

Human Beings Not for Sale

Labour and Wages as Measures of Human Value: A Look at Canada's Temporary Foreign Worker Program

Rev. Christopher Ferguson, General Secretary of the World Communion of Reformed Churches, a guest and speaker at the Lutheran World Federation's 2016 Council meeting in Lutherstadt Wittenberg, Germany, said this about human beings for sale: at one level or another, we are all for sale; it's simply that some of us are valued higher or lower than others.

One way we value, or de-value, human beings is through work and wages. I was reminded of this as I saw a group of men standing outside a local coffee shop very early one morning. I wondered why they were standing in a group at that time and place. They did not seem to know one another; a group of strangers standing together. Then I looked a little closer and saw they had work clothes and boots on. I realized that these men, mostly men of colour, were probably waiting for someone to come and hire them for the day.

Economic slavery, or wage slavery, is a global occurrence. Across economies, people who work as day labourers, temporary workers, short-term contract workers, contract workers and part-time workers are undervalued, often mistreated, and open to exploitation. Across the world the valuing of humans, based solely upon what work they can provide for the cheapest means possible in order to guarantee higher profit for some, is one way humans beings are for sale.

Under a Government of Canada program, many foreign nationals come to work under the Temporary Foreign Worker (TFW) Program. Begun in 1973, the goal of the program was to ensure that high-skilled foreign nationals could enter Canada, temporarily, to work in job sectors in which employers could not find the needed labourers from within the local population. The program changed over the decades, as the needs of the Canadian economy and labour force changed. In 2002, a low-skilled worker category was added and currently most of the foreign workers in Canada now fall into this category.

The TFW program has its benefits for both employees and employers. Workers have been able to become permanent residents and Canadian citizens. Businesses have been able to find the workers necessary for growth and profit. Unfortunately, however, problems and abuses have arisen for foreign workers and for Canadian workers with the TFW program. The federal government is currently reviewing its program with consultations from migrant workers, from employers and from labour organizations, through the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities.

Mr. Gabriel Allahdua, a farmworker, addressed the Standing Committee, highlighting abuse within the system:

"Thank you. It is very hard for us to speak up when we have a bad employer or if we are not getting our full wages. Imagine how much harder it is when speaking up doesn't just mean losing our job, but it means being forced to leave the country. Imagine how hard it is when your

employer controls your housing and your contract is not enforceable. What is worse is that employers know that, and bad bosses are pushing workers to work harder for less pay."¹

The Canadian Broadcasting Corporation (CBC) has been drawing attention to some of the problems with the TFW program. Senior business writer for the CBC, Susan Noakes, wrote of a Mexican woman who came to work in a fish-packing plant in the province of Ontario in her June 30, 2015 report. Noakes pointed out the vulnerable situation in which many foreign workers find themselves. A Mexican woman, only known as OPT, was subjected to on-going sexual harassment by her employer, who threatened to send her home unless she gave in to his sexual demands. He had taken her passport and had already sent another female employee back to Mexico for refusing his threats. With closed work permits under the TFW program, the employment is tied to the employer. Should the employer terminate the employment, then the worker needs to return to their country of origin.

Noakes reported that the Human Rights Tribunal of Ontario, after 8 years in hearings, would find that both, OPT and the other woman who had been sent home, were exposed to sexual exploitation, sexual harassment and discrimination in employment. OPT was able to stay long enough to get that ruling. Other women employees from Thailand had tried and failed.

Isolation and vulnerability is the reality for many foreign workers. Language barriers (not being able to speak English or French), placement in rural areas, working long hours, being away from family and friends, and very few workers knowing their rights, increases their exposure to abuse and exploitation. Systemic changes are being requested by workers and advocacy groups in the TFW program, two in particular: 1) that workers receive an open work permit, not tying their employment to one employer alone and, 2) that foreign workers are able to apply for permanent residence, giving them access to social benefits, including health care coverage and protection under Canadian law and the Canadian Charter of Rights and Freedoms.

"Disposable workers," is what journalist Desmond Cole called foreign workers in an opinion piece he wrote for the Toronto Star on May 19, 2016. Farmworker, Sheldon McKenzie, came from Jamaica under the Seasonal Agricultural Worker Program (SAWP), which falls under the TFW program. Mr. McKenzie suffered a fatal head injury at his workplace in 2015. Initially, his family was told that he had suffered a stroke. There was a concerted effort by the Jamaican liaison to get him back home for medical care, what is known as "medical repatriation."

Only through the persistence of his Canadian relatives did Sheldon McKenzie receive the medical care he needed in Canada, where his injury occurred. He had already undergone surgery to relieve pressure in his brain, having had parts of it removed, and was in no condition to be put on airplane to Kingston, Jamaica. Only through the persistence of his Canadian relatives did his story come to light. As Cole wrote, "injured workers like McKenzie are of no further use to their bosses, or to Canada, and when their work permits expire, so do their health and Employment Insurance benefits. The SAWP exploits the labour of healthy workers and spits out those who become ill or injured while on the job in Canada."²

These tragic stories, and my reminder of the labourers at the coffee shop, call to mind the parable of the labourers in the vineyard in Matthew 20:1-16. In the parable, a wealthy landowner goes to the market

¹ Coalition for Migrant Worker Rights Canada, www.migrantrights.ca

² Desmond Cole, "The Shame of Our Disposable Workers", Toronto Star, May 19, 2016

to hire workers for his vineyard for the day. He staggers his employment, first going early in the morning, then going back five times in total to collect labourers for the harvest.

