

Chapter 3

Temporary Migration Work Programmes in the Caribbean (Jamaica and Trinidad and Tobago)

Bernard Headley and Kay Ann Henry¹

Summary

This analysis is admittedly narrow in scope. The authors do recognise the existence of a plethora of agreements, of varying degrees of formality, that allow temporary workers from one Caribbean island nation to engage in labour contracts, at least for a while, in another. Regional, intra-Caribbean programmes of that sort, though, are small in scale. They are not generally viewed, either by labour economists or in popular perceptions, as being at the centre of the region's economic development project, as major forces propelling new highs in employment. They may advance the cause of Caribbean integration, but hardly that of spurring significant economic development.

This chapter, then, explores the multifaceted development, and the future prospects, of the three main extra-regional temporary migration work agreements/programmes seen by the region's analysts as more effectively meeting the economic development needs of participating Caribbean countries. The agreements/programmes that are of interest here are between the United States of America and Canada, as host countries for temporary Caribbean workers, and the Caribbean states of Jamaica and Trinidad and Tobago, as the sending countries.

The chapter focuses on these two Caribbean countries because of the relative ease of access to their published data as well as to other, unpublished, material. Besides, they are the most populous countries in the region, with both having greater aggregate demand than the rest of the Caribbean for multiple sources of employment; both also show the highest level of participation, relative to other Caribbean states, in the three programmes.

We explore in this chapter the backgrounds and manifest workings of the three programmes, with an eye to assessing the benefits they bring to the Caribbean, and to their best practices and the lessons learned. We report that, on balance, and all things considered, the three programmes have operated reasonably well; that they have improved the lot of the region's people, having progressed immensely in the years since Jamaican and other seasonal West Indian workers first started going up north primarily to cut sugar cane on vast Florida estates.

The programmes have been enormously beneficial in terms of remittances and community development to the home country, certainly Jamaica. The half-dozen

Jamaican workers interviewed for this study all generally spoke well and approvingly (even in a laudatory way) of the terms and conditions of their employment. Each said they would 'go up' again: they certainly wanted to. The men we interviewed were scheduled to leave the country within days for seasonal farm work in Canada and the United States. They ranged in ages between 30 and 45 years old. They were from among the rural poor and destitute, and they were each leaving behind a host of dependants. Had it not been for the opportunity of the farm work programme, they said, they would have been worse off.

However, the programmes are not without weaknesses. Both workers and employers have voiced concerns about the other; and the Jamaican government has been caught 'flat footed' when US authorities gutted, in the USA, a key supportive arm of the temporary migrant programme. We make several specific policy recommendations, largely directed at the region's governments, which we believe, if followed, could strengthen the combined three programmes.

3.1 Introduction

The growing pace of economic globalisation has created more migrant workers than ever before. Unemployment and increasing poverty have prompted many workers in developing countries to seek work elsewhere, while developed countries have increased their demand for labour, especially unskilled labour. As a result, millions of workers and their families travel to countries other than their own to find work. The International Labour Organization (ILO) reports, in October 2011, that there are approximately 175 million migrants around the world, and that 'roughly half of them are workers' (ILO n.d).

Intrinsic to the growth of the migrant worker population has been the 'revival' of temporary work programmes. The 1990s witnessed a renewal of temporary worker schemes in both Europe and North America. The schemes have tended to be small but diverse, each having its own admission criteria. They have been driven primarily by labour needs and shortages in the receiving countries for specific kinds of workers, and also by desires to curb irregular migration – notably in the 'most developed' European Union countries.

The three Commonwealth Caribbean overseas temporary worker programmes looked at for this study are administered by the labour ministries of the respective countries: Jamaica, and Trinidad and Tobago. The programmes are monitored on the ground (i.e. abroad) by a Regional Labour Board, an entity created by the Caribbean islands that send temporary workers to the USA and Canada. The programmes are:

- the United States' farm worker programme, which recruits Jamaican workers;
- the US hospitality or hotel worker programme, which recruits Jamaican workers; and
- the Commonwealth Caribbean Seasonal Agricultural Worker Programme (CCSWAP)², which recruits to Canada workers from Jamaica, as well as from Trinidad and Tobago.

Temporary worker programmes are immensely popular among sending-country governments. This is especially so for countries such as Jamaica and other countries in the broader region with struggling economies and large numbers of poor and disadvantaged people. Mexico, for example, is a major contributor of labour for temporary work schemes. Rights organisations within the two principal receiving countries (i.e. Canada and the USA) have, however, voiced scepticism about the programmes.

3.1.1 Overall advantages of temporary migration programmes

It is generally accepted by leading international migration monitoring agencies, such as the International Organization for Migration (IOM), that temporary labour migration programmes, especially those with repeat migration possibilities, have proven valuable to wealthy employing host countries and to the economic development of poorer, sending nations. This is especially true of schemes aligned between the host or receiving countries of the USA and Canada and sending Caribbean Commonwealth countries.

Temporary migration schemes, states a key IOM document, 'provide secure and legal migration routes to workers who might otherwise enter via irregular channels and therefore end up in vulnerable situations where they are little able to contribute to the development of their home countries' (IOM 2008: 3). Without temporary migration schemes, 'irregular channels are often the only means by which migrants from developing countries can enter developed nations' (Ibid.: 4).

However, besides discouraging irregular migrant flows, temporary labour migration programmes allow circularity of movement through seasonal, time-limited or project-based labour, especially for low-skilled workers. The programmes, moreover, generate multiplier benefits to the home country. Extensively citing the literature on the nexus between development and migration, the IOM concludes: 'Managed migration programmes which combine temporary migration of low-skilled workers with incentives for return are seen as the most realistic way of improving the development impact of migration, partly because temporary labour migrants are known to remit more than permanent migrants and also because their frequent returns can stimulate the home economy with the injection of funds and new skills' (Ibid.: 4).

Temporary migrants tend to remain more engaged with their home countries through ongoing inputs back home: into, for example, family and other small businesses, including family farming. These linkages bring social benefits in terms of maintaining family and community cohesion, as well as providing economic wellbeing. Outcomes such as these, the IOM concludes, lead to the view that temporary migration offers benefits over and beyond irregular migration, as migrants in an irregular position are 'less likely to remit funds home given lack of access to bank accounts and funds needed for expensive money transfer operations' (IOM 2008: 5). The same may also be true of regular, permanent labour migrants experiencing lay-offs and other employment challenges not normally encountered by seasonally placed temporary workers.

3.1.2 Frequently cited downsides to temporary worker schemes

The major downside to temporary overseas work programmes cited by the ILO is that temporary migrant workers ‘enjoy little social protection and are vulnerable to exploitation and human trafficking’ (ILO n.d.). It might be instructive to separate here the most often cited specific downsides of the US programmes from those of the Canadian programmes.

The US case

The USA currently has two guest or temporary worker programmes under which employers can import unskilled labour for temporary or seasonal work lasting less than one year. They are termed in US law the H-2A Programme and the H-2B Programme. The H-2A Programme is primarily *male only* agricultural work; the H-2B Programme is non-agricultural work, which recruits mostly women to work in the hospitality and entertainment industries.

US Congressman Charles Rangel was scathing in comments he made on CNN, in January 2007, concerning the programmes. They were, he said, ‘the closest thing I’ve ever seen to slavery’ (Southern Poverty Law Centre 2008: 2). An exhaustive 2008 examination of both programmes, by the US Southern Poverty Law Centre (SPLC), would seem to buttress Rangel’s argument. The SPLC reports that, bound to a single employer, and without access to legal resources, temporary workers in the United States are peculiarly disadvantaged.

