

Current timeline:

June 2023 J4MW released a statement regarding heatstress and concerns from workers regarding heat related injuries and demanded immediate and emergency measures from the MOL

Significant media attention starting with ethnic media and then Mainstream media

Demands in our letter include:

- Shutting down farms and paying workers in extreme crisis events;
- Paying workers when they are not employed as a result of climate-related issues such as forest fires, extreme heat, major thunderstorms and heavy rain;
- Enacting heat stress protections for workers;
- Strengthening anti-reprisal measures and proactive inspections;
- Implementing paid breaks and providing permanent paid sick days for agricultural workers;
- Providing sufficient shelters, functioning bathrooms and drinking water for workers at the expense of the employer;
- Providing first aid, hydration stations, and on-site medical support (RN or RPNs);
- Permitting third party complaints at the Ontario Labour Relations Board;
- Ending agricultural exclusions under the Employment Standards Act;
- Incorporating race and gender analysis in both occupational health and safety and employment standards;
- Ensuring that agricultural harvesters are being paid holiday pay;
- Implementing clear trigger temperatures for extreme heat and humidity, including indoor temperatures (e.g., greenhouses); and
- Preventive measures to avoid overheating including: specific requirements for shade, acclimatization for new and returning workers, mandatory cool-down rest periods during high temperatures, along with access to preventive cool-down measures as needed.

Response from MOL

- In a statement, provincial Labour Minister Monte McNaughton called Ontario's farm workers "heroes" who are protected by health and safety laws, "regardless of their passport."

- "As we experience increasing heat waves and the hazards of forest fire smoke, and a changing nature of outdoor work, we will not hesitate to take further action to protect those who put food on the table for families across our province," he said. The Ministry of Labour added it conducts inspections to ensure employers are meeting health and safety standards and urged workers who feel unsafe to report their concerns. [As extreme heat gets worse, expert calls for access to cooling as a human right | CBC News](#)
- "employers and supervisors have a duty to take every precaution reasonable in the circumstances for the protection of a worker including protection in hot environments." [Ontario proposing new 'heat stress' regulation to protect workers amid extreme temperatures | CBC News](#)

J4MW response:

- Residency requirements dictate access to healthcare, recently the province ended access to healthcare for non insured people
- Workers that we have met either through J4MW or allies such as IWA4J have told us that they must pay up front when going to the hospital for workplace injuries, this acts like a deterrent
- Racism in accessing healthcare and WSIB for workers
- Anecdotal evidence that workers experiencing heatstress are being diagnosed with anxiety and other ailments
- Employers and supervisors are prioritizing profit and production over workers health.

Province announces 'Public Consultation':

- Deadline revised to September 18th, 2023
- Concerns regarding wording of regulations
- Power imbalance and exclusion of workers from discussion

J4MW objectives for this consultation:

- Street and community outreach regarding new regulation and impact on workers
- Small group and community gatherings to discuss new regulations and potential adverse effects
- Organize, share and learn from comrades in the FoodChain Workers Alliance from farm workers and other worker advocates and how they are organizing and advocating on heat stress at both state and federal levels
- Have workers across the FCWA come together to discuss heat stress

- When necessary engage in direct action, protests and worker actions to highlight the role of heat stress
- Build power and identify organizing opportunities.
- Engage and build with current and former workers.
- Identify potential litigation and strategies for systemic organizing and public response
- Work with allies to develop a response

Back to basics: Principles and Objectives for developing and implementing OSHA regs:

- Workers should be prioritized in decision making and implementations of regulations
- No reprisals for speaking out
- Examining the role of race, and racism in outcomes of policies. Workers specifically named racism in the multiple forms of occupational segregation that they experience especially with respect to heat stress
- Address the root causes of injustice, not only develop band aid solutions
- Proactive inspections and strengthen anti reprisal measures
- Develop and strengthen third party, anonymous complaints system with advocates
- Question in whose interest is the consultation being undertaken for?

What we heard (so far) worker concerns:

- Not only are workers fainting but concerns over dehydration
- Employers are not providing water or shade. If water is provided workers are concerned regarding the quality of water especially in greenhouse settings
- Other occupational hazards such as greenhouse panels breaking and falling on workers during intense heat
- Racism and the role of stereotypes and how workers are being sent to work in settings where white workers are not working
- Not allowed to bring their own water in unless it's plastic bottles but in the heat, plastic melts
- Employer decides whether people have breaks, are sent home
- No ventilation
- Only breakroom has water - not enough time to take a break/eat
- Wearing the same uniforms all day even if they are sweaty (no change of clothes)
- Fumes, unhealthy exposure in the greenhouses
- Greenhouse doors are locked when workers are inside - can't leave even if they wanted to

- Told to “toughen up” or that “you knew what you were signing up for”

What we have heard (so far) worker demands:

- Shut down farms during heat crisis (should be paid for lost time)
- Plain language poster of the regulation/how workers are supposed to be protected
- Ability to leave the workplace and go to cooler areas
- Proper ventilation in the greenhouses
- Clean drinking water/hydration
- No pressure to work faster
- Nurse, ambulance, medical care available on the farm
- Proper mechanisms in place for workers to report concerns if inspections take place (random inspections, anti-reprisal)
- Protection from the elements - not just heat, but also rain and snow

Why status and the necessity of robust changes:

- Alarms over proposed changes to WSIB
- Immediate changes to address ESA exclusions
- Why status matters
- It’s not about providing more information

Cautionary tale: Mauritson Farms Inc. in Sonoma County

- Farm fined \$328,077 for reprisals against 21 H2 workers
 - Sandoval Rivera (one of the applicants) claims that he and his colleagues “experienced verbal harassment from their supervisor,
 - were denied shade while working in the fields on days hotter than 90 degrees and did not receive their break and lunch periods on a few occasions
 - all of which violates California labor regulations related to heat stress
 - Workers were not able to return back to employment in California
 - We can develop robust regulations however as long as workers face precarious immigration status, repatriation, deportation and disbarment. There will be no real way for workers to utilize legal protections even with proactive inspections
- [How Workers Took on a Sonoma County Vineyard Company Over Abuses — and Won | KQED](#)

Questions and Comments: