



COVID-19

2021 Reminders About Temporary Foreign Workers in the Biofood Industry Arriving in Québec

in the context of the COVID-19 pandemic

Last updated : April 2021



ONLINE AND TELEPHONE RESOURCES

The Government of Québec:

- Information about COVID-19:
 - › [**Coronavirus disease \(COVID-19\) in Québec | Government of Québec \(quebec.ca\)**](#)
 - › [**Use of rapid tests by companies \(COVID-19\)**](#)
- Public Health recommendations for the arrival of temporary foreign workers:
 - › [**Temporary foreign workers in Preventive Isolation \(Quarantine\) \(inspq.qc.ca\)**](#)
- Temporary foreign workers - Tool for employers:
 - › [**Temporary Foreign Workers – Practical Information for Employers \(inspq.qc.ca\)**](#)
- **Numbers to call for COVID 19 information:**
 - › 418-644-4545 › 514-644-4545
 - › 450-644-4545 › 819-644-4545
 - › 1-877-644-4545 (toll-free) outside Québec.
- Concerning COVID-19, temporary foreign workers will be treated in the same way as all other persons in Québec.

Government of Canada:

- Information about COVID-19:
 - › [**Coronavirus disease \(COVID-19\) outbreak updates, symptoms, prevention, travel, preparation - Canada.ca**](#)
 - › [**Rapid tests for COVID-19 screening in the workplace**](#)
- Federal Government measures concerning incoming travellers and border crossings:
 - › [**How the coronavirus disease \(COVID-19\) is affecting immigration, refugees, citizenship and passport services - Canada.ca**](#)
- FAQ - Changes to the Temporary Foreign Worker Program in the context of COVID-19:
 - › [**Quarantine and mandatory testing information for temporary foreign workers - Canada.ca**](#)
- COVID-19: Guide for temporary foreign workers
 - › [**COVID-19: A Guide for Temporary Foreign Workers in Canada - Canada.ca**](#)



CONTEXT

On October 23, 2020, a working group of the Réseau de santé publique en santé au travail, coordinated by the Institut national de santé publique du Québec (INSPQ), adopted new health recommendations for the biofood sector (publications 2962 and 3072). The majority of these recommendations apply to the living environment of hired temporary foreign workers and their accommodations.

The Public Health Branch of the ministère de la Santé et des Services sociaux, the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) and the ministère de l'Agriculture, des Pêcheries et de l'Alimentation are adopting a consistent and coordinated approach to support employers for the 2021 growing season. The accommodation requirements introduced for the 2020 season will therefore continue to apply for the upcoming season and the CNESST and the Réseau de santé publique en santé au travail will conduct preventive inspections using these criteria. However, if possible, the employer is expected to be able to demonstrate the efforts they have made to try to follow the new recommendations and to agree to participate in a process of continuous and optimal improvement of their facilities.

PURPOSE OF THIS REMINDER

The purpose of this document is to promote the use of temporary foreign workers in the biofood industry in order to ensure food production and food security in Québec without compromising collective efforts to combat the COVID-19 crisis.

GENERAL OCCUPATIONAL HEALTH AND SAFETY REQUIREMENTS

COVID-19 poses a risk to the health of workers, and the employer is obligated to protect the workers' health, as well as to ensure the safety and physical integrity of these latter.

Similarly, the agency recruiting temporary foreign workers and the client company must jointly protect the health, safety and physical integrity of workers. They must both ensure that the requirements of the Act Respecting Occupational Health and Safety are fulfilled, and neither can escape their obligations.

As for the worker, it is their responsibility to take the necessary measures to protect their health, safety and physical integrity and to ensure that they do not endanger the health, safety or physical integrity of other persons in the vicinity of the workplaces, according to section 49 of the Act Respecting Occupational Health and Safety (AOHS).

1. TRAVEL REQUIREMENTS

Measures that apply to border crossings and travel, notably the mandatory 14-day quarantine, are available on the Government of Québec and the Government of Canada websites. However, procedures may change at any time without notice, so it is the traveller's responsibility to check them regularly.

- › [Instructions for travellers during the COVID-19 pandemic | Gouvernement du Québec \(quebec.ca\)](#)
- › [COVID-19: Travel, testing, quarantine and borders - Travel.gc.ca](#)
- › [Use ArriveCAN: Submit travel information to enter Canada - Canada.ca](#)

2. ON ARRIVAL AND DURING QUARANTINE

For the first 14 days after the workers arrive in the country

The *Quarantine Act* and the 14-day quarantine required on arrival in Canada fall under federal jurisdiction. The Province of Québec is responsible for setting guidelines for the public health measures to be implemented in the workplace. The Public Health Branch of the Ministère de la Santé et des Services sociaux du Québec does not have requirements in addition to Government of Canada standards, but it encourages to institute strict self-isolation as defined in the INSPQ sheet whenever possible.

