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MIGRATION AS A GLOBAL LABOUR SUPPLY SYSTEM: EXPLORING THE ROLE OF COLLECTIVE ACTION WITHIN THE SEASONAL AGRICULTURAL WORKER PROGRAM

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ABSTRACT

The Seasonal Agricultural Worker Program (SAWP) is a circular migration scheme in which workers migrate from Mexico and the Caribbean on a temporary basis to fill the labour gaps in the agricultural sector throughout Canada. The Okanagan Valley in British Columbia (B.C) where this study is situated, is one of the many regions that workers migrate to. Here workers fall victim to numerous forms of exploitation and abuse as a result of the specific program structure and employer practices. This study examines the structural state of vulnerability that migrant workers experience, specifically analyzing the ways in which this shapes their ability to form solidarity bonds with one another in the program. Through Walia's theory of border imperialism and Foucault's theory of biopower, this paper looks at the larger structures that shape the program and how this translates into the localized experiences of workers. Engagement with collective action becomes a central experience for workers in the SAWP as they navigate living and working in Canada.

INTRODUCTION

The Seasonal Agricultural Worker Program (SAWP) was originally created in 1966 - a specific stream of a temporary foreign worker program aimed at the agriculture sector (HRSDC 2022). SAWP acts as a means to address labour shortages in the agricultural sector through the support of temporary workers when permanent residents are not available (HRSDC 2022). However, despite the vital economic contributions of temporary workers, SAWP does not provide a pathway to gaining permanent status, with participants being limited to a maximum of eight months in Canada (Cohen and Caxaj 2018). A central experience for temporary workers is the ever-present threat of employment termination, and thus being subject to deportation. This is a key aspect, impacting the lives of the approximately 2,500 SAWP workers migrating annually to the Okanagan Valley, Canada's second largest win producing region (Hjalmarson, Bunn, Cohen, Terbasket, Gahman 2015). With a focus on farmworkers in the Okanagan Valley, the goal of my research is to explore the formation of solidarity bonds among workers in the SAWP.

Temporary Foreign Worker Programs (TFWP) in Canada have become a widely researched subject with scholars questioning and criticizing the exploitative nature of these programs. Studies have brought to light the strenuous working conditions and the lack of access to rights that characterize the experience of workers within TFWPs (see Cortina- Castro and Kobayshi 2020, Hjalmarson 2022, Cohen and Caxaj 2018, etc.). Despite foreign worker programs being commonly cited as a "triple win situation" (Basok, Tucker, Vosko, Caxaj, Hennebry, Mayell, McLaughlin, Weiler 2023), in reality they have been proven to centre around what will benefit the employer and the state, failing to truly account for the needs of the workers participating.

The challenges workers encounter while in Canada significantly impact their social relations and ability to act collectively. As they continue to face different forms of exploitation, workers have utilized various mechanisms and tools to advocate for their rights. This aspect of the worker's experience is central to my research study. Existing

literature examines various aspects of resistance within TFWPs, with Choudry and Smith's (2016) *Unfree Labour?: Struggles of Migrant and Immigrant Workers in Canada,* exploring how workers resist exploitative conditions and Ramswaroop's work (e.g., Discipline and Resistance in Southwestern Ontario: Securitization of Migrant Workers and their Acts of Defiance, 2023, and Pushing Climate Refugees into Migrant Worker Programs, 2023) highlighting the role of grassroots organizing support for migrant workers struggles. However, building on these discussions, my study shifts the focus to how workers' ability to resist is shaped by biopolitics and border imperialism. By examining resistance through this lens, we can better understand how systems of control not only create the conditions that drive workers to resist but also limit their capacity to act collectively, thus reinforcing the very structures of exploitation workers are attempting to challenge.

EMERGENCE OF THE SEASONAL AGRICULTURAL WORKER PROGRAM

The SAWP began with the recruitment of 246 Jamaicans to Ontario but has since expanded to include 10 different Canadian provinces (Binford 2019). These participants now come from both Mexico and 11 different countries in the Caribbean (Anguilla, Antigua and Barbuda, Barbados, Dominica, Grenada, Jamaica, Montserrat, St. Kitss-Nevis, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago) (HRSDC 2022). Multilateral cooperation among the Government of Canada, the government of the participating countries, as well as the employers is necessary for the facilitation of the SAWP (Basok, Tucker, Vosko, Caxaj, Hennebry, Mayell, McLaughlin, Weiler 2023). The governments of the workers' home countries are partially responsible for the recruitment process as well as the negotiation of benefits, assigning consular officials or liaison officers to monitor the program while the workers are in Canada (Binford 2019). However, the monitoring of the program is highly unregulated, as will be highlighted within this study. The closed work permits attach workers to one specific employer while they are in Canada, thereby limiting their labour mobility (Cortina-Castra and Kobayshi 2020). This enforces a compliant workforce as their spot in the program lies in the hands of that one individual. Following the agriculture season, employers evaluate the workers, ultimately determining the future of workers as a negative review can lead to individuals not being invited back the following season (Binford 2019). These specific aspects of the program enable employers to utilize mechanisms that contribute to migrant precarity, fostering a highly productive workforce. With no obligation of permanent residency, the Canadian labour market is able to thoroughly capitalize on the influx of cheap and flexible labour.

DEMOGRAPHIC MAKEUP OF THE OKANAGAN VALLEY

The rationale behind Canada's immigration policy has been specifically applied in the context of the Okanagan Valley. The demographic makeup as well as the prominence of the agriculture industry within the Okanagan created the perfect scene for the SAWP to take root. The Okanagan Valley, located in south-central British Columbia, is Canada's second-largest wine-producing region (Hjalmarson, Bunn, Cohen, Terbasket, Gahman 2015: 78). Commonly referred to as the "Napa of the North", and one of British Columbia's most fertile regions, the Okanagan Valley has gained the status of a premier wine producer (Hjalmarson, Bunn, Cohen, Terbasket, Gahman 2015: 78). With Canada being an exporter of commodities such as fruit, vegetables, flowers, sod, apiary products, etc., the agriculture sector in the Okanagan Valley has become a major contributor to Canada's economy (Preibisch 2007: 426 and Callon 2016: 33).

