them in the case that these rights are violated.

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Guide to Labor and Employment Laws for Migrant Workers in North America

The Guide to Labor and Employment Laws for Migrant Workers in North America consists of individual fact sheets about a range of areas of labor and employment law in each North American country. These fact sheets are written in an easy-to-read question-and-answer style and are downloadable in English, Spanish and French. The Guide also contains a directory to all of the governmental labor and employment offices in every state and province in North America.

You can download individual fact sheets about a particular area of labor and employment law in one of the North American countries, the entire Guide or a guide to labor and employment rights in Canada, Mexico or the United States. You can also download the directory for your particular state, any of the North American countries, or all of North America.

Guide to Labor and Employment Laws for Migrant Workers



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[Guide to Labor and Employment Laws for Migrant Workers in Canada](#)

[Guide to Labor and Employment Laws for Migrant Workers in Mexico](#)

[Guide to Labor and Employment Laws for Migrant Workers in the United States](#)

[**Download Trinational Guide** \(5,726 KB\)](#)

Adobe Acrobat Reader is required to view these documents. [Click here](#) to download a free copy of the program.

ACTIONS WITH RESPECT TO THE LABOUR RIGHTS OF MIGRATORY WORKERS (3)

Central Objectives of the Agreements:

- 1. Promote and protect the rights and wellbeing of Mexican workers in the United States.***
- 2. Establish cooperation programs to inform Mexican workers and employers in the United States about their labour rights and responsibilities.***
- 3. Draft joint communication and information strategies for the promotion of labour rights and good workplace health and safety standards.***
- 4. Train and educate community officials, leaders and organizations that act as liaisons in passing on information.***
- 5. Bring about the signing of local agreements that allow for closer collaboration between the consulates and the DOL divisions and serve as instruments for the institutionalization of the agreement.***