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'I thought they were good people': Inside Canada's 'exploitative' labour pipeline that put these workers in harm's way

Canada's strategy to combat labour trafficking aimed to put victims first. But many are left feeling exploited all over again.

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Canada's strategy to combat labour trafficking aimed to put victims first. But many, including Edgar and Francisco, are left feeling exploited all over again.

Andrew Francis Wallace



In the spring of 2018, a group of migrant workers from Guatemala showed up at a legal clinic in southwestern Ontario, looking for help.

They said they'd been lured away from their jobs on local farms by the owners of a temp agency in London — a pastor from their home country and his daughter.

The workers trusted them, and took new jobs through the temp agency at meat-processing facilities. But the pair confiscated their passports, threatened and demeaned them, and paid them less than they'd promised, the workers said.

ARTICLE CONTINUES BELOW



At the clinic, a social worker connected them with authorities, who determined they were victims of [labour trafficking](#). The workers wanted to be able to stay and work in Canada. They wanted to protect others from abuse.

Canada's [national strategy for fighting sex and labour trafficking](#) aims to put survivors first. In 2019, the Trudeau government touted its \$75-million, five-year plan as promoting a “more balanced, holistic and victim-centred approach” that recognizes the vulnerability of those who are ensnared by perpetrators of an “abhorrent crime.”

The strategy, however, has gaping holes that can leave victims feeling exploited all over again. It is not a strategy, advocates say, that is serving survivors or repairing the broken systems that put them in harm's way. Instead, it relies heavily on law-and-order tactics, targeting [middlemen](#) that will be replaced as long as the [insatiable demand for cheap labour](#) — and the sources of that labour — remain unchecked.

In London, the workers would soon become involved in a high-profile criminal prosecution that would lead to the conviction of the owners of the temp agency. But as the case lays bare, the exploitation these workers suffered began long before they ever crossed paths with the pastor and his daughter.

A breeding ground for 'slavery'

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A breeding ground for 'slavery'



A United Nations envoy earlier this year described Canada's temporary foreign workers program as a "a breeding ground for contemporary forms of slavery."

Jim Rankin

More than a decade before he walked into the legal clinic in Windsor, Edgar came to Canada from Guatemala through a controversial program that allows Canadian employers to plug holes in the labour force with temporary migrant workers.

He was from a poor family, and wanted to earn money to send home to his kids, he said in an interview. (The Star is using pseudonyms for the workers involved in the London case, whose identities are protected by a court-ordered publication ban.)

By 2015, after multiple seasons working as a farmhand, Edgar felt trapped. He had injured his knee at a tomato farm, and said his employer refused to take him to the hospital; he felt pressured to return to work even though he was in pain.

With his closed work permit, if Edgar was found working anywhere other than the tomato farm, he worried he would risk deportation.

These restrictive conditions [drew condemnation](#) this year from a United Nations envoy, who described the temporary foreign workers program as a "a breeding ground for contemporary forms of slavery."

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As the program's use by employers has exploded in recent years, the federal government said it has introduced [regulations](#) that will “deter bad actors” and make it easier to conduct inspections and impose consequences. Workers on closed permits who quit their jobs can stay in Canada until their visas expire, and can get approval within weeks to work for another employer within the program.

However, the U.N. envoy found this is “not a feasible option for most.” And while changes in 2019 allowed for open permits that would let migrant workers leave unfair or abusive conditions and find a new job, these permits are hard to get — and aren't renewable for those who manage to secure them, the U.N. concluded.

Bound by their closed work permits, migrant workers are vulnerable to labour trafficking.

Immigration policies, work permits created 'opportunity' for exploitation



Canadian companies' use of the temporary foreign workers program has exploded in recent years. The federal government said it has introduced regulations that will “deter bad actors” and make it easier to conduct inspections and impose consequences.

Graham Hughes / The Canadian Press

In the London case, Syed Hussan, executive director of the Migrant Workers Alliance for Change, said: “The actual conditions of migrant work, immigration and work permits created this opportunity.”

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Edgar heard about the job in London from a co-worker. It would be risky leaving the tomato farm, but when he met the owners of the Bethesda Agricultural Enterprises, he said he felt reassured.

Jose Callejas, a Guatemalan pastor, ran the temp agency alongside his daughter, Karin Callejas, who Edgar believed was an immigration lawyer.