This prominent agricultural economic base significantly shaped the demographic makeup of the Okanagan Valley and contributed to historical processes regarding race and migration. As the orcharding industry grew, land development companies wanted to attract wealthy British immigrants as this industry was considered a "gentleman's pursuit" (Demeritt 1995). The farmworkers, however, were not of the same demographic as the farm owners that land development companies worked to attract (Hjalmarson, Bunn, Cohen, Terbasket, Gahman 2015: 78). The farm workers were typically viewed as unwanted community members, despite the necessity of their work (Hjalmarson, Bunn, Cohen, Terbasket, Gahman 2015: 78). Notwithstanding migrant workers critical contribution to the industry, they remain invisible and excluded throughout society (Hjalmarson, Bunn, Cohen, Terbasket, Gahman 2015: 78). The historical process of the agriculture sector in the Okanagan Valley ultimately led to the industry depending on the employment of temporary migrant workers.

ANALYTICAL FRAMEWORK

In this study, I engage with Harsha Walia's theory of border imperialism and Michel Foucault's theory of biopower as a lens to deepen my understanding of how the program attempts to impose negative interpersonal relationships amongst workers, inhibiting their ability to act collectively. In particular, I engage with these theories to better grasp how migrant workers regulate their own lives and the role of power hierarchies within this self-regulation. These frameworks are critical in exploring both the localized experiences of migrant workers and the larger structures that have impacted these experiences.

The concept of border imperialism is integral to my analysis of workers' experiences while in the Okanagan Valley as part of the SAWP. Through this theory, Walia examines the ways in which borders function and the specific connection that they have in regard to neoliberal economic processes (Walia 2015). Borders work in a manner that dictates and alters the relationship that migrants have with the state as well as with their neighbours (Walia 2015). This relationship is specifically altered in a manner that renders migrants vulnerable to exclusion and different forms of exploitation. Walia makes note of borders in an abstract sense, highlighting that it is not necessarily a fixed location, but instead can operate through rhetoric, policy, racial ideologies, etc. (Walia 2015). Walia argues that border imperialism produces and sustains a precarious workforce, influencing the conditions TFWs endure in programs like the SAWP (2015). Rather than being a passive boundary, the border actively regulates migrant workers, shaping their experience in Canada.

The border is also used as a justification to further the economic and political interests of the state and employers, maintaining the system which ensures migrant labour remains cheap. Through this analytical framework of border imperialism, the connection that exists between the larger state structures and the everyday lived experiences of migrant workers becomes clear. In defining them outside the protection other citizens of the country are entitled to, bordering allows employers and the state to continue to exploit workers. Walia builds on this concept further, noting that precarious conditions are a central part of border imperialism (2015). Rather than being a by-product of weak labour protections, the exploitation of workers is actually a structural outcome of border imperialism. This is particularly evident within the SAWP as the process of bordering is seen to function through multiple mechanisms including surveillance, housing, and employer exploitation of power**,** as will be discussed in this paper. Worker's negotiation of rights becomes compromised as they are more willing to accept poor conditions due to the lack of security they hold. For migrant workers, the border, both as a fixed location and in the abstract sense, as Walia discusses, constrains their agency and reinforces the uneven social relations already present in the country. As I engage with the concept of border imperialism, I am able to recognize how the larger global processes are mirrored in the everyday experiences of migrant workers.

In order to engage further with the localized experiences of participants in the SAWP, I turn to Michel Foucault's work regarding biopower. Foucault's concept of biopower looks at the role of power and how control is asserted (Foucault 1976). The function of biopower is to discipline (Foucault 1976). We either follow the norm and govern ourselves in order to be aligned with this social standard or we resist the model and risk facing potential consequences (Foucault 1976). These consequences include isolation from society, being deemed a criminal, or facing legitimate punishment (Foucault 1976). In the case of migrant workers in the Okanagan Valley, they risk deportation and removal from the program.

Within Foucault's concept of biopower, he notes two different types of power – anatomopolitcs of the body and biopolitical power. Anatomopolitics of the body, otherwise referred to as disciplinary power, is what I engage with as I use this theory to better understand and examine the SAWP. With disciplinary power, obedient and docile individuals are formed through different social institutions (Foucault 1976). This is seen as the state and the employer both use their power to create a docile and hardworking class of migrant workers that can be relied on for their labour. The key contribution of this theoretical approach is to provide a means to explore disciplinary power not just as the device through which people are governed, but rather as the instrument through which people govern themselves. Through its own power, the state creates norms that are then translated through institutions, discourses, concealed authorities, etc. to become forced onto the larger population. These norms work to benefit the state because they ensure a disciplined population, less likely to follow deviant behaviours or stray away from the accepted standards within a society.

In the case of the SAWP, workers have become expected to work in strenuous conditions for long hours, with no complaints. This is because a neoliberal economic policy that values intense labour processes and racialized hierarchies has become a prominent part of society. The end goal is money making, and by maintaining a class of docile workers, the state is able to meet this goal and ensure a well-organized capitalist economy. Workers also produce disciplinary power themselves as they learn to self-govern as well as govern their peers. Foucault's concept

of biopower demonstrates how social categories and the role of power can act as a disciplinary mechanism. The application of biopower within the SAWP conceptualizes the ways in which workers experience larger global processes. In my work, I will draw a connection between the logic underpinning the program from the perspective of the employer and the state, and how this is then reflected in the everyday lives of migrant workers.

METHODOLOGY

The methodology for this study was designed to provide me with a holistic understanding of the program as well as in-depth experiences from participants. This study was conducted using a qualitative method through semi-structured interviews, allowing for a flexible and adaptable approach to explore the worker's everyday realities while participating in the SAWP. I utilized a qualitative method as opposed to quantitative as it provided participants with the space to reflect on their experiences in their own words. With semi-structured interviews, participants were able to share stories that may not have been originally anticipated or included in the initial interview guide. This was essential as it allowed me to explore new and unexpected themes related to my study. By creating a space where new themes could emerge, I was able to gain a more comprehensive understanding of the dynamics within the SAWP.