Although the H-2A and H-2B programmes offer different terms and benefits, they are similar in one significant way: both programmes permit the temporary worker to work only for the employer who petitioned the US Department of Labor for his or her services. ‘If the work situation is abusive or not what was promised’, states the SPLC’s report, ‘the worker has little or no recourse other than to go home’ (Ibid.: 7). That puts the worker at a distinct disadvantage in terms of future opportunities, because his ability to return depends entirely on an employer submitting a request to the US government. ‘In practical terms, [this] means that an employee is much less likely to complain about workplace safety or wage issues’ (Ibid.: 8).

The SPLC (Ibid.: 9) contends that, in the situations it observed, workers were:

- routinely cheated of wages;
- forced to mortgage their futures to obtain low-wage temporary jobs;
- held virtually captive by employers or labour brokers who seized their documents;
- forced to live in squalid conditions; and
- denied medical benefits for on-the-job injuries.

Housing and the hygienic conditions under which primarily Spanish-speaking temporary workers lived also came in for harsh criticism from the SPLC. ‘Guest workers aren’t treated as “guests” of the United States at all. In fact, they are frequently forced to live in squalor’ (Ibid.: 37). Under US federal regulations, employers hiring

H-2A workers must provide them with free housing. The housing must be inspected and certified in advance of the workers' arrival as complying with applicable safety and health regulations. In practice, however, 'the quality of housing provided to H-2A workers varies widely and is often seriously substandard, even dangerous' (Ibid.: 38).

H-2B (i.e. non-agricultural) workers have even less protection, according to the SPLC's 2007–08 investigation. There were, the SPLC reports for 2007–08, 'no general regulations governing the conditions of labour camps or housing for H-2B workers. State and local laws also generally do not cover housing for H-2B workers. In practice, this means that H-2B workers are often provided housing that lacks even basic necessities, such as beds and cooking facilities' (Ibid.: 39).

The Canadian case

Jamaica's Ministry of Labour reports that its temporary work arrangement with Canada consists of a Farm and Factory Programme. It is nonetheless Canada's Seasonal Agricultural Workers Programme (SAWP) that is most crucial.³ In 2008, the Canadian Centre for Policy Alternatives (CCPA) completed an investigation of the SAWP, focusing on practices in the province of British Columbia (Fahey et al. 2008). The findings echo concerns highlighted about the USA's H-2 Programmes. Among them were (Ibid.: 8):

- lack of secure income, with several workers working long hours (up to 20 hours per day) for less than the minimum wage, and not receiving overtime or holiday compensation;
- vulnerability of workers to the arbitrary power of labour contractors;
- falling short in guaranteeing fundamental rights and freedoms to workers;
- concerns about safety and living conditions;
- fear among workers of losing their jobs if they complained.

The CCPA forthrightly concluded its investigation of the SAWP with the following:

The structure of the SAWP separates workers from family and community ties in their home country and disallows citizenship status in their country of work. This contract scheme creates a model of the worker as the ultimate in flexible labour and enables employers to force workers to give priority to their work above all else. In lowering the bar even further of worker compliance to un-free employment conditions, the SAWP contributes to the deterioration of rights of both immigrant and farm workers in BC [British Columbia]. (Ibid.: 57)

3.1.3 Future of temporary programmes from receiving countries' end

It is important to point out that the rights organisations and policy research centres that have investigated the practices of the temporary work programmes and often signalled 'foul' have never, in the end, called for abandoning or scrapping them. Indications are that, despite their numerous criticisms, authors of key critical reports, including the reports cited here from the SPLC and CCPA, understand the high level

of support that the programmes enjoy across all sectors in the sending countries – notably for the much-needed economic support that the programmes bring to home communities and government.

Worth mentioning in this regard also is that workers, when they return home to Jamaica, often speak (as they did to us for this study) of ‘decent’ employers who told them that they needed and valued them, for the high level of efficiency and good work habits that they brought. As a consequence, the workers say, they were always ‘treated well’ by the employers.

The call, then, is for growers and other employers, as well as the two host-country governments in question, to institute good workplace practices. All reports in the research call for either legal reforms or adding new laws aimed at protecting temporary workers. The reports also set forth sweeping recommendations for tighter oversight and more effective enforcement of employer sanctions.

Pointedly, at the 2004 International Labour Conference, ILO convenors came to a ‘broad consensus on the need to promote respect for migrant workers’ rights’, including raising awareness among migrants of those rights, and also raising the awareness of receiving states of their obligations under international conventions to temporary and other migrant workers. ‘The Office should strive’, the convenors agreed, ‘to promote equality of treatment and protection against exploitation’ (ILO 2004: 6).

The general conclusion among all reviewed agencies is that respecting the rights of temporary and other migrant workers and treating them with dignity are not only the right things to do; they can also result in greater worker proficiency and, in the end, greater returns for all concerned, including farm and industry owners.

3.2 Emigration and Caribbean aspiration

The political scientist and Caribbeanist Gordon K Lewis remarked that ‘the essence of Caribbean life has always been movement. It explains the energising brio of Caribbean life in music and dance, sports, language, even religion and politics. It also explains, of course, the socio-economic phenomenon of migration’ (Lewis 1968: xiii).

American military expansionism and dominance in industry and agriculture, in the early years of the 20th century, would generate demands on the mainland for large numbers of unskilled workers from the British West Indies. The events of the second world war ‘brought a whole new role for the United States in the Caribbean,’ writes Palmer (1995).

Critically important in developments in the second world war years was that, under the aegis of an Anglo-American Caribbean Commission established in 1942, West Indian workers were recruited (under US government direction) during the war years to replace American workers who had been drawn into the war machinery. The West Indians were to work, under terms of this arrangement, as an ‘emergency supplemental work force’ in agriculture and non-defence industries (NACLA 1977: 12).

When the second world war ended, however, West Indians (Jamaicans and smaller numbers from the smaller eastern Caribbean islands) who worked in the USA's agricultural fields were no longer the emergency supplemental work force that the US government first imported during the war; rather, they became a regular part – albeit seasonal – of the United States farm labour force. Recalling his own experience as a Florida-based agricultural employer, Fred Sikes gives a forthright and indeed accurate account of the origins of the US–West Indian agricultural contract programme:

In the summer of 1947, we – that is, the nationwide group of agricultural employers using off-shore labour – learned that the War and Food Administration was closing down. We were concerned that even though the war was over we would not be able to find sufficient American labour to harvest the crops. So we began to explore ways to continue the programme on a private basis ... Exploring the situation further, we found that extreme unemployment problems existed throughout the Caribbean and that Jamaica, where unemployment was particularly severe, was interested in seeing the off-shore farm labour continued. (Ibid.: 11)

3.3 Jamaicans and US H-2 programmes

We now give closer attention to some of the salient features of the US H-2A and H-2B programmes in relation to the predominantly Jamaican workers they employ; first the H-2A or agricultural programme, and then the H-2B or non-agricultural programme.

