



November 17, 2021

Standing Committee on Social Policy
Attention of: Tanzima Khan
99 Wellesley Street West Room 1405, Whitney Block
Toronto, Ontario M7A 1A2

RE: Consultations on Bill 27, Working for Workers Act, 2021

The Ontario Fruit and Vegetable Growers' Association (OFVGA) is pleased to share its perspective towards the Ontario government's consultation on Bill 27.

The OFVGA represents Ontario's over 3,500 fruit and vegetable farmers on issues affecting the edible horticulture sector. Collectively, the sector employs over 30,000 people directly on-farm, reflecting the highly labour-intensive nature of farm work in our sector.

OFVGA offers the following considerations related to the concept of "recruiters" in the bill:

Bill 27 includes amendments to the *Employment Protection for Foreign Nationals Act (EPFNA)* as it relates to "recruiters" in Schedule 1. Schedule 2 then introduces the concept of "recruiter" into the *Employment Standards Act (ESA)* and indicates the definition will be set out in the regulations.

Given the very broad definition of the concept "recruiter" in the EPFNA (e.g. includes individuals "if the person finds, or attempts to find, an individual for employment"), the OFVGA is concerned that an equally broad definition of the term in the ESA could inadvertently lead to additional requirements and red tape for individual farmers hiring foreign nationals for their own farm through the already heavily regulated federal Temporary Foreign Worker Program (TFWP).

We therefore strongly urge the Ministry of Labour, Training and Skills Development to engage with stakeholders involved in the TFWP, including the OFVGA and the Foreign Agricultural Resource Management Services (FARMS), during the development of ESA regulations related to "recruiters".

As per previous submission on the matter, we would equally value consultation and engagement in the development of future regulations related to the licensing of temporary help agencies, given the importance of this short-term labour supply in the highly season- and weather-dependent fruit and vegetable sector.

We appreciate the opportunity to share these perspectives and welcome any follow-up discussions if you have questions about the above.

Regards,



A handwritten signature in blue ink, appearing to read "Ken Forth".

Ken Forth
Chair, OFVGA Labour Section

Cc: Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs
Hon. Monte McNaughton, Minister of Labour, Training and Skills Development