The inclusion of both TFWs and outreach workers in the interview sample further enhanced my study. I conducted eight semi-structured interviews: three with workers from Jamaica, and the remaining five with local outreach workers. This participant demographic allowed me to gain an understanding from both the perspective of those participating in the program as well as individuals with experience working alongside both farmworkers as well as government officials, that may be more familiar with the larger structure and the behind-the-scenes aspect of the program. The inclusion of both farmworkers and outreach workers enabled me to understand how different stakeholders interpret and engage with the program.

In addition to the use of semi-structured interviews within my fieldwork, I drew upon data sources as supplementary support. I have analyzed SAWP contracts for workers in order to gain a better understanding of the structure of the program as well as the regulations enforced by employers and state officials. Through the analysis of these official documents, I can gain insight in regard to the localized experiences of SAWP workers and the power relations inherent within the program. Along with worker contracts, I have used the extensive body of literature that already exists regarding the SAWP to support me in my analysis. This included both scholarly articles as well as grey literature from NGOs and unions. Through the analysis of previously published work, my own interviews, as well fieldwork observations I was able to gain a more informed understanding of the program and worker experiences within.

DECONSTRUCTING THE TERM "TEMPORARY FOREIGN WORKER"

During the fieldwork component of this study, as I became more situated with the research setting, one question in particular came to mind that I consistently reflected on. This was, at what point do those comprising the SAWP, integral to Canada's agriculture industry, transition from being labelled temporary and foreign to simply being recognized as individuals? Following the interviews I conducted during my fieldwork, I learned that many of these workers have been coming to Canada for decades, some with their parents coming before them, and now children continuing this 'tradition'. Multiple generations of people who have been coming to Canada for extended periods of time, providing their essential labour, are still never given the right to stay permanently, nor bring their families with them (Cohen and Caxaj 2018). Despite being an integral part of the workforce for generations, a tension continues to exist as these workers hold an almost permanent presence yet continue to be labelled as temporary. This label is what subjects them to the different forms of isolation and exclusionary practices in the Okanagan Valley. These exclusionary practices reflect a local manifestation of bordering, in which workers are treated as temporary despite their ties to the region.

The continued use of the term "temporary foreign worker" prevents the full integration of these workers. This exclusionary label illustrates how borders, at a local level, shape the lives of those in the SAWP. Despite workers sustaining the very communities that exclude them, their presence remains overlooked. It is imperative to question when the workers themselves will be acknowledged as local and when will we stop using the term "temporary foreign workers"? A dramatic shift in the way that SAWP workers are viewed is essential and will allow us to start moving forward in the direction of 'status for all'.

MANUFACTURED SOCIAL ENVIRONMENTS

A central aspect of the SAWP involves employer-provided housing, which serves as the accommodation for participants upon their arrival in Canada. The conditions that workers endure in regard to their living quarters contribute to and shape their experiences significantly in the program, very often impacting their ability to form solidarity bonds with coworkers.

Descriptions of living conditions by participants during interviews depicted them as uncomfortable and poorly kept, with little to no privacy. Local outreach workers, when discussing the housing, stated that workers often are housed in trailers or barrack-style accommodations. Housing was described to be falling apart, with individuals recalling instances of pest infestations. Participant B expressed their concerns, stating, "the furniture is uncomfortable and falling apart. I can't sleep at night here". Overcrowding was a common theme for the majority of individuals, with participants discussing living in small spaces with 10 – 15 other individuals. For instance, participant A lives in a single-family home with 18 other workers. Due to the high occupancy of these living spaces, access to basic amenities becomes a common problem. Workers were often provided with only one shower and very few appliances to share among the group. This means cooking is very challenging with workers having to wait in line just to use the stove. Many individuals noted instances in which they would wake up earlier than necessary in order to access the shower and get ready for their workday. This underscores the daily struggles imposed by inadequate housing conditions.

The poor housing conditions, as described by participants, speaks to the lack of oversight within the program from the government, as well as the level of consideration that is given to migrant workers in Canada. This holds significance as it reflects the collective perception of these workers by the Government of Canada, employers, and the local community as being inessential and disposable. Consequently, as migrant workers remain subject to this perception and the resulting treatment, navigating life in Canada becomes increasingly challenging. Their level of agency diminishes as they control surrounding their living quarters, weakening their ability to collectively act against this exploitative treatment.

With no choice surrounding their housing arrangements, upon arrival in Canada, workers are immediately put in a situation where they are surrounded by many individuals, they are unfamiliar with and thus enjoy very little privacy. Cortina-Castra and Kobayshi (2020) discussed workers' experiences in regard to living conditions in a previous study on temporary labour in BC. They highlighted the change that workers experience as they make the transition from living with their families in their home countries to moving to Canada and residing in a house with complete strangers (Cortina-Castra and Kobayshi 2020). Within their study, participants spoke about the impact that a new living environment has, discussing experiences of depression and loneliness (Cortina-Castra and Kobayshi 2020). Similar results were seen within this study as participants discussed the role of isolation with respect to their relationships. As with any living situation, there are often personality as well as cultural and language differences that affect workers' relationships with one another. These personality differences are further perpetuated by feelings of isolation that impact workers' well-being and ability to form solidarity bonds. Participant D specifically highlighted this while discussing workers' interpersonal relationships while in Canada. She noted the impact of "cultural isolation", stating that "many (TFWs) come to Canada and never make friends". Building off of that, Participant H said, "they're actually discouraged to do anything but work here". The specific conditions of the program hinder

workers' ability to form strong connections with one another. Social conflicts among workers then become a central experience when participating in the program.