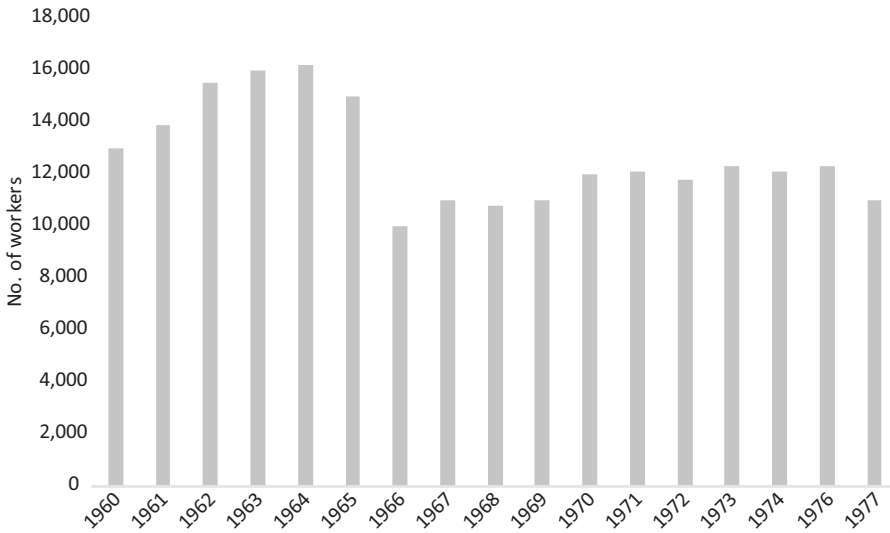
3.3.1 In the USA in agriculture (H-2A)

In actuality, recruitment of Jamaican and other West Indian farm labour was intended to supplement the discredited 1942 'bracero programme', a bilateral agreement between the United States and Mexico.⁴ The bracero programme was designed to bring into the United States a few hundred experienced labourers to harvest sugar beet in California. At its peak, however, it drew in more than 400,000 Mexican workers across the border. Sustained worker protests, led by the renowned labour activist and organiser Cesar Chavez, over the bracero programme's various worker and human rights abuses led to its dismantling in 1964.

Numbers sent

In the years immediately after the second world war, sugar cane growers in Florida were enormously successful at signing government-to-grower seasonal contracts for Jamaican – and small numbers of other West Indian – cane cutters. It was indeed for the grimy, gruelling and dangerous work of cutting sugar cane, primarily in Florida, that substantial numbers of West Indians were seasonally employed in the United States. This was mostly so at least up through the 1970s. Farm owners in several other states would also, however, sign up Jamaicans and other West Indians for temporary work contracts.

The peak years for seasonal West Indian farm labour to the United States were between 1960 and 1976 (shown in Figure 3.1). The number was highest (16,841) in 1964, the year that the bracero programme ended.

Figure 3.1 Peak years for West Indian seasonal workers in the USA, 1960–1977

Source: NACLA 1977: 12

Altogether, during the peak 17 years shown in Figure 3.1, the states of Florida, Connecticut, Maine, Maryland, Michigan, New Hampshire, New Jersey, New York, Vermont, Virginia and West Virginia signed a total 218,709 West Indian temporary farm workers to come to the USA, an average of 12,865 workers per year. Florida consistently led all other states, each year signing in excess of three quarters, or 75 per cent, of the total, mostly to cut sugar cane (see McCoy and Wood 1982).

In any given year since the start of the seasonal farm work programme, more than 70 per cent of recruited West Indians have come from one island: Jamaica. From the 1950s to the end of the 1970s, the number of Jamaicans recruited *per year* ranged from 7,000 to 10,000. However, primarily because of significant reductions in sugar cane growing (and sugar manufacturing) in the major sugar-producing states of Florida and Louisiana in the period following the late 1970s, the numbers of Jamaicans leaving home for farm work in the United States declined steadily, the numbers declining even more dramatically from the other West Indian territories.

The most recent set of numbers, for 2006–2011, shows average recruitment into the US farm work programme of fewer than 4,000 Jamaicans per year, compared with more than 7,000 per year between 1976 and 2006.

Work and work agreements

The nature and conditions of work for Jamaicans going up north before the 1980s, to work seasonally on US farms, were indeed shameful.⁵ According to the North American Congress on Latin America (1977), the West Indians had ‘no say’ in negotiating the contracts they worked under for one to nine months each year. The terms of the entire programme were ‘controlled by government officials and growers who [wrote] the contracts to serve their own interests. In annual negotiations the

West Indian governments [were] represented by the British West Indies Central Labour Organisation (BWICLO) and the growers by associations organised on the basis of crops and regions' (NACLA 1977: 13).

The *NACLA Report* goes further in its harsh critique of the agreements, the kind of representation and the essential understanding that characterised the US farm work programme up through the 1970s:

The policies of the BWICLO reflect the goal of the Jamaican and other participating West Indian governments: to promote labour emigration as a means of neutralising social and political tensions which result from unemployment. That BWICLO functions to serve this end is determined by the organisation's directorate, the Central Labour Board, composed of high ranking government officials: the Jamaican Secretary of Labour, Undersecretary of Finance and Solicitor General, the Barbadian Secretary of Labour and the Prime Minister of St. Lucia. The only board member representing labour [i.e. in 1977] is the head of the National Workers Union of Jamaica, but the union is closely linked to the [governing] party of the current prime minister [Michael Manley] and can be depended on to represent the government's policies. BWILCO maintains liaison officers in the United States to negotiate and enforce the labour contracts. In both functions ... the liaison officers are led to compromise the economic needs of the workers in order to ensure the possibility of employment in the United States. (Ibid.: 14)

Times changed, however. Since the 1970s, increased advocacy by successive regimes in the Caribbean for better farm work practices has resulted in farm workers' interests, and their families', being given greater attention. The BWILCO had, even before the 1970s, morphed into the (Caribbean) Regional Labour Board, under which falls the Jamaica Central Labour Organisation (JCLO), with an office in Washington, DC. The JCLO has functioned to look out for the economic interests and to protect the rights of Jamaican farm workers in the United States. Officers of its liaison services regularly visit farms that employ seasonal Jamaican workers.

On the farms, liaison officers inspect for employer adherence to US Department of Labor regulations and for best practices in safety, health, hygiene, housing and general working conditions. The officers report back to the government of Jamaica on 'bad' (or poor) practices and any violation of workers' rights. Where there are instances of documented violations, it is then up to the Jamaican government's Ministry of Foreign Affairs to seek redress through appropriate US agencies.

The JCLO has also been playing a pivotal role in ensuring the financial security of Jamaica's farm and other temporary workers. Up until 2010, the entity had an arrangement with US employers under which employers in the H-2 programme (H-2A and H-2B) would 'pay to JCLO three payroll deductions, including a four per cent administrative fee, a social security fee and a health insurance fee. The administrative fee serves to defray all costs attached to the programme incurred by the Jamaican Government' (Pryce 2011). The fee further 'helps the Liaison Service provide a wide range of services and protections ... including resolving work or

domestic problems, [and] maintaining workers' records', says the Jamaican union leader Vincent Morrison. The JCLO has also used the funds, Morrison says, to provide 'welcome services to workers once they land in the US' (Budd 2011).

