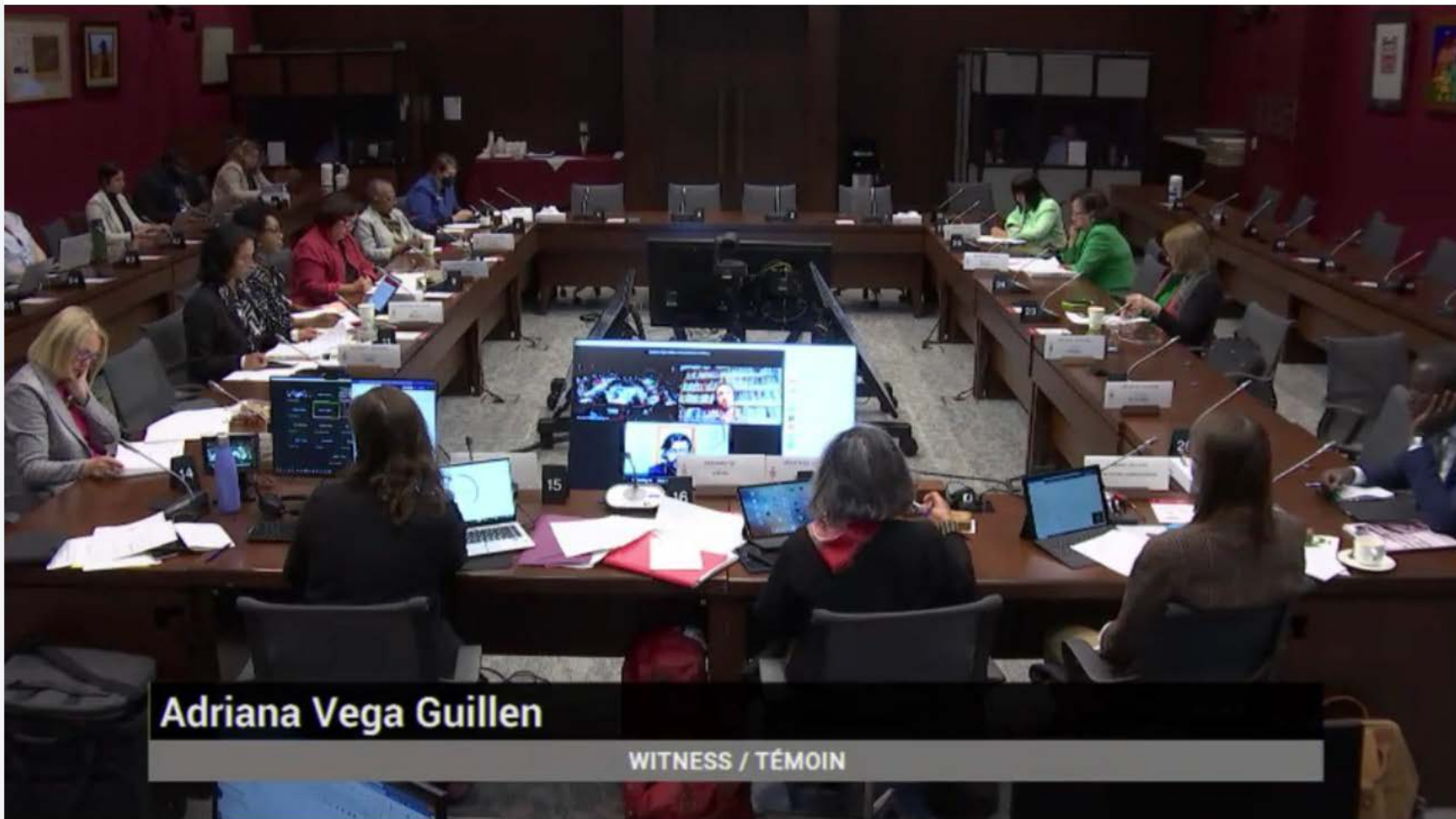




## UPDATE: Migrant worker tells Senate she was abused in N.B.



A migrant worker has told a Senate committee she was beaten and abused while working at a facility in Memramcook, and that she was told it was up to her employer to resolve the issues when she reached out to provincial and federal authorities for help.

OTTAWA • A migrant worker says she was beaten and abused while working at a facility in Memramcook, and that she was told it was up to her employer to resolve the issues when she reached out to provincial and federal authorities for help.

Adriana Vega Guillen from Costa Rica has testified in front of a Senate committee studying the use of temporary foreign workers, telling senators that she worked in “terrible conditions” while in New Brunswick.

She said she came to Canada a year and a half ago.

Her call is part of a push by advocates to end the closed-work permit system, particularly as province’s like New Brunswick increasingly rely on temporary foreign workers.

“An agricultural company, who I’m afraid to mention because of retribution, hired me for 24 months to work in their facilities in Memramcook,” Guillen told senators part of the Standing Senate Committee on Social Affairs, Science and Technology.