Employers are responsible for transporting temporary foreign workers between points of entry and accommodations. This transportation must comply with applicable health standards.

Government of Canada – quarantine plan and requirements, instructions for travellers:

- › [Backgrounder: New measures to protect foreign workers and prevent the spread of COVID-19 for the 2021 season - Canada.ca](#)
- › [COVID-19: Travel, testing, quarantine and borders - Travel.gc.ca](#)

Government of Québec – public health recommendations and transport instructions:

- › [Temporary foreign workers in Preventive Isolation \(Quarantine\) \(inspq.qc.ca\)](#)
- › [Fly in Fly out” \(FIFO\) or “Drive in Drive out” \(DIDO\) Work Organization Mode\] \(french version\) \(inspq.qc.ca\)](#)
- › [Contact us | INSPQ Public health expertise and reference centre](#)

Administrative steps upon arriving in Québec

A declaration of employment for temporary foreign workers must be filed with the Commission des normes, de l'équité et de la santé et de la sécurité du travail.

- › [Employment Declaration for Temporary Foreign Workers \(french version\)| CNESST](#)
- › [Contact us | CNESST \(gouv.qc.ca\)](#)

They must also be registered with the [Régie de l'assurance maladie du Québec](#).

The employer is advised to ensure that the list of temporary foreign workers being hosted, along with their arrival date(s), is shared with the regional public health department.

- › Directory of public health regions: www.santeautravail.qc.ca (Bottin tab)



3. THROUGHOUT THE WORKER'S STAY (INCLUDING THE FIRST 14 DAYS)

If one worker is sick, this may lead to all of their housemates or co-workers needing to self-isolate. The purpose of applying preventive measures is to protect the health of all workers and to enable the company to continue to operate during the exceptional times of the COVID-19 pandemic, while respecting the rights and freedoms of workers. Employers are responsible for providing accommodation and working conditions that allow TFWs to comply with these measures. TFWs are responsible for following them.

Throughout the worker's stay (including the first 14 days)

The employer must:

- **Provide** a place for the person who is ill or has symptoms of COVID-19 to self-isolate in a single room with a private bathroom (strict self-isolation).
- Quickly **quarantine** any worker who comes down with symptoms and contact their regional public health department.
- **Support** declaration of symptoms by workers using the following documents available in French, English and Spanish.

COVID-19 symptom screening questionnaire

- › French: [Questionnaire des symptômes COVID-19 \(inspq.qc.ca\)](https://inspq.qc.ca/questionnaire-symptomes-covid-19)
- › English: [COVID-19 Symptom-based Screening Questionnaire \(inspq.qc.ca\)](https://inspq.qc.ca/covid-19-symptom-based-screening-questionnaire)
- › Spanish: [Cuestionario de síntomas COVID-19 \(inspq.qc.ca\)](https://inspq.qc.ca/questionario-sintomas-covid-19)

4. IF THERE IS A SUSPECTED OR CONFIRMED POSITIVE CASE

If a worker is suspected of being infected with COVID-19 or if a worker has tested positive for COVID-19, follow the regional public health department's instructions. The latter issues its instructions and sends them to employers and workers based on its analysis of the situation and in collaboration with the CNESST. The analysis depends on the risk assessment and is carried out on a case-by-case basis, according to the epidemiological and clinical contexts.

- › [Interim Recommendations for Public Health Management of Cases and Contacts in the Community \(french version\)](#)

5. WORK CONDITIONS

The employer agrees to respect the work conditions declared at the time of the labour market impact assessment in the various forms analyzed by the Ministère de l'Immigration, de la Francisation et de l'Intégration and Employment and Social Development Canada / Service Canada. They must respect the requirements and criteria in the applicable section of the Temporary Foreign Workers Program (i.e., accommodation or transport costs).

An employment contract is required for all temporary foreign workers in Québec when the employer's request is being processed.

The length of the employment contract includes the mandatory quarantine period on arrival. The employer must enforce the terms of the contract on the worker's arrival in Québec.

A temporary foreign worker is deemed to be at work during the quarantine period, which begins on the worker's arrival. The employer is required to pay the worker a salary during this period. The worker must be paid for a minimum of 30 hours per week and at the rate of pay specified in the employment contract presented to the Ministère de l'Immigration, de la Francisation et de l'Intégration (Ministry of Immigration, Francisation and Integration) when the employer's request is being processed. If the period of quarantine or self-isolation on arrival is extended for any reason whatever, workers must continue to be paid accordingly by the employer (for a minimum of 5 hours per day or 30 hours per week).