Despite the conditions that more often than not, as noted through the data collected, inhibit workers' ability to act collectively in the name of reclaiming their agency, interviewees still discussed instances in which these conditions led to the establishment of solidarity bonds and the forming of strong and positive relationships. When communicating with local outreach workers in the Okanagan Valley, many discussed the impact of the support they provide to participants while they are in the program. Hosting community events in which workers are able to bond with one another outside of the workplace and beyond the employers' watch has a positive impact on their relationship with one another. For instance, a local NGO hosted a welcome BBQ for all temporary workers, encouraging community members to also join. This allowed workers to better situate themselves in the Okanagan Valley and meet new people outside of their workplace. In addition, workers were connecting with one another through their shared experiences at these events, rather than being pitted against each other. This support significantly shapes workers' experiences and the ways in which they respond to the conditions they are subject to in Canada.

SURVEILLANCE MECHANISMS

Another central aspect of the environment inherent within the SAWP is the role of surveillance. Employers are able to utilize their power to maintain constant surveillance over their employees, ensuring a docile class of hardworking farmers. Across multiple interviews, both temporary workers and outreach workers discussed the different ways in which the employer has monitored the activities of workers. Participant D claimed that when visiting farms, workers would ask her to park further away from their home in order to ensure the employer is not aware of her presence, despite visitors being permitted as per the SAWP contract. During instances in which the employer did not live directly on the farm, they were still able to maintain control and practice surveillance measures through foremen, as well as other restrictive tactics. Foremen would often live on the farm in place of the employer, keeping watch over the workers, ensuring productivity, and reporting any instances of misconduct to the employer. Additional measures were implemented to further solidify employer control. This includes gates on driveways, no trespassing signs, or extralegal house rules restricting visitors' presence. At the height of the COVID-19 pandemic, the level of surveillance and enforced restrictions increased even further. Three participants shared accounts of contracts being drawn up, requiring workers to sign agreements that enforce their commitment to not leave the farm premises or receive any visitors. Participant D highlighted how severe these restrictions were, recounting an incident where a worker was fired and deported after an employer discovered clothes had been dropped off for them by an outreach worker. Workers remain in constant fear as they are acutely aware of the significant levels of surveillance and the reality that the employer can show up at any moment unannounced.

Elise Hjalmarson (2022) has made significant contributions to this idea as she connected the role of surveillance to workers' own sense of vulnerability. In particular, employers' methods of surveillance within the program solidify the uneven power relations that exist. Workers are continuously monitoring their own actions both at work and at home for fear of any possible consequences (Hjalmarson 2022). Participant E provided further insights regarding the impact of surveillance stating, "it's unnerving to be in your home and know someone's watching you and that your employer can tell you that you're being lazy or drink too much or hold any control over your personal life". As workers maintain very little control over their lives, they are significantly inhibited in their ability to negotiate power relations and assert their agency in the face of exploitation.

RACIAL HIERARCHIES

As seen through the discussion of living conditions, employers maintain control in both the work and social life of farmworkers. This is particularly evident as they manipulate the formation of relationships, exploiting their position of power in order to facilitate distrust and a negative relationship among workers. By creating tensions among the workers, they are able to attain a more vulnerable and compliant workforce – fit to provide the necessary labour demands and less likely to resist the exploitative conditions inherent within the program.

Throughout all the interviews in my study, there was an explicit awareness regarding the impact that race has on experiences while on the farm. Participants H and E stated that employers will divide individuals within the

program racially, assigning different tasks to different groups of people. This was done on the basis of racial stereotypes. Participant B provided an example of this as he recounted an employer saying, "No, you're from Jamaica, I'm not going to put you in the sorting room because you're good for the field". By creating rivalries amongst workers, particularly along racial lines, employers are fostering a competitive environment, which ultimately serves their business interests. This constitutes a crucial element of the workers' experience in the program, as they are continuously pitted against one another for the employer's benefit.

THE "SNITCH"

Looking further into employers' undermining of worker relationships, I delve into the use of an informer. Across all interviews, there was an explicit awareness that among each farm there is always one individual in the group of workers that others would refer to as the "snitch". The employer's informer or snitch is someone that the employer trusts to report the activities of workers as well as encourage productivity on the farm. Participants D and G discussed the different factors that contribute to how an employer chooses which individual to act as their informer. One variable is whether the worker has been returning to the farm for many years, as in this situation there is already a level of trust that has been built. Due to their experience on the farm, they also already have a significant level of training and awareness concerning the "ins and outs" of the farm. They as well will likely have a better understanding of English, leading the employer to view them as a valuable asset for ensuring productivity.

The uneven relationship is fostered by the employer by granting a worker special privileges such as the use of their car or the false promise of permanent residency. The individual acting as the 'snitch' will then feel as if they owe the employer something in return and push workers to go past their limits, ignore any safety concerns, and report any behaviour that may go against the employer's interests. In these situations, it becomes very difficult to live in a house where workers live in constant fear due to the suspicion that a peer is reporting your activities to the employer, forcing them to remain in a guarded state at all times. This contributes to feelings of isolation and a lack of trust among workers.

The hierarchies' employers fostered among workers through the use of this confidant cultivates a situation of competition and distrust. Participant H stated, "if you set up a situation where someone is going to get rewarded, and somebody is not, of course there's going to be some competition among workers for certain things". Participant B while discussing the "informant" said, "I can't really trust anyone here". This underscores the impact of competitive conditions on the well-being of workers. As some workers remain loyal to the employer, while others continue to actively resist their treatment, the formation of solidarity bonds becomes difficult. Employers create these conditions that foster competition by taking advantage of their power in order to increase productivity and further their control.