In addition, both H-2A and H-2B workers were required to contribute a percentage of their total earnings 'to a bona fide savings plan' (Pryce 2011), set up by the JCLO: 20 per cent of wages for H-2B workers and 16 per cent for H-2A workers. The workers would receive the proceeds on a timely basis on their return to Jamaica. The savings plan arrangement was essential, writes the labour analyst Everton Pryce, 'because of the temptation of our farm workers to be profligate in spending their earnings overseas to the detriment of their families in Jamaica. Such savings cum remittances, for both Canada and the USA, represent US\$20 million, or one-fifth of the total earnings for the contract period – repatriated to Jamaica annually' (Pryce 2011).

The JCLO's liaison programme has, since 2010, run into difficulties with US authorities. The programme was suspended in 2010. See section 3.6.2 for more information.

One other significant new feature to US farm work, after the 1970s, is the nature of the temporary or seasonal work: only in rare and exceptional instances are Jamaicans and other West Indians recruited to work 'in sugar' or for large sugar cane growers.

Generally, the work on US farms, as also in Canada, for which Jamaicans and other West Indians are recruited is considerably lighter. They are recruited to work for contract periods of usually from four to six months, which often see them being moved (or 'rotated') from one farm site to another, for the same or a different employer. Nowadays the sites are either horticultural 'farms' or orchards (see Anderson 2011).

Compensation and remittances

Despite the SPLC's several misgivings about the H-2A Programme (cited earlier), its report concludes that, on the matter of wages, the H-2A Programme does provide 'significant protections for foreign farm workers. Federal law and [United States] Department of Labor regulations contain several provisions that are meant to protect H-2A workers from exploitation as well as to ensure that U.S. workers are shielded from the potential adverse impacts, such as the downward pressure on wages, associated with the hiring of temporary workers' (Southern Poverty Law Centre 2008: 7).

US Department of Labor (DOL) regulations stipulate that employers must pay their H-2A workers the highest of the following: the Adverse Effect Wage Rate (AEWR)⁶; the prevailing wage; the prevailing piece rate; the agreed-upon collective bargaining wage, if applicable; or the federal or state minimum wage in effect at the time the work is performed. The AEWR in 2011 ranged from a low of US\$9.39 per hours in the state of Alabama to a high of \$12.26 in Hawaii.

Repeat agricultural workers interviewed for this report (in the USA's H-2A and Canada's SWAP programmes) said they received between US\$9 and US\$10 per hour, earning in excess of US\$475 for a normal six-day work week. At that rate, a four- to six-month contract would, at the high end, amount to a total wage of approximately

US\$11,000 for the average Jamaican farm worker, a figure that exceeds his country's 2010 average Gross National Income per capita of US\$7,450.

In addition to wages, employers pay costs for transporting workers from Jamaica to farm work sites; that is, for air travel from Jamaica to a US port of entry, and then for ground transportation to the farm destination.

As a general rule, workers say in interviews, employers will deduct 'reasonable' charges for rent from their pay cheques for the tolerable dormitory-style housing accommodations that employers are obligated under federal statutes to provide.

Remittances to Jamaica from H-2A workers amounted to just over US\$20 million between 2006 and 2010 (or roughly \$5 million per year) – a small but not insignificant percentage of the near US\$1.5 billion the country received in total remittances in 2010.⁷

3.3.2 Working in hospitality in the USA (H-2B)

The H-2B programme allows foreign workers to come into the United States on a temporary basis to fill non-agricultural jobs for which American workers are in short supply or otherwise 'unavailable'. The first set of workers from Jamaica went up to the USA in 1968.

In order to qualify for the H-2B Programme, there are, according to a Jamaican Ministry of Labour handbook, three basic requirements:

- the job must be seasonal, peak load or intermittent;
- the job must be temporary in nature; and
- there must be a shortage of qualified and/or willing American workers available for the position.

(Jamaica Central Labour Organisation 2008:9)

The H-2B programme is administered jointly by Jamaica's Ministry of Labour and Social Security and the US-based JCLO, whose operations are overseen by the Regional Labour Board, a Caribbean regional agency. The chair of the Regional Labour Board is normally the permanent secretary of Jamaica's Ministry of Labour and Social Security. As it is for seasonal Jamaican farm workers in the H-2A programme, the JCLO is responsible for the following for H-2B workers:

- providing welfare services for the workers in order to protect their best interests, as well as to assist with any problems which may arise;
- administering the programme and ensuring that the policies and procedures of the programme are adhered to;
- providing advisory services to employers and employees; and
- liaising with US Federal and State Authorities, as well as employers and employers' representatives.

(JCLO 2008: 8–11)

Numbers sent

Table 3.1 gives numbers of H-2B workers recruited in the period for which we were able to obtain *reliable* data: 2005 to the end of 2011. The table shows 2006–07 as the peak recruitment year. It also shows the skew towards recruitment of female workers (generally between 56 per cent and 60 per cent of the total number) for opportunities in the H-2B programme – that is, in the hospitality industry.

The global recession of 2008–10, which had a severe impact on the United States, resulted in a significant downturn in the numbers of Jamaicans recruited in those years for short-term work in an industry that had shrunk dramatically all across America. Analyses by the Jamaican Ministry of Labour and Social Security reveal concerns that, because recovery in this area of activity in the US is likely to occur at a slow pace, the number of Jamaicans recruited for the H-2A programme will not soon get back to the levels seen in 2005–06.

Work and work agreements

Work in the H-2B programme usually runs from six to nine months per individual recruit. Recruitment is highest in most years from April to June. Box 3.1 gives a summary of an interview with a repeat H-2B worker, Mrs Kaye-Ann Wallace. Mrs Wallace's responses to our questions give nuanced, qualitative insight into not only the background of the 'typical' individual who enters the programme, but also the type of work and work conditions in it. The conversation, led by second author Kay Ann Henry, took place at the Kingston offices of the Jamaican Ministry of Labour and Social Security.

Table 3.1 Numbers of H-2B workers, 2005–11

Year	Male	Female	Total
2005–06	1,565	2,277	3,842
2006–07	2,212	2,965	5,177
2008–09	451	700	1,151
2009–10	234	306	540
2010–11	315	552	867

Source: Ministry of Labour and Social Security, Government of Jamaica

Box 3.1 Interview with an H-2B worker

Mrs Wallace is in the 45–55 age group.

Her highest level of education was completing high school.

Mrs Wallace has been married for 24 years, as she proudly stated, and she has three grown children.

(continued)

(continued)

She has been with the H-2B programme since 2004.

The following are the responses to questions about the H-2B programme that were put to Mrs Wallace:

- Mrs Wallace has been involved in the programme for eight years; she is a hospitality worker in Missouri, USA, at a five-star hotel.
- She found out about the programme at a hotel in Jamaica where she worked years ago; associates at the hotel referred her to the Ministry of Labour and Social Security. She has been away on the programme on eight occasions; she is getting ready for her ninth.
- She is contracted to work in the USA, usually for eight months at a time.
- She has worked in the past as a housekeeper with responsibility for cleaning the rooms in the property/hotel. When she goes up (back to her old job) she is a senior member of staff who trains new recruits. She will work 40 hours per week over six days per week.
- The accommodation is very good. The H-2B workers live in a house with all the necessary amenities. She stated that she lives in a four-bedroom house with other Jamaican workers. They have to pay rent and the rent varies depending on the place of residence. The house is 15 minutes away from the hotel where they work; they are picked up and transported to and from the hotel for work.
- Mrs Wallace stated that she gets along very well with the employers and they are easy to talk to. However, this was not always the case as her first stint on the work programme, at a different hotel, proved difficult: she experienced verbal abuse and exploitation there. She explained that the workers were not allowed lunch breaks and they were treated and spoken to as if they were not humans and inferior. She stated that they were forced to do multiple jobs at a time, e.g. cleaning and laundry at the same time: they would be multitasking but were paid at the same rate. She said they did a lot of overtime or worked off the clock, but were not compensated. She said she felt mistreated and exploited. She emphatically stated that she does not think Jamaicans should work at that hotel under those conditions. She reported the matter to her liaison officer, who recommended that she write a letter to the JCLO office in Washington, which she did.
- She states that the treatment by the JCLO and the Ministry is better than it was before, and for her the processing time is not bad.
- The benefit to her of the JCLO's compulsory saving plan is that earnings she had put away were helpful in allowing her to take care of her family and send a son to university, without having to take out any student loan. She stated that she earned US\$300 per week, before taxes.

