



COVID-19 Employer Responsibilities –

Temporary Foreign Worker Program

Service Canada – Reporting Requirements

WHEN YOUR WORKERS ARRIVE...

➤ You must inform Service Canada when workers

ARRIVE at the work location

- ☐ Send an email to – ESDC.ISB.QUARANTINE-QUARANTAINE.DGSI.EDSC@servicecanada.gc.ca
- ☐ Include the following information:
 - **Subject:** temporary foreign worker arrival to (name of Business)
 - **Body:**
 - Date and time of arrival of employee(s) to your work location, and their names
 - Contact information for the temporary foreign worker(s), if available
 - Your contact information, including the mailing address. If applicable, please include information for a secondary contact

IF THERE IS A COVID-19 OUTBREAK...

➤ You must inform Service Canada in the event of an **OUTBREAK** at your worksite

- ☐ Send an email to – ESDC.ISB.QUARANTINE-QUARANTAINE.DGSI.EDSC@servicecanada.gc.ca
- ☐ Include the following information:
 - **Subject:** COVID-19 Outbreak (name of Business).
 - **Body:**
 - Number of temporary foreign workers onsite and number of temporary foreign workers infected, as well as their names
 - Contact information for the temporary foreign worker(s), if available
 - Your contact information, including the mailing address. If applicable, please include information for a secondary contact

Mandatory Quarantine

As an employer of temporary foreign workers (TFWs), you must not do anything that prevents workers from meeting their requirements of orders under the *Quarantine Act*, including mandatory quarantine, or from complying with provincial / territorial public health laws.

➤ **Employer Responsibilities:**

- As part of a new process this year, Employers will be contacted by Service Canada 2 weeks in advance of the anticipated arrival date of the Foreign Workers to provide key information regarding the location of quarantine for incoming workers.
- A new form will be required to be completed and submit to Service Canada.
- It is strongly recommended that this form (once completed) be provided directly to the Temporary Foreign Worker prior to their arrival as it will support accuracy of information into the ArriveCAN app.
- ☐ **You must ensure TFWs have access to necessities of life, including food and other basic survival items**
 - Employers are expected to facilitate this as required but are not expected to pay for it
 - Costs for necessities, such as food, medication, basic supplies, or other necessities could be paid by the worker upon delivery or through a payment plan and should be mutually agreed upon, ideally in writing
 - Employment contract provisions remain in place for workers under the Seasonal Agricultural Worker Program (SAWP), which allow workers to elect to cook their own meals or arrange for the employer to provide meals at the worker's cost
- ☐ **You must pay your TFWs regular pay and benefits for the quarantine period**
 - Specifically, you must pay the worker for a minimum of 30 hours per week at the hourly rate of pay. The specified rate of pay is on the Labour Market Impact Assessment confirmation letter
 - This requirement also applies to workers in the Seasonal Agricultural Worker Program (SAWP) and the 14-day period of paid quarantine will be in addition to the minimum 240 hours of pay as specified in the SAWP contract
 - Please note that this stipulation applies each time a worker enters or re-enters Canada and must quarantine
- ☐ **You must continue to follow all federal, provincial, and territorial employment regulations and laws**
 - Immigration and Refugee Protection Regulations may consider limiting a worker's movement abusive and a violation of the TFW Program's conditions, which may result in administrative and/or monetary penalties
 - Cannot ask or allow workers perform other duties, such as building repairs or administrative tasks during the quarantine period

Accommodations

Employers who provide accommodations to TFWs are required to house quarantining workers in accommodations that are separate from those not subject to quarantine.

➤ **Employer Responsibilities:**

- ☐ **You must ensure that there is enough space for the TFWs to remain 2 metres apart from each other at all times**
 - If this requirement cannot be met, alternate accommodations (e.g. a hotel) are required
- ☐ **You must ensure that surfaces in the accommodations are clean and disinfected regularly**
 - You may use the services of a professional cleaner, if desired. However, you must always provide the cleaning materials and replace them when necessary
- ☐ **You must post information about preventing the spread of COVID-19 in the accommodations**
 - Such information should be posted in the language of the worker in bathrooms, kitchens, and common areas
- ☐ **If a worker becomes symptomatic at any time, you must assist the worker in accessing medical care, medicine, and food during isolation**
 - You must provide immediate accommodations that enable the worker to isolate from others. This is different from quarantine accommodation requirements as these accommodations must include a single occupancy bedroom and single occupancy bathroom

Compliance

The Integrity Services Branch has continuously evolved from strictly verifying employer compliance with the program regulations, to playing a significant role in ensuring the safety and health of TFWs.