Employers are able to seamlessly use this strategy as a way to ensure productivity due to the precarity of migrant workers. Workers are reliant on this program due to their economic circumstances and reliance on remittances, and therefore gaining the opportunity for different privileges such as an increase in working hours is extremely important. This results in tensions among workers as they compete to be as good as or better than their peers. Workers as well must consider the evaluation they will receive at the end of the season. Participant A spoke about the evaluation and how no one wants to be the weakest worker at the farm, stating "if I am the slowest worker, I won't get to come back". Comments made by Basok and Bélanger (2016) as well as Cohen and Hjalmarson (2020) in their studies regarding the SAWP in B.C. have highlighted the importance of this performance review. A positive evaluation means the worker will be able to come back the following year (Basok and Bélanger 2016; Cohen and Hjalmarson 2020). This evaluation system places a significant amount of power in the hands of the employer (Basok and Bélanger 2016; Cohen and Hjalmarson 2020). Due to the closed work permit, if a worker receives a negative evaluation, they will not be able to participate in the program anymore. Furthermore, employers are able to request specific workers they would like to come back in the following year (Basok and Bélanger 2016; Cohen and Hjalmarson 2020). Because of this, workers are continuously trying to prove their abilities and outdo one another, thereby enabling the employer to utilize exploitative mechanisms such as 'the snitch'.

Instances in which workers self-govern as well as govern their peers in order to gain favour with the employer, as seen with the phenomenon of an 'informer', falls in line with Michel Foucault's theory of biopower. Migrant workers embody this theory of biopower through their exertion of disciplinary measures within interpersonal relationships. They begin to regulate their own behaviour and that of their peers to align with employer expectations. Employers acquire a disciplined class of workers by creating an environment centered around productivity as well as their facilitation of a competition-based relationship among the workers. This is easily

achieved due to the social standard that has normalized long hours and strenuous working conditions for migrant workers.

The social culture of the workplace is significant as workers will sometimes remain united despite attempts by the employer to disrupt this relationship. Outreach workers emphasized the impact of community connections, resources, and knowledge surrounding rights while evaluating the impact of certain employer tactics. The level of consular support as well as NGO connections significantly shapes the way in which the employer will treat the worker at times. If the employer believes a worker has significant connections to a consulate or the community, they will then treat that worker better as an act of self-preservation. This specific factor not only illustrates the employers' manipulating tactics, but it speaks as well to the importance of community support and recognition. The fear that a community member, such as an outreach worker or immigration lawyer, may intervene in cases of abuse significantly influences how an employer treats their workers. This provides another reason as to why community support is important for workers receiving the treatment they deserve. Establishing connections empowers workers to assert control over their lives and become less susceptible to the manipulation tactics of the employer. Civil society engagement has proven instrumental in aiding workers to overcome obstacles despite the systemic challenges they face.

THE DISCIPLINARY POWER OF EMPLOYERS

A substantial aspect of the migrant workers' experience in the SAWP involves the risks they confront when standing up against mistreatment, particularly due to the level of power employers hold within the program. Employers are able to establish control and reaffirm their power by punishing participants following any behaviour they do not like. For example, workers noted instances in which they received punishment for asserting their rights, speaking out against labour practices, accessing healthcare, or even working too slowly. Employers responded to these actions by restricting them even further and limiting their freedom. During an interview, Participant A said, "While being here you learn not to complain. It doesn't matter what the boss is doing. If you talk back, you go home". While in the program, the self-regulation of emotions becomes a necessary tool for survival. Common consequences that were discussed by interviewees included restrictions surrounding leaving the farm, limitations on having visitors, and reductions in working hours. Leigh Binford (2019) has also analyzed SAWP employer tactics and the role of worker compliance in the program. Binford reported similar findings as he discussed employers rewarding docile workers and punishing those who attempted to resist (2019). Rewards were given through positive evaluations and requests to return the following season, while punishment meant a negative evaluation or complete repatriation (Binford 2019). Workers facing backlash for attempting to assert their rights while in Canada demonstrates how the program is set up to discourage collective action from participants.

Group punishments were central to the experiences of workers while in the Okanagan Valley. By employing group punishments for one individual's behaviour, employers are able to discourage and better ensure that other workers do not complain. Workers become very aware of the risks associated with speaking up, not only for themselves, but for the entire group. It is this awareness about the repercussions of their actions that more often than not forces workers to remain silent and compliant. Outreach workers discussed the ways in which they saw the impact of group punishments throughout their work. Participant H described instances in which a worker will discuss experiences of abuse, immediately ensuring that this experience is not shared with their employer, the media, or the consulate. This is because they are concerned about their coworkers and how speaking up could affect them. Instilling group punishments dissuades workers from reporting abuse, as they fear that their entire team will face repercussions for their individual actions. Rather than openly resisting the abuse workers receive, they look out for one another by staying quiet. By enforcing group punishments, employers are able to not only ensure compliancy, but as well strain the relationships workers have with one another. When the entire group faces punishment for one individual's actions, it often weakens the solidarity bonds they form with one another and instead promotes negative relationships.

While discussing punishment within the SAWP, it is necessary to examine and understand the enabling conditions that allow for this concentration of power within the program. I credit this to two different primary aspects of the program structure. First, I turn to the lack of oversight that exists within the program. Employers are able to cite any reason of their choosing when reporting a termination (Wells, McLaughlin, Lyn, and Diaz Mendiburo 2014). This is because there is no formal follow-up or recourse on the side of the worker. It was noted by an outreach worker within interviews that termination is most commonly reported due to a "breach of contract" – however, this

is very broad and can be subject to various interpretations. This illustrates why the employer can easily enforce restrictions and impose sanctions in response to resistance. resistance.