(continued)

(continued)

- She stated that the most difficult aspect she can think of would be the cold weather, but she manages.
- When asked if she'd ever been ill while on the programme, Mrs Wallace stated that she has only had really bad sinus allergies, which she had to go to the doctor to get treated, and she received medication and used her days off as time to recoup. The doctor's visit was an out-of-pocket expense but then she was reimbursed by her employer.
- Mrs Wallace stated that she would recommend the programme to others, and has done so, and that a friend of hers will be going away on it with an upcoming batch of workers. The reason she recommends the programme is that the money is good.
- She believes the programme helps Jamaica because of the foreign exchange that it brings in. She explained that her pay is lodged in a personal account in the USA, hers, and that she was given a Mastercard to withdraw the money, though the card can also be used in Jamaica.
- Mrs Wallace's recommendations are for the ministry to create more job opportunities through the overseas work programmes, separate and apart from the hospitality and farm work programmes. She also stated that both H-2A and H-2B were too restricted, as they offered no room for upward mobility or career advancement in the places where Jamaicans are recruited to work. So, for example, a housekeeper will always be a housekeeper: she has no chance of being promoted to an executive housekeeper, supervisor, etc.

Compensation and remittances

Fiscal year 2006–07, which recorded the highest number of recruits (5,177) in the H-2B programme, also witnessed the programme generating, of the three temporary overseas programmes, the largest amount of dollar remittances back to the home country, Jamaica. Jamaica's Ministry of Labour and Social Security reports that workers in the H-2B programme remitted US\$9,375,890, or 67.4 per cent of the combined total for the three programmes.

However, as might be expected, remittance inflows from H-2B workers followed the downward trend of smaller numbers being recruited in the succeeding years (Table 3.1). Farm workers in the USA earned more than those in the 'hotel programmes' again in 2010–11.

3.4 Jamaicans and Trinidadians and Tobagonians in the Canadian programme

The Caribbean–Canadian temporary work programme started in 1966 and was expanded in 2008 to incorporate a Hospitality and Skilled Worker component.

What follows below is a report from the National Employment Service (NES) of the government of Trinidad and Tobago. The NES submitted the report in response to Bernard Headley's request (during a field trip to the twin island republic) for information and analyses of that country's temporary overseas work programme(s). The NES report is presented here in full (after editing) because Trinidad and Tobago's temporary overseas work programme centres on the regional Commonwealth Caribbean Seasonal Agricultural Worker Programme (CCSAWP), which includes Jamaica.⁸ Importantly, the report scopes several matters that jointly affect Jamaica and Trinidad and Tobago in the management, operation, and benefits of the CCSAWP.

The CCSAWP has been in existence for 45 years; it involves the temporary movement of agricultural workers from Commonwealth Caribbean countries to seasonal employment on Canadian farms. The Commonwealth Caribbean Seasonal Agricultural Worker Programme (SAWP for short) is unique in the history of labour migration and has been considered as a model for similar programmes across the hemisphere.

The SAWP was formally established in 1966 with the employment of Jamaican workers in the horticultural sector in southern Ontario. Trinidad and Tobago entered the programme in 1967, when Caribbean workers were recruited to meet the needs of employers engaged in producing tobacco (black and flue), greenhouse products (nurseries and hydroponics), fruits, vegetables, flowers and ginseng. The participating Caribbean countries are Barbados, Jamaica, the members of the Organisation of Eastern Caribbean States (Anguilla, Antigua and Barbuda, British Virgin Islands, Dominica, Grenada, Montserrat, Saint Lucia, St Kitts and Nevis, and St Vincent and the Grenadines), and Trinidad and Tobago. In each of the years between 2000 and 2010, an average of 18,000 migrant farm workers from participating Caribbean countries entered Canada under the SAWP, 94 per cent of them hosted by the province of Ontario. Approximately 49 per cent of Caribbean workers came from Jamaica, 38 per cent from Trinidad and Tobago and the remaining 13 per cent from Barbados and the eastern Caribbean.

The SAWP is governed by Memoranda of Understanding with the government of Canada and the Caribbean countries through Human Resources and Skills Development Canada (HRSDC) and administered by privately run user-fee agencies. In Ontario, Foreign Agricultural Resource Management Services (FARMS) administers the programme.

The programme operates in the context of a national labour market policy, 'Canadians first', which ensures, as far as possible, that employment opportunities should be made available to Canadian citizens and permanent residents before recourse is made to this programme.

Financing of the SAWP

The SAWP sustains itself financially by contributions made by the workers who are involved in the programme. Thus there are no direct costs incurred by the Caribbean governments. Under the arrangement, the farm worker is paid 75 per cent of their wages, and the remaining 25 per cent is retained by the governments of the

Caribbean countries: directly by the government of Trinidad and Tobago or by the government-affiliated JCLO. Roughly, the breakdown is as follows:

- 5 per cent of the gross wages for the administration of the programme;
- 1 per cent to provide coverage for non-occupational illness; and
- 19 per cent returned to the workers as their savings after deductions are made to repay their expenses for return air fares from Trinidad or Jamaica.

Annual review of the programme

A review of the SAWP is held annually in participating countries on a round robin basis and attended by representatives of the government of Canada, representatives of Caribbean participating countries, the Caribbean High Commissioners in Canada, the Canadian Horticultural Council, the Ontario Fruit and Vegetable Growers Association and FARMS, this last representing Canadian farmers involved in the programme. Moreover, representatives of the various participating countries use this opportunity to negotiate with FARMS for improved conditions.

Agreements governing the SAWP

The programme is a partnership managed by HRSDC, Citizenship and Immigration Canada, provincial governments, signatory foreign governments (such as the government of the Republic of Trinidad and Tobago) and employers in Canada. Industry representatives such as FARMS assist in processing requests for seasonal agricultural workers and communicating these requests to the governments of supplying countries.

The programme is governed by the following agreements:

- memorandum of understanding between the government of Canada and the government of Trinidad and Tobago;
- agreement between the permanent secretary, Ministry of Labour and Small and Micro Enterprise Development (MLSMED), acting on behalf of the government of Trinidad and Tobago, and the worker; and
- agreement between the employer, the worker, the government of Canada represented by the HRSDC, and the government of Trinidad and Tobago represented by the Canada Labour Liaison Branch (hereinafter referred to as the Employment Contract).

Responsibilities of the partners in the SAWP

The core responsibilities of the various partners in the SAWP are:

- i) FARMS
 - Represent Commodity Boards at meetings, seminars, etc.
 - Co-ordinate activities of commodity representatives.
 - Negotiate terms and conditions with the Labour Liaison Branch (LLB).