Jose Callejas drove Edgar to London, where he would rent a shared room in a townhouse, and work at Hayter's Farm, a family-run turkey farm in nearby Dashwood. The Callejases promised to pay him \$15 per hour, Edgar said, significantly more than the \$9.50 per hour he had been making at the tomato farm.

When the Callejases asked him to hand over his passport, he complied. He said they told him they would renew his documents and help him bring his wife and children to Canada.

"I was very happy to be able to work for (the Callejases)," Edgar told the Star through a translator. "I thought they were good people."

Bethesda fined over \$11,000 for wage theft

After a year working for Karin and Jose Callejas, Edgar was desperate to get out.

The turkey farm where he was being sent to work was paying the Callejases' company roughly \$22 per-hour for his labour. Of that, Edgar only got around \$12 — an amount, the Callejases' lawyers would argue, that was after deductions for rent and taxes.

Later in court, the workers testified that the temp agency didn't provide proper wage statements or a breakdown of deductions, which is a violation of Ontario labour standards, and charged them \$300 in rent per month — more than the allowable amount. Ontario's Ministry of Labour has issued 11 wage-theft related orders against Bethesda since 2018, instructing the company to pay more than \$11,500.

Bethesda's agreement with Hayter's also prohibited the turkey farm from hiring the workers directly, according to copies of contracts that were filed in court. Such prohibition is illegal in Ontario. Hayter's did not respond to repeated requests for comment.

The townhouse where Edgar was being bunked had bedbugs, he says, and at one point the electricity was turned off to punish them.

He would later testify that Karin and Jose Callejas told them they were

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illiterate and had “cracked feet,” which he said is considered a racial slur directed at Indigenous people in Guatemala.

“Sometimes I don’t even want to remember what happened because of all the abuses,” he told the Star.

Karin Callejas’s lawyer responded that she “assisted various workers in attempting to obtain updated permits and proper immigration documents.” He acknowledged she “was not perfect in her work” but said she “did not intentionally victimize anyone.”

Jose Callejas did not respond to questions for this story. They are continuing to fight to prove their innocence, Karin said.

A 'disconnect' in Canada's permit system

Edgar had abandoned hope that the Callejases were going to come through with a new work permit — or even return his passport, despite his repeated requests. He fled in September 2016, and tried to keep a low-profile, taking jobs with employers who either didn’t ask for his immigration status, or weren’t deterred by his lack of a work permit.

Bethesda’s operation came under intense scrutiny in March 2017, when the Canada Border Services Agency (CBSA) raided Hayter’s, and found undocumented workers who were employed through the temp agency.

Jose and Karin Callejas were charged under the Immigration and Refugee Protection Act (IRPA) for illegally employing 17 foreign nationals, who were found working at Hayter’s and at a factory in nearby Centralia.

The charges against Karin were stayed, but Jose pleaded guilty. In March 2018, he was fined \$10,000 and sentenced to house arrest. The London Free Press reported that three workers had provided statements to the judge, outlining how Callejas, who had come to Canada from Guatemala as a refugee, had tried to help them.

“I accept that this was not a scheme designed to defraud or take advantage significantly of others. This was, unfortunately, a series of very bad decisions,” the judge said at his sentencing hearing.

Less than two years later, the pastor and his daughter would face more serious accusations. In December 2019, police charged Jose and Karin Callejas with a slew of human trafficking charges, including recruiting seven workers “with the purpose of exploiting.” A Bethesda employee was also charged.

Authorities identified the group of five workers who showed up at the legal

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clinic in Windsor as human-trafficking victims, which made them eligible for special temporary visas that allow them to stay and work in the country.

In the past decade, Canada has issued just 430 of these visas, called Temporary Resident Permits (TRPs), to sex and labour-trafficking victims and their dependants. (This figure does not include renewals).

They are only good for six months before they must be renewed.

Advocates and experts say there are too many barriers obstructing many victims, who are isolated and don't speak English, from applying for these visas. If they are able to apply, success is far from guaranteed, and often depends upon a criminal prosecution, advocates say. The immigration officer who approved the initial TRPs in the London case told police the criminal investigation was the "main reason" she issued the permits, court documents state.

And even those victims who do assist police and prosecutors are sometimes left in the cold.