Equally important, the complaint-driven reporting system that the SAWP relies on also contributes to buttressing the power of employers within the program. Farmworkers participating in the program are advised to contact the consular or liaison officer, or Employment and Social Development Canada (ESDC) with an official complaint if facing labour regulation violations (Cohen and Hjalmarson 2020). However, workers rarely utilize this "complaint-driven reporting system" as they are aware of their vulnerability in the program and choose not to risk repatriation. Furthermore, it is important to note that while SAWP workers technically have the right to contest termination, the process is complicated by a number of practical barriers (Cohen and Hjalmarson 2020). Contesting termination often requires workers to initiate legal proceedings, which can be difficult due to their limited access to legal resources, financial constraints, and language barriers (Cohen and Hjalmarson 2020). Without clear avenues available for legal resources, workers are hesitant to take action (Cohen and Hjalmarson 2020). This leads workers to ignore any violations that take place as they fear the possible consequences that could occur following their report. Placing the entire responsibility on the worker to report instances of abuse is highly problematic given their precarious situation, and thus hinders their ability to advocate for themselves (Cohen and Hjalmarson 2020). I have connected this aspect of the program structure to Foucault's theory of biopower. The complaint-driven reporting system reinforces the role of disciplinary power within the lives of migrant workers. Workers, aware of their vulnerability in Canada, engage in the governing of themselves as a means of self-preservation. With no official means to protect themselves following labour violations, workers become reluctant to attest to abuse and instead work to protect themselves and ensure their own safety, through this disciplinary power.

The other component central to this analysis is the closed work permit – a mandatory and required aspect of the SAWP. Leah Vosko specifically has made notable contributions to this discussion as she emphasizes the strong link that is created between the worker and the employer as a result (2018). This closed work permit restricts any type of labour mobility, forcing the worker to withstand the treatment they receive at their farm if they wish to stay in the program. With a closed work permit, the termination of a worker results in automatic repatriation and eliminates any possibility of re-entering the program (Vosko 2018). This is significant because the risk of punishment acts as a deterrent for workers to act collectively against the conditions they endure. They experience a constant fear of repatriation, as reflected in the way in which they respond to their mistreatment.

Despite the attempts by employers to sever relationships and create conflict through the use of group punishments, workers have still found their own methods to move beyond disagreements and protect one another from abuse. Half of the participants spoke about the importance of resistance in the face of employer abuse. When workers believe someone is at risk of receiving punishment, the entire group will come together in solidarity to protect this individual. One example provided was workers not giving the employer any information regarding an incident as a measure of protection. Although this poses a threat to all the workers, they still continue to form these bonds of solidarity while in the program. This is significant as it provides an example in which workers do not succumb to the pressure and stress from the program. These tactics are an example of the ways in which workers employ "weapons of the weak", as termed by James C. Scott, and work together in resistance to the exploitative treatment they receive while participating in the SAWP.

MIGRANT PRECARITY IN CANADA

While examining the role of punishment throughout the SAWP, it is important to question what creates the enabling conditions that allow the employer to use this mechanism as a means of control. With that being said, I turn to the discussion of migrant precarity in Canada. Throughout the interviews, participants described their experiences while in the community. These experiences have resulted in response to the structure as well as practices inherent within the SAWP as discussed in the previous chapter. Here, I examine the effect that migrant worker precarity has on their capacity to form solidarity bonds with one another, specifically looking at the constraints they encounter as a result of power imbalances and inequality.

A central question throughout the interviews asked participants to speak to their experience in the community. Following this question, the topic of isolation was brought to light. Migrant workers as well as outreach workers made note of a variety of reasons in which isolation was a common feeling while participating in the SAWP. This encompassed both cultural and social isolation, as well as geographical isolation. Five out of eight participants spoke about the language barrier many endure in Canada. Workers who are not able to communicate in English face a number of obstacles while in Canada. It becomes much more difficult to access community services as well as

make connections with other individuals. Outreach workers discussed different concerns that migrant workers have experienced due to the language barrier. For instance, many workers, while not understanding what others are trying to say to them or being able to communicate their own needs have been left feeling overwhelmed and intimidated. Not having the ability to communicate with others makes it even more difficult to feel accepted within Canada and results in participants feeling alone while in the program. This continues to be a significant problem as very little effort is put in by the provincial and federal governments to create more accessible programs for Spanish-speaking people. When not understanding English, even accessing emergency information surrounding vaccines, wildfires, or evacuations becomes difficult. Participant H, while discussing this topic, said "You don't really feel like a part of things that are going on if you don't fully understand what people are saying to you". This statement demonstrates the outsider feeling that workers maintain while living in Canada.

The assessment regarding worker isolation made by Cortina-Castro and Kobayshi (2020) further illustrates the significant impact that the language barrier has on workers. Cortina-Castro and Kobayshi discussed the language barrier in regard to workplace requirements and safety, highlighting how the communication barrier limits workers understanding of both job rules and instructions (2020). As the authors highlight the lack of accessible information there is for workers while in the program, we can see how difficulties arise while attempting to assert your rights in the program.

Another common point of discussion surrounding the topic of community, and more specifically isolation, was transportation services. Transportation is a significant barrier for migrant workers in accessing community resources and attempting to have a life beyond the field. Because the farms are in very remote areas, far from bus stops, workers have to walk extremely long distances in order to reach a community center. Workers' access to food or basic personal goods is severely restricted without community connections. Unless they have an employer willing to provide transportation, workers typically go without. This furthers their vulnerability as workers become reliant on their employer, having no other individual to turn to.

It is for this reason especially that the work carried out by NGOs and outreach workers is so important. Local NGO participants articulated the significance of their work throughout the interviews, emphasizing the profound impact it has on the experiences of workers. They discussed the specific ways in which they support farm workers by helping them navigate systems in Canada that they are unfamiliar with. This ranges from issues regarding housing and employer abuse to accessing health care or dealing with issues surrounding work permits, as discussed earlier. Participant E, when discussing the ways in which they support workers, highlighted the importance of their approach always being led and informed by the guidance of workers. Due to the precarious nature of their position in the program, it is important to avoid any actions that could adversely impact the workers' experience in Canada.

With that being said, the work conducted by NGOs is done in a manner that advocates for change within the parameters of the SAWP. Due to workers' reliance on the program, rather than advocating for its complete elimination, they attempt to create reforms that will better support the workers and their needs. Participant D specifically noted that merely demonstrating to the employer that the workers have connections within the community, and are not entirely isolated, contributes to an improvement in their treatment. We can connect this point back to the discussion surrounding the 'snitch'. Employers benefit from worker isolation, and when this isolation is threatened it becomes harder to exploit the workers. This speaks to the impact that seclusion has on workers while in Canada. Combatting workers' isolation in the community is necessary in order to support workers in forming solidarity bonds that will better allow them to act collectively.

