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April 16, 2012

Honourable Margaret McDiarmid
Ministry of Labour, Citizens' Services and Open Government
P.O. Box 9068
STN Prov. Gov't.
Victoria, B.C. V8W 2E2

Dear Minister:

Wages for Agricultural Workers

I noted with dismay that your Ministry recently decided not to raise the piece rates for fruit and harvest workers. There is ample evidence that these workers are among the most vulnerable and lowest paid in the entire British Columbia work force. It appears that your Ministry intends that the minimum wages for these workers will be frozen indefinitely.

I have spent considerable time and energy in the past few years examining the position of these workers. Most are minority immigrant women who lack the language and work skills to seek better employment. Most are helping to support families with the meager wages they earn. These workers are technically employees of farm labour contractors who charge farmers a premium for dispatching them on demand to meet temporary needs for labour. Staff in the Employment Standards Branch can supply you with information about the abusive practices of farm labour contractors. In short, these are precisely the category of workers who need the protection of the minimum wage.

Piece work is at best an inadequate substitute for the minimum wages that protect other workers in the province. But if you have decided to retain the practice of piece rate pay for some agricultural workers, then special efforts should be made to ensure that the piece rates at least keep pace with the provincial minimum wages.

I was also concerned that the decision to discriminate against these workers was based on virtually no objective information. Farm labour contractors refused to supply any data. No workers were interviewed, even though they have been available to supply information for other studies. No account was taken of variations in wages due to stages of the harvest.

Continuation of this low wage ghetto in the midst of a period of prosperity in agriculture constitutes a subsidy for farmers and farm labour contractors. If we wish to assist agriculture, there are many methods to use that do not involve exceptionally low wages for the workers who harvest the food we eat and export.

I urge you to reconsider the decision to freeze these piece rates after completion of a thorough study of the earnings harvest workers receive and a commitment to ensure that they receive the same treatment under the law as other low wage workers in British Columbia.

Sincerely,

Mark Thompson
Professor Emeritus

Cc: Hon. Raj Chohan



Ref: 96300

Mr. Mark Thompson
Professor Emeritus
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2053 Main Mall
Vancouver BC V6T 1Z2

Dear Mr. Thompson:

Thank you for your letter of April 16, 2012, regarding wages for agriculture workers and, more specifically, the regulated minimum piece rates applicable to the hand harvesting of certain fruits and vegetables. As the Minister of Labour, Citizens' Services and Open Government, I appreciate you taking the time to articulate your concerns and to provide your expertise.

On May 1, 2011, piece rates were increased in proportion to the increase in the general minimum wage -- by 9.375 per cent. Following that increase, a review on piece rates was undertaken by government, utilizing the expertise of an industry consultant. The consultant's report can be viewed at: www.gov.bc.ca/citz/down/piece_rate_study.pdf

In your letter you express concerns about the level of data obtained by the consultant and reflected in the report as well as certain methodological aspects of the report. It is important to note that the recent decision respecting piece rates was based only in part on the analysis and information provided by the industry consultant. The decision also reflected input received through consultations with industry stakeholders. These stakeholders included both employer and worker representatives. One of the key findings of the review was that, by and large, workers who are paid under the piece rate system earn well above the hourly minimum wage. Given this finding, combined with the fact that employers who face increased labour costs may be forced to lay off workers, government decided that the regulated minimum piece rates will remain unchanged from the current rates (set on May 1, 2011).

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Ministry of
Labour, Citizens' Services
and Open Government

Office of
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As you know the general minimum wage increased to \$10.25 per hour on May, 2012. This was the last of the three scheduled minimum increases. However, government has committed to assessing the minimum wage on a more regular, bi-annual, basis. Please be assured that these assessments will include consideration of further increases to the minimum regulated piece rates.

I hope this information goes some way to addressing your concerns.

Again, thank you for taking the time to write.

Yours truly,



Margaret MacDiarmid

Minister of Labour, Citizens' Services and Open Government