In Barrie, a victim of another alleged labour-trafficking scheme came forward to authorities after a police raid uncovered dozens of workers, allegedly living in squalor. Despite providing evidence, he wasn't granted a TRP.

OPP Det.-Const. Ashley Hogg, who was involved in the investigation, said that in cases such as this, police advise Immigration Canada of the victims involved in the criminal prosecution. She said it wouldn't be "manageable" for everyone who came forward to go through the court process, but that doesn't mean that this worker wasn't a victim.


She said the decision not to grant this worker a TRP reflects an apparent "disconnect" in the system.

Immigration Canada said it could not comment on individual cases, citing privacy legislation. Decisions to issue TRPs to trafficking victims are "discretionary" and must be "justified in the circumstances," a spokesperson said.


Many of the workers arrested in the raid at Hayter's came to Canada through the temporary foreign workers program.

At least six of those workers were held in immigration detention. In every one of those cases, the review board blamed the workers for violating the terms of their original temporary visas, and continued their detention.

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Edgar and Francisco, another former Bethesda worker who sought help from the legal clinic, were luckier. They obtained TRPs in September 2018.

When their permits expired six months later, their renewal applications were rejected. The men were stunned. The prosecution that would rely on their testimonies was still years away from court, but Edgar and Francisco were once again forced to keep a low profile while they worked without permits, in constant fear of deportation.

“We felt like immigration didn’t believe what we were experiencing,” Francisco told the Star.

They were without status for more than a year, before they got new TRPs, and it was only after the United Food and Commercial Workers union and several members of Parliament appealed to officials in Ottawa on their behalf.

Prosecutions 'terrible' experience for victims

At the Callejases’ trial in London earlier this year, their lawyers hammered Edgar and Francisco about the abuses they said they had endured.

The examinations stretched on for hours, bumping along in fits and starts as an interpreter translated the lawyers’ rapid-fire questions into Spanish. It was the second language of both men, who had grown up speaking Kaqchikel, a traditional Mayan language.

Francisco had previously acknowledged that his command of Spanish was imperfect. The Callejases’s lawyer latched onto this admission, repeatedly suggesting that the worker had misunderstood the false promises he claimed an accused trafficker had made.

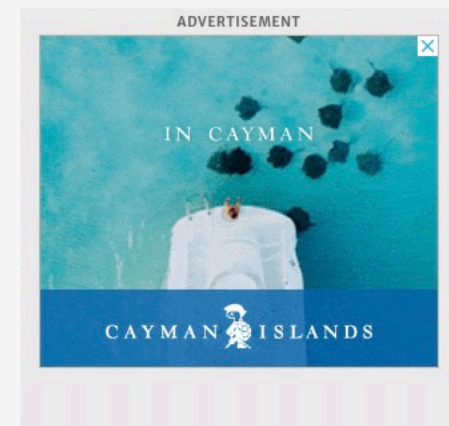
He broke down in tears. He said he didn’t come to court to lie.

“I’m not afraid of stating what happened ... I lived it ... that’s why I need justice to be made,” he told the lawyer in Spanish. “I’m a victim, sir.”

Edgar and Francisco both described the experience of testifying as “humiliating.”

Criminal labour-trafficking cases are “terrible for workers” and do not serve their interests, said labour and human rights lawyer Fay Faraday.

“The focus is not on delivering decent work and secure lives to the workers whose labour is being exploited,” who is also an associate professor at Osgoode Hall. “Where is the recompense? Where is the security?”



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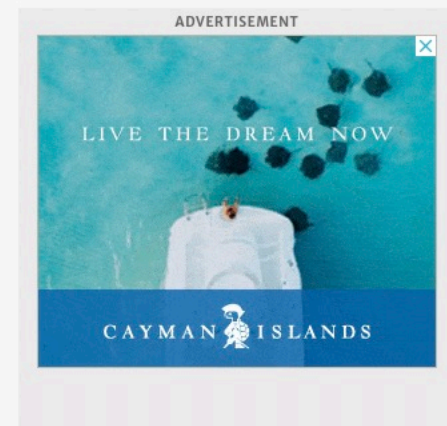
What migrant workers need to protect themselves from exploitation, Faraday said, are easier pathways to permanent residency.

“We’ve reenacted race-based immigration barriers through creating a temporary labour force without access to permanent status,” she said. “This system is one that is inherently exploitative, and needs to change.”