- Negotiate airfare costs.
- Co-ordinate processing of applications for offshore workers, payment of visa fee, payment of airfare and monitoring of workers' placements.
- Arrange air and ground transport for arriving and departing workers.
- Liaise with Customs and Immigration Canada.
- Produce statistical reports.
- Mediate in disputes between employers and the Labour Liaison Branch (LLB).

ii) CanAg Travel

The CanAg travel agency is affiliated with FARMS and has the responsibility for travel arrangements for all farm workers to and from their respective countries. These arrangements include:

- booking and confirmation of seats, and where applicable, co-ordination of the movement of workers from the airport to farms or pick-up points and meeting of workers arriving at and leaving the airport; and
- advising liaison and consul of the sending country of flight confirmation.

Caribbean Airlines is the designated travel carrier and service provider for all Trinidad and Tobago workers.

iii) Human Resources and Skills Development Canada (HRSDC)

- Develop policies for CCSAWP Operational Guidelines.
- Set wage rates.
- Approve application for offshore manpower.
- Process applications for Social Insurance Number.
- Process applications for Canada Pension Plan benefits.

iv) Canada Revenue Agency

- Administer tax laws.
- Collect income tax.
- Collect employment insurance.
- Administer the Canadian Pension Plan.
- Issue income tax refund.

v) Immigration Canada

- Issue work permits upon arrival in Canada.
- Process applications for extension of visas and change of workers' status.

- vi) Customs Canada
 - Issue clearance of luggage, boxes, etc. upon arrival in Canada.
 - Collect duties, taxes and other charges.
- vii) Workplace Safety and Insurance Board (WSIB)
 - Process claims by workers for compensation for work-related injuries.
- viii) Ontario Ministry of Health and Long Term Care
 - Process and issue Ontario Health Insurance Plan (OHIP) cards. Prescription drugs or items and chiropractor visit are not covered by this card.
 - Approve worker accommodation.
- ix) Ontario Ministry of Labour
 - Enforce the Regulations of the Employment Standards Act.
- x) Occupational Safety and Health Agency, Canada
 - Enforce the Regulations of the Occupational Safety and Health Act.
- xi) Labour Liaison Branch (Liaison Service), Toronto, Canada
 - Represent the government of Trinidad and Tobago at seminars, meetings, etc.
 - Negotiate terms and conditions with FARMS.
 - Market the services of Trinidad and Tobago workers.
 - Mediate disputes between farmer and worker and between workers.
 - Liaise with the Chief Manpower Officer of the MLSMED on policy matters.
 - Visit farms and monitor work environments.
 - Audit pay sheets.
 - Deduct compulsory 25 per cent of gross income of workers as follows:
 - complete and submit income tax returns on behalf of workers (on average 1,000 persons annually);
 - represent workers in other matters impacting on their stay in Canada (such as court matters);
 - arrange ground transport for arriving and departing workers; and
 - procure health insurance coverage and assist with the activation of social insurance (for pension and other purposes).
- xii) High Commission of Canada (to Kingston as well as Port of Spain)
 - Process applications for work permits and grant the relevant visa.

- xiii) Ministry of National Security, Immigration Division, Jamaica as well as Trinidad and Tobago
 - Issue new passports and renew expired ones to temporary work applicants.
- xiv) Ministry of Labour and Social Security and MLSMED
 - Advise persons of the SAWP.
 - Facilitate the interview/selection process.
 - Recruit workers for overseas employment programmes.
 - Maintain a database on the pool of workers.
- xv) Local labour ministries (at least their temporary/seasonal or work accounting departments)
 - Reconcile workers' pay records.
 - Remit monies from compulsory deductions from workers' wages to pay for normal expenses that the worker would have incurred.
- xvi) Worker
 - Use the transportation provided by the Labour Liaison Branch, upon arrival in Canada, to proceed to the place of employment.
 - Live in the accommodation provided by the employer. The worker must maintain cleanliness of his/her self and his/her accommodation.
 - Perform his/her duties efficiently as directed by the employer.
 - Work only for his/her employer unless the worker obtains official approval from the Labour Liaison Branch to be transferred to another farm.
 - Comply with all the rules of his/her employer which are approved by the Labour Liaison Branch.
 - Report immediately all work-related injuries to his/her employer.
 - Upon completion of his/her work period, unless the worker is accommodated through the end-of-contract transfers to another farm, return promptly to Trinidad and Tobago. The maximum period of employment is eight months in a calendar year.

The employment contract

The employment contract, which is signed by each employer and worker and by the government of Trinidad and Tobago and approved by the HRSDC, is binding. The contract specifies the roles and responsibilities and the terms and conditions of employment as outlined below.

Worker's responsibility to employer:

- i) to serve the employer for a period of between eight (8) months and not less than two hundred and forty (240) hours in a six (6) week period;

- ii) to serve a probationary period of fourteen (14) actual working days for new workers. During the probationary period, a worker can be dismissed for misconduct or refusal to work;
- iii) to repay debt incurred to farmer;
- iv) to repay airfare, ground transportation and visa fee to employer through deductions from wages;
- v) to arrive at the place of employment by the means provided by government agent only;
- vi) to work and reside in the approved place of employment;
- vii) to perform the duties requested of the worker by the employer;
- viii) to obey the rules related to safety, discipline and care and maintenance of property; and
- ix) to return to supply country on completion of work period.

Employer's responsibility to workers:

- i) to provide suitable and approved accommodation, at no cost to the worker, including rest breaks between daily work period;
- ii) to pay the approved hourly wage in Canadian currency; an average minimum work week of forty hours;
- iii) to provide clear statement of earnings to worker and submit pay sheets within seven days of completion to the government agent;
- iv) to remit the 25 per cent compulsory deduction from the worker's wages to the Labour Liaison Branch, Toronto, Canada (Trinidad and Tobago's government agent). Also, to deduct income tax, Canadian Pension Plan contribution, Employment Insurance Contribution, visa fee and airfare and remit to the relevant authorities;
- v) to provide insurance coverage for payment of compensation to worker for personal injury received or disease contracted as a result of employment;
- vi) to obtain consent and approval by HRSDC to transfer a worker;
- vii) to employ workers only to perform the duties of an agricultural labourer. A breach in this respect makes the employer liable on conviction to a fine or imprisonment, or both, under the Immigration Act.
- viii) to train and supervise workers in the use and handling of chemicals and pesticides; and
- xi) to share the cost of or pay return airfare, depending on circumstances, in case of repatriation before contract completion.

Hours of work

The employment contract specifies that the period of employment be 'not less than 240 hours in a term of six weeks or less, unless HRSDC has agreed that an emergency situation exists, in which case the parties agree that the minimum period of employment shall not be less than a term of one hundred and sixty (160) hours'.

The agreement also states that 'the average minimum work week shall be forty (40) hours'.

Wages

Workers are paid at the specified rate in accordance with the Ontario Region's prevailing wage rates.