THE HYPERVISIBILITY OF WORKERS

Furthering the discussion surrounding workers' experience in the community, I turn to the hypervisibility of workers. This is a significant aspect of their experience as the ability to resist is greatly linked to the overall perception of workers by both the workers themselves, as well as the outside community. While a significant amount of the current literature characterizes TFWs as hyper-invisible (e.g., Calnitsky 2018, Clause 2021, etc.), this study focuses on their hypervisibility within communities, highlighting the implications of this increased visibility during their stay in Canada. Throughout the interviews, outreach workers as well as participants of the program discussed the experience of being present in the community as a migrant worker. When workers are able to access the community, they feel hyper-visible. In the interior of the Okanagan Valley, workers confront a significant level of racism. Because the workers are racialized, they have an added layer of visibility and feel targeted by the general community. Historically, the farmworkers recruited to tend to the crops necessary for the orcharding industry to grow were viewed as unwanted community members. This perspective continues today with workers experiencing

different forms of discrimination while in Canada. During interviews, workers discussed strategies they utilize as a result of this hypervisibility. While in downtown Kelowna, workers from Jamaica mentioned splitting up into small groups as an attempt to remain less visible. This is discussed further by Deanna Barenboim, as she introduced the idea of "tactics of invisibility" (2016). Barenboim uses this idea to explain the different mechanisms utilized by migrant workers that ensure their own protection as a result of their precarity in Canada (Barenboim 2016). This includes avoiding certain areas where they may stand out or limiting social interactions (2016). Workers attempt to protect themselves by engaging in these tactics. The precarious nature of workers' status in Canada hinders their ability to feel accepted and establish themselves as significant members of the community.

This experience of hypervisibility is not only a reflection of local attitudes, but also a consequence of broader systems of exclusion, as highlighted within Walia's theory of border imperialism. Walia's concept of border imperialism if manifested through the experiences of workers as they navigate their hypervisibility within communities. The racialization and precarious status of these workers highlight how border imperialism operates, shaping the ways in which workers are perceived and treated. In this context, hypervisibility has become a tool for control, forcing workers to employ various strategies in order to protect themselves.

Nicholas De Genova's work expands on this through his concept of deportability, as it reinforces the need for workers to remain invisible. The regime of deportability, introduced by De Genova (2002), refers to a set of policies, practices, and laws that work to govern migrant workers through the threat of deportation. It acts as a disciplinary tool, ensuring a docile class of workers. However, this places a feeling of disposability on workers who are consistently reminded and made aware of their precarity while in Canada. This awareness is reinforced by both employers and consular officials, who emphasize the workers' disposability and threat repatriation if certain expectations are not met. (De Genova 2002). With workers feeling as though they can easily be replaced in this program, they act in a manner to best protect themselves, as seen through the forced invisibility they place on themselves.

The ways in which migrant workers negotiate their daily existence based on their precarity of stay in Canada is a central aspect of the program. Worker's vulnerability, and the mechanisms they must employ in order to protect themselves while in Canada, greatly limits their ability to claim their agency. This is evident as workers attempt to stay as invisible as possible, reducing their ability to engage in civil society. Participant D provided further insight regarding workers' self-preservation within the program. She stated, "because they always have to look out for themselves, it is not conducive for workers to be going out on a limb for one another". The very act of staying invisible, although a necessary tool for survival, reinforces the marginalization of workers and limits their capacity for collective resistance.

Within this discussion of worker hypervisibility, I underscore the tension between their perceived identity as 'temporary' and 'foreign' and the reality of their deep-rooted presence in Canada's agricultural industry. While workers presence in the community is far from invisible, their work and critical contributions often go unrecognized. This contradiction underscores their unique position and the complexity of their status in Canada. Here, I bring to light the importance of workers asserting their presence while in the community as a step toward change. This is specifically important as it can work to change the current dominant discourse that surrounds temporary foreign workers. Institutions legitimize discourses surrounding the dehumanization and othering of TFWs, that in turn contribute to and further the invisibility they experience. Citizens in Canada become hegemonized into very specific mindsets that view workers as deviant. This is then exacerbated by the role of the media which fails to acknowledge or display the critical contribution of SAWP workers. These discourses ultimately hinder the ability of people to empathize with workers or advocate for the reformation of the program.

CIVIL SOCIETY ENGAGEMENT

The findings from this study underscore the necessity for interventions that place migrant workers in more control of their own lives while in Canada. Civil society engagement has proven instrumental in helping workers navigate the systemic challenges embedded within the SAWP. This engagement provides workers with both material support as well as support re-claiming their agency within the program. By participating in activities that fall outside the control of the employer, workers are able to disrupt the systems of power that work to control them. This includes participating in community activities, learn about their rights, or engaging in covert forms of resistance as noted by Cohen and Hjalmarson (2020). These activities play a significant role as they offer workers a sense of autonomy, something that they have otherwise been denied due to the constraints of their temporary status.

These acts of resistance, through civil society support, must also be understood through Walia's (2015) concept of border imperialism. Border imperialism ensures migrant workers remain hypervisible as individuals, yet invisible in terms of the work they do. Bordering, for workers, reinforces their precarity as they experience restricted mobility, limited access to social services, discrimination, and surveillance. Civil society engagement works to disrupt this exploitation and marginalization by providing workers with the means and support to assert their presence in the community.

Foucault's (1976) concept of biopower, further demonstrates the ways in which migrant labour is exploited and how it impacts the TFWs in the program. The SAWP operates through biopower, regulating the bodies and lives of migrant workers. The role of biopower here is to maximize the productivity of workers while limiting their agency. Civil society, in this context, serves as a counterforce, offering workers the means to resist and navigate the roles placed on them.

