

Good afternoon,

This communication is intended to provide reminders and information to employers in the Primary Agriculture sector of the Temporary Foreign Worker Program (TFW Program).

Primary Agriculture

Subject to certain <u>criteria</u>, four streams are available to employers to hire temporary foreign workers in the <u>Primary agriculture sector</u>.

Employers should regularly consult the TFW Program's website to ensure that they are fully aware of and updated on their <u>compliance obligations</u> and the requirements applicable for each stream:

- Seasonal Agricultural Worker Program (SAWP)
- Agricultural Stream
- Low-wage positions in Primary Agriculture
- High-wage positions in Primary Agriculture

Prevailing wages in the SAWP and the Agricultural streams

Employers must provide temporary foreign workers with the same wages and benefits as those provided to Canadian and permanent resident workers in the same occupation.

At all times during the employment period, employers are responsible for adjusting the worker's wage to ensure that it meets or exceeds the applicable federal/provincial/territorial minimum wage rates in effect or the National Commodity List (NCL) tables rates, whichever is higher.

- Seasonal Agricultural Worker Program SAWP
- Agricultural Stream

The next update to the NCL wage tables is scheduled for January 2, 2025. This update will include adjustments based on the Consumer Price Index. Accordingly, wages will increase by 3.12% unless the federal/provincial/territorial minimum wage is higher.

Throughout the year 2025, based on federal/provincial/territorial changes to minimum wage, other updates will be made to the NCL tables. The TFW Program website will be continually updated to reflect these changes, and employers are encouraged to consult it regularly.



Note: Employers hiring workers for positions in Québec under the SAWP or the Agricultural tream must refer to <u>the wage table</u> (French only) provided by the Ministère de l'Immigration, de la Francisation et de l'Intégration (MIFI), rather than the NCL.

SAWP contract for 2025

The TFW Program SAWP Stream has a standard, non-modifiable contract that is reviewed annually. The SAWP contract doesn't need to be included with the employer's Labour Market Impact Assessment (LMIA) application. However, employers are required to keep a copy of the contract signed by both the employer and the worker on file in the event of an inspection. Workers must sign the copy of this contract on or before the first day of work, and employers must provide copies of the contract to the workers in English or French, and Spanish (when applicable). The <u>SAWP contract</u> for 2025 will be available on the TFW Program's website in early January.

Temporary suspension of the minimum advertising requirements As of January 12, 2022, and until June 30, 2025, minimum advertising requirements are suspended for employers applying for a LMIA to hire temporary foreign workers for primary agricultural positions.

This means that employers are not required to submit proof of advertisement with their LMIA application; however, they are expected to continue efforts to recruit Canadians and permanent residents, including members of groups who are under-represented in the labour market, such as:

- vulnerable youth,
- Indigenous peoples,
- newcomers to Canada,
- persons with disabilities, and
- asylum seekers with valid work permits.

For inspection purposes, employers must continue to retain records that document evidence of their recruitment efforts.

You are encouraged to share this communication throughout your respective networks, and with any colleagues or peers who may need to be aware of this information. If you have questions on the TFW Program, please visit Canada.ca or reach out to the Employer Contact Centre.

Thank you for your continued collaboration.

The Temporary Foreign Worker Program Employment and Social Development Canada