As prescribed in Leviticus 19:13 and Deuteronomy 24:15, the landowner makes sure that at the end of the day the labourers are paid their wage. The surprise comes, however, when at the end of the day all the workers get the same daily wage, one denarius. They receive the same pay whether they were hired early in the morning or whether they were the last to get hired. Naturally, the first hired grumble to the landowner, saying his wages are unfair. The landowner says to them, “Am I not allowed to do what I choose with what belongs to me? Or are you envious because I am generous?”

This parable is often interpreted that the landowner is like God and God’s surprising generosity is equally applied to all, whether one was first or whether one came last. Luise Schottroff, the late German feminist theologian, looked at the parable from a social-historical perspective, with ancient Roman economic practices in mind, and offered a different interpretation.

Schottroff, in her book The Parables of Jesus, wrote that a major tenet and value of Roman law prescribed that an owner could dispose of his property whichever way he chose. “For Cicero and many other political theorists of the period the householder’s right to dispose of property, family, slaves, and bequest is the basis of the ideal ordering of a state.”³ Schottroff pointed out that in marked contrast to Roman law, the teaching of the Torah makes the claim that everything belongs to God (Psalm 24:1), thus God, not the landowner, is the true owner of the land.

The day labourers could only rely on the “generosity” of the landowner, which was not always generous. In their already precarious position, the landowner told the first group what their pay would be, but not the others, only that he would pay them what was “right.” However, the usual daily wage was not enough to make ends meet and day labourers then, as now, lived hand to mouth.

To add insult to injury, under Roman occupation and rule in the first century, very many ordinary people lost their land through debt that they could not repay. For Rome, planting vineyards was more lucrative business for its expanding empire – wine brought in higher profits. These vineyards were planted on land that was previously the source of life for families and was an open wound for ordinary people squeezed by Roman economics.⁴

Schottroff saw Jesus’ parables as fundamental critiques of the Roman Empire. She made the case that this parable was comparative and antithetical. She did not equate God’s kingdom with the attitude of the landowner and his generosity, but instead sought to compare it. The landowner is really not that generous when taken into context. One denarius at the end of the day was a meagre wage for most farm labourers who had families to support. The landowner pays what he has agreed to and not a coin more. He does not hire them on permanently, he does not increase their wage, he tells them to be satisfied with what they receive. Again, the landowner can do whatever he chooses.

But there is more to the story. In the last verse (Matthew 20: 16), Jesus provides an eschatological interpretation to the parable: “So the last will be first and the first will be last.” Jesus is speaking of a great reversal, a turning upside down of the way humans order their affairs, and a re-ordering of what God desires for the world.

³ Luise Schottroff, The Parables of Jesus, Fortress Press, Minneapolis, 2006, p.210

⁴ Ibid, p. 210

God is not like the wealthy landowner described in the parable, who only gives what is required of him. God is so much more and God's generosity is so much greater. Throughout Matthew's gospel, Jesus throws light on the ordinary person's suffering and gives them confidence in God who hears their cries and does not abandon them. Jesus parables offered hope to people who suffered and presented a challenge to people who benefitted from such suffering, naming and overturning unjust systems where some are counted as more, or less, valuable.

Our worth is measured, not by the work we do, though we find merit and meaning in our work, nor by the wages we receive, though to be paid a decent, living wage is essential in our moneyed economies. Our worth, no matter where we find ourselves, no matter what we do, is found in the divine image which we bear as God's own beloved. We belong to the Lord, as does the earth and all that is in it.

The church's task is to continue to proclaim the inherent worth and dignity of each human being and confront systems that place human beings up for any type of sale. In Canada, KAIROS: Canadian Ecumenical Justice Initiatives is an organization made up of eleven member churches and religious groups. The Evangelical Lutheran Church in Canada is a member and participates in the work of KAIROS - which advocates on behalf of ecological justice and human rights.

KAIROS submitted its own review this year to the Standing Committee on the TFW program. KAIROS' main concern is that the voices of migrant workers be listened to and included in the process and has submitted recommendations to the Standing Committee. These recommendations are based on community consultations with migrant workers, advocacy organizations, faith groups, and labour organizations. "We trust that the Standing Committee will accept these recommendations as an opportunity to demonstrate that, as Canadians, we are welcoming and compassionate defenders of human rights."⁵

As the body of Christ, we are baptized into a calling to "...proclaim Christ through word and deed, care for others and the world God made, and work for justice and peace."⁶ Continually re-formed and re-shaped by the Spirit, we advocate for change within our own structures, so that all human beings are valued as precious, honoured and loved in God's sight.

In the KAIROS Temporary Foreign Worker Program Review, there was a significant quote from a farmer in South Western Ontario who said, "We asked for workers and got people."⁷

People. Made in the image of God. "God's kingdom comes when life in the land may be blessed. When everyone – the unfree, women, foreigners – has a share in that blessing."⁸ People. Redeemed by a good and overwhelmingly generous God.

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⁵ Temporary Foreign Worker Program Review, May 31, 2016, www.kairoscanada.org

⁶ Holy Baptism, Evangelical Lutheran Worship, Augsburg Fortress, Minneapolis, 2006, p.228

⁷ Temporary Foreign Worker Program Review, May 31, 2016, www.kairoscanada.org

⁸ Luise Schottroff, The Parables of Jesus, Fortress Press, Minneapolis, 2006, p. 216