Migrant Worker Guide

Agricultural Stream
Is this booklet for you?

This guide is **only** for people in the **agricultural stream** of the Temporary Foreign Worker Program in **Ontario**.

There are also guides for the Seasonal Agricultural Worker Program (SAWP), low and high-skilled, and caregiver streams. Download them at [www.migrantworkerguide.ca](http://www.migrantworkerguide.ca).

If you are not sure what stream you are in, contact a community legal clinic, community agency, or a workers’ advocacy organization.

This guide covers some of the key issues that affect migrant workers as of our publishing date in 2015. It explains the laws, but it is not legal advice. **We recommended** that you get more information and help for your own situation.

View this guide on the web or download a PDF at [www.migrantworkerguide.ca](http://www.migrantworkerguide.ca).
In this Guide:

KNOWING YOUR RIGHTS .............................................................................................................. 8

What can I do if I have a problem with my employer? ............ 9

What should I do if I want to change employers? ................. 10

Can my employer take my passport or identity documents? .......................................................... 11

What rights do I have if my employer fires me or lays me off? ....................................................................... 12

Are recruiters and employers allowed to charge me recruitment or administration fees? ........................................ 13

What can I do if I have been harassed or discriminated against? .............................................................................. 15

Am I allowed to join a union or participate in collective bargaining? .......................................................... 16

What is human trafficking? ................................................................................................... 17

What should I do if I have been trafficked? .............................................................. 18

WORK PERMITS & IMMIGRATION .................................................................................. 19

Do I pay for my travel to Canada? .............................................................. 20

Can I work for an employer that is not listed on my work permit? .......................................................... 20
How can I renew my work permit? .................................................. 20
Can I study as well as work in Canada? ........................................ 21
Can I apply for permanent residence? ........................................... 22

WORK CONDITIONS & BENEFITS .................................................. 23

Do I need to sign a contract? ......................................................... 24
Do I have the right to keep a copy of my contract? ...................... 24
How much should I get paid? ....................................................... 24
How do I get paid? ...................................................................... 25
How often should I be paid? ......................................................... 25
What is taken out of my pay? ......................................................... 26
What is my employer not allowed to take out of my pay? ... 27
How many hours a day am I expected to work? ....................... 27
How much time off should I get? ............................................... 28
Am I entitled to vacation time, vacation pay, or holiday pay? ................................................................. 28
How do I file my taxes? ............................................................. 29
What is Employment Insurance (EI) and how can I apply? .... 30
Am I eligible for Ontario Works (welfare)? ............................... 32
HEALTH

What healthcare coverage do I have? .................................................. 34
Where can I get medical help? ................................................................. 36
Can I get medical help in my own language? .................................. 38
What can I do to take care of my mental health? ......................... 38
What can I do if I become pregnant? ........................................... 40
What can I do if I am in an abusive relationship? .................... 43

WORKPLACE HEALTH & SAFETY ........................................................... 45

Should I receive health and safety training? .................................. 46
10 questions to ask your employer about health and safety .................. 46
What are my rights and duties as a worker? .............................. 47
Can I say no to unsafe work? ................................................................. 48
What safety precautions can I take when working on a farm? .......................................................... 49
How can I protect myself from pesticides? ........................................ 50
How can I protect my eyes? ................................................................. 53
How can I stay safe in the heat? ............................................................... 54
What can I do if I get hurt at work or something has made me sick? ........................................................................... 55
EVERYDAY LIFE ...................................................................................................... 58

What type of housing should I receive? ........................................... 59

What should I do if I have a problem with my housing? ...... 59

What rights do I have with the police? ............................................. 60

What rights do I have with the Canadian Border Services Agency? ........................................................................ 61

What services are available to me? .................................................. 62

How can I find faith or community groups in my area? ...... 64

What are my transportation options? ................................................. 64

How do I open a bank account? .......................................................... 65

What is the phone system like in Canada? ..................................... 66

How can I send mail from Canada? .................................................. 67

CHECKLISTS & RESOURCES .............................................................................. 68

First day checklist ...................................................................................... 69

Resources ........................................................................................................ 70
KNOWING YOUR RIGHTS
What can I do if I have a problem with my employer?

If you have a problem with your employer, contact:

- a community agency
- a workers’ advocacy organization
- a community legal clinic
- the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194

If you think your employer may have broken an employment law, or if you want to file a claim, phone the Ontario Ministry of Labour Employment Standards Information Centre toll-free at 1-800-531-5551.

