

**Seasonal Agricultural Workers Program (SAWP)
and NOC C&D (Agriculture Low Skill) Comparison**

		Seasonal Agricultural Worker Program (SAWP)	Low Skill or NOC C & D (Agriculture Low Skill) Occupations Requiring Lower Levels of Formal Training
1.	Who can Apply?	Any employer who is part of an approved agricultural commodity sector can apply for temporary foreign workers.	Each application is assessed individually by Human Resources and Skill Development Canada (HRSDC). Citizenship and Immigration Canada (CIC) has final authority.
2.	What countries participate?	Prescribed countries only: Barbados, Eastern Caribbean, Jamaica, Mexico, and Trinidad & Tobago.	Employers can apply to any country.
3.	Employment Contracts	Agreements are standard and outline agreed upon responsibilities of the employer / employee. The Source Country Government, employer, temporary foreign workers and the Canadian Government are parties to the agreement.	Agreement is not standard. Each employer is responsible for the agreement according to program guidelines. The agreement is between the employer the temporary foreign worker and approved by HRSDC.
4.	Who is responsible to recruit workers?	Source countries are responsible to recruit temporary foreign workers and station a Government Agent in Canada.	Employer is responsible for the recruitment and selection of temporary foreign workers.
5.	Who sets the wage rates?	Wage Rates are set annually by HRSDC based on Labour Market Information for persons performing the same job.	Employers must satisfy HRSDC that wages are at the prevailing rate for persons performing the same job.
6.	Where do the names come from?	Employers can request named or unnamed temporary foreign workers. Source Country has final decision.	Employers select temporary foreign workers and provide the worker name, birth date, residence, and citizenship.
7.	What is the period of employment?	Temporary foreign workers work a maximum of 8 months between January 1 and December 15.	Employer may be allowed to hire a temporary foreign worker, upon approval for the initial labor market opinion, for up to a maximum of 24 months.
8.	Housing Requirements ?	Inspected and Ministry of Health approved accommodations are provided by employers with no cost to the temporary foreign workers.	Employers are not required to provide accommodations however they must demonstrate that suitable (Ministry of Health approved) and affordable accommodation is available. Accommodations provided by employers must be approved by the Ministry of Health. The cost is recoverable based on guidelines.
10.	Medical Coverage	Medical coverage provided through provincial health schemes and private coverage taken out by source country. Workers are covered from first day.	Employers are required to purchase comparable health coverage until employees are eligible for provincial health coverage (3 month waiting period).
11.	Temporary Foreign Worker Taxes	Standard deductions - Tax guide for SAWP workers in place. Government agents provide tax filing.	Standard deductions – temporary foreign workers are responsible for their own tax filing.
12.	Contract Compliance?	Applicable Ministry of Labour standards apply. Government agent monitors contract compliance. Employer or Government agent can refer problematic cases to HRSDC program manager.	Appropriate Ministry of Labour standards apply. Problems must be worked out between the employer and employee.

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13.	Breach of Contract?	Temporary foreign worker repatriation is possible according to agreement – replacement workers can be requested.	If temporary foreign worker returns to source country, goes AWOL or is not suitable, employer is responsible for cost of return airfare and must apply to HRSDC with a new labor market opinion application for another temporary foreign worker.
14.	When can I get my temporary foreign worker?	Temporary foreign workers arrive within 3 – 4 weeks. Emergency requests within 48 hours.	Processing of temporary foreign worker application will vary and is dependant upon meeting the confirmation requirements of HRSDC and processing standards of a Canadian Visa Office / CIC.
15.	Who pays the Immigration Visa Fee?	Immigration visa fee paid by the employer and recovered as per Employment Agreement.	Immigration Visa fee is paid by the temporary foreign worker.
16.	Can I transfer my temporary foreign worker to another farm?	Worker transfer requires approval of Foreign Government Liaison Officer, both sending and receiving employers, HRSDC, and the temporary foreign worker.	A temporary foreign worker can work for a new employer provided the worker agrees. The employer applies and receives a positive labor market opinion from HRSDC. The temporary foreign worker must then apply for a work permit specific to the new employer. All of the preceding steps must be filled prior to a temporary foreign worker beginning employment with a new employer.
17.	What is the employer responsible for?	Employer must receive a social insurance number for the temporary foreign worker. Employer is responsible to ensure the temporary foreign worker receives OHIP coverage, receives proper medical attention, arrangements to meet or have agent meet the temporary foreign worker at place of arrival and upon completion of employment, transport worker to place of departure at no cost to worker as per the Employment Agreement.	Employer responsibilities include assisting the temporary foreign worker to obtain a Social Insurance Number, purchase comparable health coverage until employees are eligible for provincial health coverage, receives proper medical attention, arrangements to meet the temporary foreign worker at place of arrival and upon completion of employment to transport the temporary foreign worker to place of departure at no cost to the temporary foreign worker.
18.	Tax Provisions	Tax guide for SAWP workers in place. Government agents responsible for filing.	Standard deductions. Workers responsible for their own fillings.
19.	Air Travel	F.A.R.M.S. appoints CanAg Travel as the agent for the SAWP. Airfare is paid up front by the employer and a portion can be recovered from employee as per the Employment Agreement	Employer arranges. Employer is responsible for roundtrip airfare regardless of reason or time of departure. There is no provision for recovery of costs.