Dispute resolution

The following procedure is generally utilised:

- Step 1: Worker and farmer attempt to resolve the conflict.
- Step 2: If there is no resolution from Step 1, the farmer or worker may contact the Consul or Vice-Consul by telephone. The Consul or Vice-Consul attempts to resolve the conflict by telephone (because of the vast distances of the farms) and, if this process does not work, may visit the farm to conduct arbitration.
- Step 3: Depending on the nature of the conflict, the farmer may request the return of the worker to the home country.
- Step 4: Worker returns to home country.
- Step 5: A breach of contract report is prepared by the Labour Liaison Branch.
- Step 6: The worker is requested to visit the Farm Programme Section and is informed of the contents of the breach of contract report. If the worker is not in agreement with the contents of the report, the worker will then speak with the Chief Manpower Officer.
- Step 7: The worker is asked to put his disagreement in writing and provide the necessary details.
- Step 8: The Chief Manpower Officer forwards the worker's letter to the Labour Liaison Branch for comments.
- Step 9: The Labour Liaison Branch submits comments to the Chief Manpower Officer.
- Step 10: The Chief Manpower Officer reviews the report and discusses the matter with the Consul Labour in order to bring closure to the matter.

3.5 Major benefits to Caribbean of US/Canada temporary work programmes

All three temporary work programmes examined in this report – the Jamaica–US farm work programme, the Jamaica–US hospitality programme and the CCSAWP between Canada, Jamaica, and Trinidad and Tobago – have been, generally and objectively speaking, beneficial to the sending Caribbean countries; and arguably more so for the receiving North American countries, whose governments are further able, through these programmes, to manage an aspect of migration, thereby reducing irregular migration within their territories.

Most temporary worker programmes are indeed set up to respond to the labour market needs of host or receiving countries and not for the development needs of sending countries. The programmes have, nonetheless, led to numerous derived benefits for the sending Caribbean nations. Among specific benefits to workers in particular are:

- being able to send substantial remittances to families;
- ability to accumulate savings;
- ability to initiate new investments in home communities;
- tangible changes in family situations back home, such as greater access to healthcare and schooling; and
- acquisition of new skills, such as new farming techniques and learning to manoeuvre sophisticated farm equipment, which can translate into higher incomes when back home.

The sending countries have enjoyed wider economic benefits, among them:

- transfer into the productive sector of workers' new skills;
- reduction in unemployment levels;
- improvement in the economic situations and prospects of family members left behind;
- helping build cross-cultural understanding;
- governments' ability to accrue needed foreign exchange; and
- a predictable number of workers guaranteed employment.

3.6 Challenges and recommendations

3.6.1 Employment and contractual issues

Worker issues (with employers)

- Occupational safety and health issues are persistent concerns to workers. Farm work, particularly working with heavy equipment and chemicals, is dangerous. Improper or insufficient on-the-job training have resulted in severe injury to

Caribbean workers. Crowding workers in open-back trucks, while transporting them to or from work sites (sometimes after dark), has resulted in accidents that cause loss of limb and even loss of life.

Recommendation 1: Governments of sending Caribbean countries should advocate for more robust federal oversight and enforcement of safety measures and precautions.

- Quality of accommodation is inconsistent, but generally reasonable. Workers we spoke to in the US H-2B, or hospitality, programme gave high marks to the paired housing arrangements accorded them, in well-appointed houses and rented units. Farm workers in the US and Canadian programmes were less favourably disposed to their occasionally crowded dormitory accommodation.

Recommendation 2: Liaison officers should maintain (and increase where complaints are on the increase) periodic on-site inspections for maintenance of acceptable hygienic living conditions.

- Support mechanisms for families of migrant workers who are absent for extended periods of from six to eight months. The Jamaican government has seen the need to offer varying kinds of social-work-type support to families – particularly in cases involving young children – left behind when one or the other head of household has to go abroad for temporary work. Staff with the ministry's Family Welfare Unit monitor children's conduct and school performance.

Recommendation 3: Jamaica's Ministry of Labour Welfare Unit is an example of a 'best practice' initiative to which greater public resources should be allocated.

- Mobility is restricted. Instances have been reported of insufficient work (i.e. enough to last a full contract period) on site with a contracted employer. Work clauses have allowed employers in these situations to return workers prematurely to their Caribbean home.

Recommendation 4: Caribbean ministries of labour should support workers in their request to US and Canadian authorities for portability in their contracts, which would allow them to move from one farm to another, depending on where work is available.

Employer issues (with workers)

- Some workers are prone to indiscipline. Though the general reputation of Caribbean seasonal workers – particularly Jamaicans – is that they are 'hard workers', employers have reported those said Jamaicans (male farm workers as well as female hospitality workers) to be 'quarrelsome', 'ill-tempered' and 'untidy'. These are matters that urgently need changing, Jamaican trainers from the Ministry of Labour and Social Security have been pressing home to workers, in rigorous orientation sessions prior to their departure for North America.
- Workers do not always comply with employment agreements. Reports from employers are that some workers will carouse, take a drink on the job or try to 'knock off' from work early.

Recommendation 5: Ministries of labour ought to give serious attention to recruiting consultants who will conduct intensive orientation sessions for workers going north on matters of personal hygiene, worker discipline and personal responsibility.

- Pre-existing medical conditions affect workers. Bona fide cases of workers with, for example, pre-existing back conditions that limit movement and ability to engage in demanding physical work reflect weakness in local medical examinations.

Recommendation 6: Caribbean labour ministries should strive for greater thoroughness in compiling and maintaining workers' medical histories.

- Costs are associated with named workers breaching contractual obligations.

Recommendation 7: To maintain high integrity in the programmes, Caribbean governments should initiate negotiated payments to injured employers/parties, and then deny those 'named workers' any repeat temporary work opportunity.

- Over the course of the last five years (2006–2011), of the 12,000 to 14,000 Jamaicans who left home in each of those years to take temporary jobs in North America, more than 400 of them either went absent without official leave (AWOL) or changed their visa status to one that allowed them to stay in Canada or the United States beyond their contract period. More than 80 per cent of those who did not return home had gone AWOL. An AWOL rate of 3.5 per cent can be seen as tolerable, or certainly within a normal statistical boundary, all things considered.

Recommendation 8: Labour ministries – certainly Jamaica's Ministry of Labour and Social Security – will have to maintain vigilance to screen out potential visa abusers. The foreign-based liaison officers will also be expected to exercise greater vigilance in the matter – in, for example, knowing workers' movements and whereabouts.

3.6.2 Unexpected devaluing of the JCLO

In late 2010, US authorities instituted measures that effectively terminated arrangements the JCLO had with US employers. Those arrangements had allowed the JCLO to receive the equivalent of statutory deductions from workers' wages. The deductions were managed as contributions to workers' medical insurance, their pension, a savings plan and the JCLO's administrative costs.

The measures, instituted by the US Department of Homeland Security with the Department of Labour, forbid US employers to collect any job placement fee or other compensation from anyone who gets a job in the US as a temporary migrant worker. Mid-level Ministry of Labour and Social Security and other Jamaica government officials claim, in interviews for this report, not to have been briefed by the US authorities on the reason(s) behind this apparent executive action. The decision's spearheading by the Department of Homeland Security suggests that at its root is the US government's deepening 'concern' (*qua* insecurity) relative to matters even remotely likely to connect with terrorism or, for that matter, ambiguous recruitment networks.

If left in place, the decision could over the long run have adverse effects on Jamaica's ability to maximise the H-2 programme. At a macro level, the decision will starve the JCLO of necessary funds – funds it will need to carry out an important national mandate: to ensure, through inspections, that Jamaican workers in a foreign land are treated decently and accorded the guarantees of internationally settled workers' rights and protections.