Her colleagues “insulted” her and “threw rotten apples and other objects.”

“They beat me, they mistreated me during work hours, I had bruises, I was in fear of work in a place that was not safe,” she said.

Guillen said her peers created a hierarchy that denied her basic services the company provided, like a microwave or even washrooms.

When she complained to the employer, Guillen said her shifts were cut or reduced.



“The closed work permit forces us to work with the employer, despite the conditions that are inhumane,” she said.

Guillen said she reached out to the federal labour board, who referred her to WorkSafeNB, but was told that the employer is in charge of remedying the situation.

Fredericton-based lawyer Aditya Rao, a founding board member of the Madhu Verma Migrant Justice Centre that provides support to migrant workers in New Brunswick, said he has helped Guillen courageously speak out.

Rao said the call is needed as the number of migrant workers in New Brunswick has grown steadily, receiving more than any Atlantic province last year.

Temporary foreign worker numbers jumped to 2,195 by the end of last year, up 50 per cent in a single year, and up from

under 1,000 in 2015, according to data from Immigration, Refugees and Citizenship Canada.

“The temporary foreign worker program is exploitative by design,” Rao said. “By this I mean that exploitation is a necessary outcome of the program.

“It’s not an accidental outcome, it’s not a mistaken outcome, it may not be an intended outcome, but it is a necessary outcome.”

He added: “The fact that someone could face deportation, face family separation, have their lives turned upside down because they lose their job is a feature of the program, not a bug. It privileges the employer’s access to labour over the worker’s ability to exercise their rights.”

Rao is advocating for permanent residence status for immigrant workers on arrival.

Failing that, he calls for the ending of the closed-work permit system in favour of open work permits.

A report released in March revealed rampant verbal abuse, dangerous working conditions, overcrowded housing and exploitative recruitment practices among migrants working in seafood plants in New Brunswick during the COVID-19 pandemic.

Published by a research group coordinated between Dalhousie, St. Thomas University and Cooper Institute, the report was based on interviews with 15 migrant workers who arrived in New Brunswick after the start of the pandemic in 2020.

Industry maintains that the closed-work permit program is necessary to fill jobs that residents aren't filling.

Nat Richard, executive director of the Lobster Processors



Association, which represents 23 lobster processing operations across the Maritimes, said in an interview that plants make huge upfront investments to bring migrant workers in to fill those positions.

“Right now, a one-way flight from Mexico is in the order of \$2,000, from the Philippines it’s \$5,000, and then you have all the fees and insurance that you need to have in place for the workers,” Richard said.

He added that if closed-work permits didn’t exist, those workers could arrive and simply decline to work where they were hired.

Richard added that tools like the Atlantic Immigration Program and provincial nominee streams are available to help workers become permanent residents.

Meanwhile, he said any insinuation that the industry isn’t

being held to a high standard with migrant workers is misleading.

He said the Cooper Institute report was based on interviews with 15 migrant workers out of upwards of 2,500 in New Brunswick, but makes a “crass generalization of the whole sector.”

Richard contended it was a sample that’s too small and unrepresentative of an industry that welcomes checks and balances of its practices.

Plants are inspected at random and without warning by federal employees up to twice a year, he said.

They also randomly select workers throughout the industry to interview anonymously.

“The federal government has full powers to, if they have any suspicions that an employer is not discharging its



responsibilities, they can intervene and pull the workers out of a facility or farming operation,” Richard said.

The feds can then provide those workers with open work permits so that they don't lose employment.

“There's a lot of nuance missing,” he said.

Richard also referenced a 1-800 number provided to migrant workers staffed 24/7 by federal employees that can be called confidentially at any time if work conditions are not at acceptable levels.

Senators are heading to New Brunswick and Prince Edward Island to study the use of temporary foreign workers as a stopgap in filling thousands of vacant jobs across Canada. The Senate social affairs committee got the upper chamber's approval last week to set out on a fact-finding mission with stops in Fredericton, Moncton, Summerside and Charlottetown.

Richard said he hopes they speak to the federal departments in charge of managing inspections and safety measures in place.

The federal database shows that three Memramcook companies had federal approvals to hire temporary foreign workers during the period Guillen said she worked in New Brunswick: Les Petits Fruits de Pré-d'en-Haut Inc., Verger Belliveau Orchard Ltd., and Willie A. LeBlanc & Sons Ltd.

Brunswick News has reached out to all three companies.

In an email, Madeleine Céré, owner of Les Petits Fruits de Pré-d'en-Haut, said that the allegations didn't happen at her farm, noting her farm hasn't employed female temporary foreign workers to date.

“It is sad to hear bad stories, because whatever we do, it all blows on everybody,” she said. “We don't know if it's true or

not, but I know personally the two other companies, and I would be very surprised that it happens there.”

The two other companies have yet to respond.