The employer can withhold standard contract deductions as per applicable Program stream requirements for temporary foreign workers. The employer is not allowed to deduct any additional amounts due to the self-isolation period.

With respect to labour standards and occupational health and safety rules, temporary foreign workers have the same rights and obligations as other Québec workers, including protection of the employment relationship and compensation in the event of occupational injuries.

Important

Employers and temporary foreign worker recruitment agencies are prohibited from:

- asking a temporary foreign worker to hand over custody of personal documents or property, e.g. passport, work permit, phone, etc.
- charging a temporary foreign worker any recruitment fees, unless so authorized by a Canadian government program.

› [Temporary foreign workers | CNESST](#)



Compensation

A financial aid program has been created to assist agricultural producers, fishermen and all employers in the food processing sector in implementing the necessary measures to ensure compliance with the mandatory quarantine period to which all foreign workers are subject. [**The Mandatory Isolation Support Program for Temporary Foreign Workers – Agriculture and Agri-Food Canada**](#) may provide a contribution for each temporary foreign worker.

A worker who becomes ill during the initial quarantine period or while working may be eligible for government benefits.

Employment and Social Development Canada:

- › [**What to do if a worker contracts COVID-19 – Employment and Social Development Canada**](#)

Canada Recovery Sickness Benefit (CRSB):

- › [**Canada Recovery Sickness Benefit \(CRSB\) – Government of Canada \(canada.ca\)**](#)

CNESST – Compensation in the event of occupational injuries:

- › [**Questions and answers – COVID-19 | CNESST \(question 65 and following\)**](#)



6. GENERAL MEASURES APPLYING TO ALL WORKPLACES AFTER THE QUARANTINE PERIOD HAS ENDED, WITHIN THE CONTEXT OF THE COVID-19 PANDEMIC

After the quarantine period, temporary foreign workers must follow the same rules that apply to all workers.

- › [COVID-19 case management in the workplace | Gouvernement du Québec \(quebec.ca\)](#)
- › [COVID 19 Toolkit | CNESST](#)
- › [Temporary foreign workers | CNESST](#)
- › [Temporary foreign workers and agency workers - Important Reminder | CNESST](#)
- › [Foreign Agricultural Workers - Welcome to Québec!\] \(video - French version\) | CNESST](#)
- › [Foreign Agricultural Workers - Welcome to Québec!\] \(video - versión en español\) | CNESST](#)

The INSPQ has published information sheets on the rules that need to be followed in order to ensure a safe working environment for all workers in the biofood sector:

- › [Agricultural Workers in Crop and Livestock Production \(inspq.qc.ca\)](#)
- › [Food Processing Industry \(inspq.qc.ca\)](#)
- › [Fishing Industry \(french version\) \(inspq.qc.ca\)](#)
- › [Marine Products Processing Industry \(inspq.qc.ca\)](#)

The Réseau de santé publique en santé au travail teams are mobilized to support and assist workplaces. They work closely with CNESST inspectors in all sectors of economic activity to prevent or help manage outbreaks.

- › [Q&A - Role of the Réseau de santé publique en santé au travail \(RSPSAT\) in Relation to COVID-19 \(french version\)](#)

7. RESOURCES FOR WORKERS

Assistance Network for Migrant Agricultural Workers in Québec

E-mail: courrielrattmaq@outlook.com

Website: www.RATTMAQ.org

Facebook: www.facebook.com/rattmaq1

YouTube: www.youtube.com/channel/UCrXn4es0qyWv0hmZRnSPvxw

RATTMAQ-Québec

2825, boulevard Wilfrid-Hamel

Québec (Québec)

G1P 2H9

Telephone: 581-849-7941

RATTMAQ-Montréal

840 Notre-Dame,

Saint-Rémi (Québec)

J0L 2L0

Telephone: 514-606-6924

Toll-free number: 1-877-453-0655

New AGRI-connexion mobile app

Features relevant content for employers and workers (labour standards, health measures, awareness and training videos, practical information on “Living in Québec” and more). Available in French, English and Spanish.



Consulado general de Guatemala en Montreal

Teléfonos 514-397-2381/poste 85

Número de Emergencias 514-451-5512

Correo: trabajadores@consulguate-montreal.com

Consulado general de Honduras en Montreal

Teléfono : 514-439-7151

Correo : correo@consuladohonduras.ca

Consulado general de Mexico en Montreal

Teléfonos : 514-288-2502 / postes 222, 227 y 236.

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