As Vincent Morrison, president of Jamaica's largest industrial union, the National Workers Union (NWU), puts it, 'If nothing is done [about the US decision], and soon, the JCLO will be forced to close its doors and send home its 40-plus employees, leaving the farm and hotel workers it represents from Jamaica and the rest of the region on their own in a foreign land'. He continues:

"If the decision is not taken to restore the five per cent voluntary contribution by the workers, if that is not done, then the Liaison Services will have to close, because the regional governments, at this time, have made it very clear that they don't have the money to support this service," said Morrison. "What that will mean is that the Jamaican workers will probably continue to go up to the States, but without any form of protection." (Quoted by Budd 2011)

At a micro level, workers in the H-2 programmes will suffer the adverse effect of losing a secure avenue for building consistent savings. Although workers with enough savvy and flexible work schedule – like Mrs Wallace, our H-2B respondent – may be able to (and indeed should be able to) open and maintain savings accounts with the nearest US banking institution, most farm workers are not. The failsafe route for these men – to make sure they could invest in that piece of land on their return home, or purchase a barrelful of goods for the trip – was the JCLO compulsory savings plan.

Recommendation 9: We urge Jamaica's Ministry of Foreign Affairs to engage in more robust dialogue with officialdom at the US State Department on the matter of what effectively amounts to termination of the JCLO's activities, with the focus being that the JCLO should be allowed to resume, at minimum, its core function of making sure that Jamaican workers are protected in the USA. The JCLO's transaction that seemed of greatest concern to US authorities – the matter of demand deductions – may indeed be an anachronism. The Caribbean region's governments ought to foot the costs of running an agency that looks out on a continuing basis for the rights of its citizen workers in a foreign country. The region, it seems to us, should not have those costs borne by small numbers of displaced temporary workers. On the matter of the JCLO holding savings for workers, liaison officers ought to, instead of collecting those savings, assist all categories of workers with opening bank and/or credit union accounts in the receiving, host country.

Overall, we conclude that, given the economic uncertainties in several, if not most, Caribbean nations, temporary migration work schemes have a key, immediate survival function in the lives of many of the region's people. The schemes are not, by any stretch of the imagination, means for salient regional or even national development. But they are means for survival nonetheless. Where properly monitored

and regulated, to safeguard workers' rights and safety, temporary migration work schemes/programmes are valuable: they put food on the family table back home, and can even send a child to university.

Notes

- 1 The authors thank Michael D Gordon for the technical assistance he so generously gave in the production of this chapter.
- 2 The Auditor General's Department of Jamaica lists the programme in its annual report as the 'Canadian Farm and Factory Workers' Programme' (Government of Jamaica 2013: 87).
- 3 Jamaica's Minister of Labour did, though, in September 2011, announce that his government was exploring with Canadian employers a wide range of non-agricultural employment possibilities, e.g. in auto-mechanics.
- 4 In the main, the historical literature suggests that the recruitment of large numbers of seasonal West Indian workers would in a way supplant the bracero programme.
- 5 Path-breaking qualitative research by a number of scholars on the subject essentially justifies this conclusion. See, for example, McCoy and Wood (1982) and Hahamovitch (2011).
- 6 The AEW is the minimum wage that the DOL, with the assistance of the US Department of Agriculture, has determined must be offered and paid to US and immigrant workers by agricultural employers. Where agricultural employers offer employment to non-immigrant foreign workers, payment of at least the AEW is required. The AEW is published once a year, usually in early February, by the DOL. The AEW sets a separate minimum wage rate (i.e. a rate that will not adversely affect the employment opportunities of US workers) for each state.
- 7 'According to the Inter American Development Bank's Multilateral Investment Fund (IDB-MIF) in Latin America and the Caribbean, remittances play an important role in the economy of the region, totaling over US\$66.5 billion in 2007, with about 75 per cent originating in the United States. The IDB-MIF research revealed that total remittance represent more than the sum of foreign direct investment and official development aid combined. In seven Latin American and Caribbean countries, remittances account for more than 10 per cent of gross domestic product and exceed the dollar flows of the largest export product in almost every country in the region.' (*Jamaica Observer* 2011)
- 8 Jamaica's Ministry of Labour officials state that the Canadian programme was expanded in 2008 to incorporate a Hospitality and Skilled Worker component. We found in researching for this study, however, no specific data set or documentation on Jamaicans engaged in temporary work in Canada in activities other than in farming.

References

- Anderson, P (2011), 'Migrant life', *The Sun Chronicle*, 18 September, available at: www.thesunchronicle.com/wrentham/the-migrant-life/article_4ec894f4-8036-5b28-9012-dd3c267d0b37.html (accessed 30 January 2012).
- Budd, J (2011), 'Farm work in danger', 4 April. 'Farm work in danger: New US Gov't regulation could bring programme to a halt', *Jamaica Observer*, 4 April, available at: www.jamaicaobserver.com/news/Farm-work-in-danger_8623701 (accessed 30 January 2012).
- Fairey, D, C Hanson, G MacInnes, AT McLaren, G Otero, K Preibisch and M Thompson (2008), *Cultivating Farmworker Rights: Ending the Exploitation of Immigrant and Migrant Farmworker in BC*, Canadian Centre for Policy Alternatives – BC Office, Justicia for Migrant Workers, Progressive Intercultural Community Services, and the BC Federation of Labour, Vancouver and Ontario.
- Government of Jamaica (2013), 'Report of the Auditor General on the Financial Transactions and Financial Statements of the Government of Jamaica for the

- Financial Year Ended 31st March 2013' Auditor General's Department of Jamaica, Kingston.
- Hahamovitch, C (2011), *No Man's Land*, Princeton University Press, Princeton, NJ.
- International Labour Organization (ILO) (n.d.), 'Labour standards', available at: www.ilo.org/global/standards/langen/index.htm (accessed 19 March 2012).
- ILO (2004), 'International Labour Conference, Provisional Record, Ninety-second Session, Geneva, 2004', ILO, Geneva.
- International Organization for Migration (IOM) (2008), *Development: Achieving Policy Coherence*, IOM Research Series, Geneva.
- Jamaica Central Labour Organisation (2008), *The H-2B Programme: Worker Information Handbook*, JCLO, Washington, DC.
- Jamaica Observer* (2011), 'BOJ reports increased remittance inflows', *Jamaica Observer*, 1 November, available at: www.jamaicaobserver.com/mobile/news/BOJ-reports-increased-remittance-inflows (accessed 17 October 2014).
- Lewis, GK (1968), *The Growth of the Modern West Indies*, Monthly Review Press, New York.
- McCoy, TL and CH Wood (1982), 'Caribbean workers in the Florida sugar cane industry', Paper No. 2, Centre for Latin American Studies, University of Florida, Gainesville.
- North American Congress on Latin America (NACLA) (1977), 'The Cane Contract: West Indians in Florida', *NACLA Report*, Vol. 11 Issue 8, November/December.
- Palmer, R (1995), *Pilgrims from the Sun*, Twayne Publishers, Woodbridge, CT.
- Pryce, E (2011), 'Putting up resistance to the farm work programme', *Jamaica Observer*, 15 June, available at: www.jamaicaobserver.com/columns/Putting-up-resistance-to-the-farm-work-programme_8987837 (accessed 17 October 2014).
- Southern Poverty Law Centre (2008), 'Close to Slavery: Guestworker Programs in the United States', Southern Poverty Law Centre, Montgomery.