

January 19, 2021

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Re: Consideration for supports in Windsor-Essex Agri-Community

At the urging of local health care leaders and municipal officials in Windsor and Essex County, representatives of all three levels of government have been meeting to address a looming crisis. As reported by Essex-Windsor EMS and hospital officials, our local healthcare capacity in Windsor and Leamington hospitals is approaching its limits, with over 20% of the pressures coming from the agricultural sector. As anecdotal evidence, patients are being transferred to Windsor Regional Hospital, Chatham-Kent Health Alliance, Blue water Health Systems (Sarnia) and London Health Sciences Centre, and a temporary morgue has been put in place in Windsor.

Agriculture is a fundamental component of our local economy and being the most southern part of Canada, we are usually the first to begin the annual cycle of crop production. Our local greenhouse sector has just welcomed the first 600-700 Temporary Foreign Workers this past week, with an additional 2,000 expected in the next several weeks. By June 2021, this region will have accepted over 15% of the 66,000 guest workers expected into Canada. Unbelievably, even this large number is not enough workers to fill the labour market. Unfortunately, a large, undocumented work force also fills this void in our labour market.

The intersection of these workforces, and our local experience with the COVID-19 pandemic in wave 1 in 2020, has prompted local leaders to quickly and urgently gather in an attempt to mitigate the impact of the second wave of the virus into our community. Judging by reports from our EMS and local hospitals, we are already late in

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our preparations, and there are still some critical unknowns. We were the last region in Canada to open up our local economy, because of the outbreak situations in local congregant living spaces which intersected with the broader community.

One of the biggest challenges lies in the fact that there are a number of different levels of government and various ministries and departments that have jurisdiction over this area. For example:

1. The Temporary Foreign Workers Program/Seasonal Agriculture Workers Program is federally administered by EDSC, with the present monitoring and enforcement of mandatory quarantine falling to local Law Enforcement (Municipal). However, they do not presently receive quarantine plans for incoming TFW's on an individual basis to allow for effective monitoring.
2. The housing conditions of initial quarantine are presently inspected virtually by Service Canada, with no "boots on the ground" follow-through, leading to allegations of abuse in the integrity of initial quarantining.
3. Canadian workers are subject to standard labour legislation administered by the Ministry of Labour as well as the Provincial Occupational Health and Safety Act. In addition, the provincial Ministry of Agriculture and Food has provided direction through a "toolkit" to the agricultural industry to address the COVID-19 situation in the local sector. This is monitored and partially enforced by the local Public Health Unit, which is governed regionally, subject to provincial health guidelines, and they are at workload capacity.
4. The presence of a large, undocumented workforce requires enforcement responsibilities from the Federal departments of Immigration, as well as the Canadian Border Services Agency. However, once these vulnerable individuals are in the employ of some unscrupulous labour contractors, they fall under provincial labour legislation. When they are housed in substandard living conditions, they are subject to municipal bylaws. The presence of large numbers of medically-designated cannabis growing enterprises allegedly using an unregulated workforce contributes to the local problem and dynamic.
5. When COVID-19 outbreaks occur in the agricultural workplace, the Public Health Unit is overseeing, from a provincial perspective, individuals in Canada under Federal Programs, or who have come into Canada avoiding Federal scrutiny, or who are Canadians living locally, and whom are all subject to municipal bylaws. Isolation is often required, but not monitored or enforced by local law enforcement (through EDSC delegation of authority via initial quarantine), but rather through provincial legislation delegated to the local Public Health Unit.

Statements:

In the middle of a pandemic, local EMS, Erie Shores Health Care mobile teams, and other health system partners are called to respond to situation where they DO NOT KNOW:

- What type of situation they are being asked to deliver emergency medical services to;
- To whom they should report observed quarantine or isolation violations;
- To whom they turn when municipal officials receive reports or allegations of illegal activities;
- How to investigate similar and potentially frivolous or vexatious allegations received by Provincial or Federal representatives; and
- What is a real threat to human life and condition.

Provincial and federal representatives have acknowledged their respective jurisdictions, but none at the table have the authority to create a 'One-Stop Shop' or single portal for our local leaders to turn to in this crisis.

Local health system leadership, through the Windsor Essex Incident Management Command, are committed to continue providing, upon referral by any interested owner/operator within the agri-food sector, the following services:

1. Mobile testing and on-site health assessments.
2. Provision of shelter and isolation by supporting workers not able to shelter and isolate due to congregate or inappropriate living conditions.
3. Provision of primary care supports where required.

Other than what is outlined above, the team is not accountable nor resourced to support owner/operator shelter/isolation arrangements, the quarantine program, or its enforcement.

Furthermore, we are just at the beginning of this crisis locally because our health care capacity is already strained, and we are just starting our annual growing cycle which carries the influx of many additional people into this region. From last years' experience we know, that in the absence of access to rapid testing or vaccines for the entire agri-community, we can expect that our COVID-19 caseload will only climb.

The vast majority of employers and employees are wanting and trying to do the right thing. However, it only takes a few abusing the system in a pandemic that leads to illness and death. This was and continues to be our experience. Proper monitoring and enforcement are necessary, and government must ensure the public interest when industry is unable or unwilling to address the few players that refuse to abide by legislation.

The authority to address the complicated jurisdictional hierarchy rests with the Government of Canada and the Government of Ontario. We, the undersigned, are calling upon the Prime Minister and Premier to do what we locally do not have the authority to do, and that is to provide direction through the creation of an empowered first point-of-contact for local officials to prevent loss of life and tragic COVID-19 impacts on the greater community in all aspects.

Respectfully signed,

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Warden, County of Essex &
Mayor, Town of Tecumseh

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