Civil society engagement challenges the structures in place that attempt to exploit workers by providing TFWs with the knowledge and resources to limit their employer's control. The ability to access support systems and social services empowers workers and allows them to challenge the mechanisms that work to confine them in a dependent state. Civil society supports workers by helping them navigate and create spaces that undermine the employer's concentration of power, while still operating within the constraints of the program. This is imperative as workers rely on the program for their livelihoods. While structural barriers continue to exist within the SAWP, collective action fostered by civil society engagement helps workers build solidarity bonds and disrupt the exploitative conditions central to the program while still securing their livelihoods.

CONCLUSION

The main objective of this study is to understand the way the SAWP functions in the Okanagan Valley and how this shapes the experiences of migrant workers participating in the program. Various forms of exploitation and abuse have become a central experience for the workers who migrate to Canada each year. Through their experiences of exploitation, workers remain in a vulnerable position, unable to contest the power relations inherent within the program. While workers experience different forms of exploitation as they work and live in Canada, they face a number of different obstacles that limit their ability to reclaim their agency and remain a central part of the decision-making process surrounding their own lives. Interventions need to focus both on providing workers with a greater amount of control and power, as well as changing their overall public perception. This research has highlighted the significance of community engagement within the role of TFW's lives as workers have been able to act collectively through the support of community members and their organizations. While SAWP workers continue to experience the structural state of vulnerability they currently do while in Canada, it is necessary for a change to take place surrounding their invisibility and the lack of recognition they currently receive.

REFERENCES

Barenboim, D. (2016). "The Specter of Surveillance: Navigating 'Illegality' and Indigeneity among Maya Migrants in the San Francisco Bay Area". *PoLAR: Political and Legal Anthropology Review,* 39(1): 79 – 94.

Basok, T., & Bélanger, D. (2016). "Migration management, disciplinary power, and performances of subjectivity: Agricultural migrant workers in Ontario". *Canadian Journal of Sociology, 41*(2): 139–163.

Basok, T., Tucker, E. M., Vosko, L. F., Caxaj, S., Hennebry, J. L., Mayell, S., McLaughlin, J., & Weiler, A. M. (2023). "The 'contract' and its discontents: Can it address protection gaps for migrant agricultural workers in Canada?". *John Wiley & Sons*, Ltd, 1 - 14.

Binford, A.L. (2019). "Assessing temporary foreign worker programs through the prism of Canada's seasonal agricultural worker program: Can they be reformed or should they be eliminated?" *Dialectical Anthropology, 43*(4), 347–366.

Calnitsky, N.A. (2018). “Labours of Love: Family, Human Rights, and Worker Invisibility in Seasonal Mexican Farm Workers Agricultural Migrations to Canada, 1974-Present”. *Left History,* 22 (2): 1 – 21.

Choundry, A. and Smith, A.A. (2016). *Unfree Labour?: Struggles of Migrant and Immigrant Workers in Canada.* PM Press.

Clause, C.C. (2021). “Bodies and Documents: The Material Impact of Collaborative Information Sharing Within the Seasonal Agricultural Worker Program”. *Frontiers in Communication,* 6: 1-16.

Cohen, A. & Caxaj, S. (2018). “Bodies and borders: migrant women farmworkers and the struggle for sexual and reproductive justice in British Columbia, Canada”. *Alternate Routes: A Journal of Critical Social Research,* 29: 90 – 117.

Cohen, A. & Hjalmarson, E. (2020). “Quiet Struggles: Migrant Farmworkers, Informal Labour, and Everyday Resistance in Canada” *International Journal of Comparative Sociology*, 61 (2-3): 141 - 158.

Cortina - Castro, M. E. & Kobayashi, K. (2020). "Temporary Workers, (Im)permanent Labour: Exploring the Live Experiences of Mexican Seasonal Agricultural Workers in British Columbia". *The Arbutus Review,* 11 (2): 4 – 21

De Genova, N. (2002). “Migrant ‘Illegality’ and Deportability in Everyday Life,” *Annual Review of Anthropology*, 31: 419 – 447.

Foucault, M. (1976). *Society must be defended.* New York: Picador.

Hjalmarson, E. (2022). “Sentenced for the Season: Jamaican Migrant Farmworkers on Okanagan Orchards”. *Institute of Race Relations,* 63 (4): 81 - 100.

Hjalmarson, E., Bunn, R., Cohen, A., Terbasket, E., & Gahman, L. (2015). “Race, food, and borders: Situating migrant struggle in the Okanagan Valley, British Columbia”. *Journal of Agriculture, Food Systems, and Community Development*, 5(4): 77 – 82.

HRSDC. (2022). “Hire a Temporary Worker Through the Seasonal Agricultural Worker Program: Overview”. Retrieved November 9, 2022, https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/seasonal-agricultural.html.

Mountz, A. (2004). “Embodying the Nation – State: Canada’s Response to Human Smuggling”. *Political Geography,* 23: 323 – 245.

Ramsaroop, C. (2023). “Discipline and Resistance in Southwestern Ontario: Securitization of Migrant Workers and their Acts of Defiance”. *Journal of Agrarian Change,* 23(3): 600-610.

Ramsaroop, C. (2023). “Pushing Climate Refugees into Migrant Worker Programs”. Retrieved March 26, 2025, https://briarpatchmagazine.com/articles/view/pushing-climate-refugees-into-migrant-worker-programs.

Vosko, F. L. (2018). “Legal but Deportable: Institutionalized Deportability and the Limits of Collective Bargaining among Participants in Canada’s Seasonal Agricultural Workers Program”. *Immigration and Labor Markets,* 71(4): 882 – 907.

Walia, H. (2015). *Undoing Border Imperialism.* AK Press.

Wells, D., McLaughlin, J., Lyn, A., & Diaz M, A. (2014). "Sustaining Precarious Transnational Families: The Significance of Remittances from Canada's Seasonal Agricultural Workers Program". *Just Labour: A Canadian Journal of Work and Society*, 22: 144 - 167.

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