- ❑ **You may be subject to and must comply with inspections conducted by Integrity Services Branch to verify employer compliance.**
 - Employers who do not comply with these requirements could be subject to penalties. These include fines of up to \$1 million and a permanent ban from hiring TFWs, depending on the seriousness of the situation and number of workers affected.
- ❑ **In order to verify compliance with TFWP conditions, employers will be asked to provide one or more of the following:**
 - Time Sheets
 - Payroll information
 - Cash advances
 - Photographs of your accommodations

2021 Housing Inspection Reports

Employers who were unable to provide an up-to-date Housing Inspection Report at the time of application, because authorities were not conducting such inspections at that time, must submit the up-to-date Housing Inspection Report as soon as it is available.

Program Officers will be following up with employers who have yet to submit these reports, prior to the arrival of workers.

Financial Support for Employers

The Government of Canada has introduced a number of new measures to ensure TFW Program employers are able to adhere to new Program requirements:

- **Mandatory Isolation Support for Temporary Foreign Workers Program**
 - ❑ **This program provides a maximum non-repayable contribution amount of up to \$1,500 to employers for each TFW arriving in Canada**
 - This will help partially offset the incremental costs related to safely accommodating TFWs during the mandatory 14-day quarantine period
 - For more information:
 - <https://www.agr.gc.ca/eng/agricultural-programs-and-services/mandatory-isolation-support-for-temporary-foreign-workers-program/?id=1588186409721>

Support for TFWs

Employers may find resources for TFWs about how to protect oneself and others from COVID-19 through the following links and we encourage you to share these with your workers:

- **COVID-19: A Guide for Temporary Foreign Workers in Canada**
 - ❑ **Available in English, French, and Spanish from Employment and Social Development Canada**
 - <https://www.canada.ca/en/employment-social-development/campaigns/foreign-worker-rights/covid19-guide.html>
- **Coronavirus Disease (COVID-19): Awareness Resources**
 - ❑ **Available in multiple languages from the Public Health Agency of Canada**
 - <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/awareness-resources.html>

Staying Up-to-Date

Given the rapid evolution of the COVID-19 pandemic and public health measures, we encourage you to regularly visit the TFW Program employer guidance and FAQ pages, where additional information regarding employer responsibilities, including those related to housing, can be found.

- **Frequently asked questions: Changes to the Temporary Foreign Worker Program regarding COVID-19**
 - ❑ <https://www.canada.ca/en/employment-social-development/services/foreign-workers/employer-compliance/covid-faq.html>

Employer Toolkit

Resource	Website or Contact Information
Government of Canada – Resource and Awareness sections of	www.canada.ca/coronavirus
Quarantine Act – Find additional information on the requirements of the <i>Quarantine Act</i>	Quarantine Act
Public Health Agency of Canada – Find additional information on COVID-19 in several languages	https://www.canada.ca/en/public-health.html Phone: 1-833-784-4397 Email: phac.covid19.aspc@canada.ca
Agriculture and Agri-Food Canada – Refer to the Checklist for the control of COVID-19 in agricultural facilities for support	covid-19-information-for-the-agriculture-and-agri-food-industry
Temporary Foreign Worker Program – Visit the TFW Program website for more information about employer compliance and TFW Program Inspections	TFWP Compliance
Guidance for employers of Temporary Foreign Workers regarding COVID-19 - Canada.ca	employer-compliance/covid-guidance
COVID-19 Resource Library for International Agricultural Workers and Employers	Covid-19 Resource Library
WSIB Ontario	<ul style="list-style-type: none"> • https://www.wsib.ca/en/foreign-agricultural-workers-program • Brochure for foreign agricultural workers (PDF) • Brochure for employers (PDF) • These brochures are also available in Spanish (PDF)
Canadian Centre for Occupational Health and Safety links:	<ul style="list-style-type: none"> • Health and Safety Resources • Workplace Health and Safety Guide • Tip Sheets specific to Agriculture and Food Processing • Prevention Guide for Workers • Health and Safety Planning Series • Guidance for Temporary Foreign Workers (Infographic) • Worker Rights and Responsibilities (Infographic) • Mask Video Series currently available in English and Spanish on YouTube • Prevent the Spread of COVID-19: Guidance for Temporary Foreign Workers • Pandemic Portal

Employer Toolkit	
Resource	Website or Contact Information
Switch Health To support the facilitation of the day-10 COVID 19 test.	<p>Employers can contact Switch Health directly at 1-888-511-4501 or by email at tfw-canada@switchhealth.ca</p> <p>This service will be available between the hours of 8:30 AM to 6:30 PM EDT, Monday to Friday and 10:00 AM to 4:00 PM EDT, Saturday and Sunday.</p>