The Canadian government said it is working to remove barriers to permanent residency for agricultural workers. However, several new programs aren’t an option for many migrant farm workers, because they have minimum language and education requirements, which Immigration Canada said are “critical for immigrants’ socio-economic success in Canada.”

Costly prosecutions do not fix the broken immigration and labour systems that expose workers vulnerable to abuses, advocates say, and the middlemen they target are easily replaced.

“You are going to catch ... people who are the recruiters and intermediaries,” said Vasanthi Venkatesh, an expert in labour migration and an associate law professor at the University of Windsor.



Vasanthi Venkatesh, an expert in labour migration and an associate law professor at the University of Windsor.

Pete Fisher

Whether they are honest brokers or motivated by more nefarious intentions,



“these intermediaries are the way migration happens,” said Venkatesh.

She compares this approach to tackling labour-trafficking to the “war on drugs,” a decades-long political initiative that increased prison sentences for drug dealers and users and has drawn criticism for disproportionately impacting racialized communities.

“All it does is put a lot of resources into extreme cases without addressing the actual issues,” she said.

Meanwhile, the demand for cheap labour remains.

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Mark Soudant, a former plant manager for Field Gate Organics, where Francisco worked, testified that it was difficult to fill low-wage jobs on the factory floor, where employees have to contend with cold temperatures and “lots of blood.” Soudant said he was appreciative that the workers that came from Bethesda were “very diligent” and “very respectful.”

The company did not initially take steps to verify that the workers Bethesda was sending had valid work permits, he said. He told the court he trusted Karin Callejas, who “just assured me that all employees would be legal to work in Canada.”

The workers complained about their wages being unjustly docked and their inadequate living conditions, and claimed their passports were being withheld, testified Soudant, who was also a vice president at Field Gate. He did not respond to interview requests from the Star.

He described his company’s relationship with Bethesda as “always concerning and strained.”

However, Field Gate continued relying on Bethesda even after police laid original labour trafficking charges until February 2022.



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criminal labour trafficking charges, until February 2023.



Pastor and his daughter plan to fight convictions

Karin Callejas says she and father were only trying to help.

When she met with Edgar, Francisco and the other migrant workers involved in the case, she said she believed they had valid work permits that allowed them to switch jobs.

“I just thought, ‘OK. (These are) innocent people. They’re being abused ... They’ve got work visas,’” she said in an interview with the Star.

It was the first time she’d ever encountered foreign workers, she said, describing her philosophy in running the temp agency as: “You learn as you go.”

In April, a jury convicted Karin Callejas of trafficking Edgar, Francisco, and five other workers, as well as withholding four workers’ passports, including Francisco’s. Jose Callejas was also found guilty of trafficking Edgar, Francisco and four other workers. The court dropped the remainder of the trafficking charges against the pair, as well as a third defendant, who owned a house where Edgar and some of the other workers rented rooms.



Edgar and Francisco's temporary permits expire in a few months. With the trial over and the verdict rendered, they've been told by advocates that it's unlikely the permits will be renewed.

Andrew Francis Wallace





Karin Callejas said she and her father plan to fight their convictions.

She hopes to testify at her sentencing hearing, something she didn't do at trial, and is challenging the constitutionality of the trafficking laws, her lawyer said.

In an interview, she claimed the workers colluded and invented a false story of abuse to avoid deportation.

"They decided to plan this in order to stay in Canada and to take advantage of myself and my father," she said. "They completely are full of lies."

She said she never held herself out to be an immigration lawyer, and rejected the allegation that she used racist slurs to demean Edgar and the others. She described her father as "a harmless man"; a pastor who had taken care of the community and had "fed even his own enemies."

"We're the biggest victims of all this," she said.

Gratitude, and concern for what's to come

Edgar and Francisco now share a basement apartment outside of Toronto and work at a poultry processing facility nearby.

They say they told the truth on the stand, and that Karin and Jose Callejas "don't want to take responsibility" for their actions.

Edgar is grateful that the work permits he and Francisco received as victims of human trafficking allow them to find other jobs if they're mistreated.

But the temporary permits expire in a few months. With the trial over and the verdict rendered, they've been told by advocates that it's unlikely their TRPs will be renewed.

They are applying for refugee status, on the basis of "humanitarian and compassionate" grounds, a high-bar to meet, but one that would put them on the path to permanent residency.

For now, they worry and wait.



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