When you call, say the name of your language in English (for example “Spanish”). Then you can speak to an interpreter in your language.

The ministry has information on workers’ rights on its website. You can also find this information on Settlement.Org.

Filing a claim

If your employer has not paid you all the wages you have earned, or if they are not following employment laws in other ways, you can file a claim. Find out how to do this on the Ministry of Labour website or a ServiceOntario centre.

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1 Community agencies: www.findlink.at/services
2 Community legal clinics: www.findlink.at/lao
3 Ministry of Labour: www.findlink.at/mol
4 Filing a claim with the Ministry of Labour: www.findlink.at/molclaim
5 ServiceOntario centres: www.findlink.at/sc-loca
Health and safety problems

If you have questions about workplace health and safety or if you want to report a problem, phone the Ministry of Labour Health and Safety Contact Centre toll-free at 1-877-202-0008.

You can speak to an interpreter on this phone line.

If your life is in danger, call 9-1-1.

What should I do if I want to change employers?

You are allowed to change jobs, but there are important things you need to be aware of if you want to do this.

Changing jobs can be a complex process. You may want to get help if you decide to do this.

If you have a valid work permit, you are allowed to stay in Canada until your work permit expires.

Work permits typically identify the specific employer that you are allowed to work for.

If your work permit identifies the employer you can work for, you can change jobs but you first need a new work permit that allows you to work for that new employer.

**TIP:**

Keep records that will help you to prove your case if you make a legal claim against your employer:

- the hours you have worked
- when you had breaks
- your wages
- any times you feel you have been treated unfairly
If you want to switch employers:

- Your new employer must have a positive Labour Market Impact Assessment (LMIA).
- You will have to look for a new job. The government of Canada’s Job Bank website[^6] can be a good place to look for jobs that might be eligible for a positive LMIA.
- You will need to apply to have your work permit changed to the new employer.

Some employers try to intimidate workers who look for other jobs. For instance, they might threaten to fire them or send them back to their home country. This is not legal. If this happens to you, contact a community agency[^7], workers’ advocacy organization, a community legal clinic[^8], or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.

**Note:** If you have an open work permit, you can work for any employer and switch employers at any time.

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**Can my employer take my passport or identity documents?**

No. It is illegal for your employer to take your passport or other identity documents from you. Some migrant workers decide to give their passports to their employers to keep them safe.

[^6]: Job Bank website: www.findlink.at/jobbank
[^7]: Community agencies: www.findlink.at/services
[^8]: Community legal clinics: www.findlink.at/lao
If you decide to do this, your employer should still return your documents to you when you ask for them. You should ask someone to store your documents for you only if you trust that person and if you can access them easily at any time.

What rights do I have if my employer fires me or lays me off?

If you lose your job before your contract ends, get advice from a community legal clinic, community agency, workers’ advocacy organization, or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.

If you have been employed for 3 months in a row or more, your employer must give you:

- advance written notice, or
- pay instead of notice, or
- a combination of both

The amount of notice or pay is set out in the Employment Standards Act. It depends on how long you have been employed by the employer.

These rules do not apply if your employer fires you because they claim to have “just cause” (they are blaming you for misconduct).

Your employer is not allowed to fire you because you:

- Complained about health and safety violations.
- Refused to do unsafe work.
- Reported them to the Ministry of Labour.

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9 Community legal clinics: www.findlink.at/lao
10 Community agencies: www.findlink.at/services
This is considered **reprisal** under the Occupational Health and Safety Act (OHSA). If you have been let go for these reasons, contact the Office of the Worker Adviser (OWA), or the Toronto Workers’ Health & Safety Legal Clinic. They can help you to file a complaint with the Ontario Labour Relations Board.

When you stop working for your employer, they must give you a **Record of Employment (ROE)**. This is an important document because it includes information on your hours worked and why you were let go. You need this information when you file taxes and if you apply for Employment Insurance benefits. Keep your ROE in a safe place.

If your employer does not give you an ROE, call Service Canada for help toll-free at 1-800-622-6232.

You can still look for work with a different employer. Read: **What should I do if I want to change employers?**

### Are recruiters and employers allowed to charge me recruitment or administration fees?

In Ontario, it is illegal for recruiters or employers to charge for services such as:

- help finding a job (recruitment fees)
- LMIA applications

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11 Community legal clinics: [www.findlink.at/lao](http://www.findlink.at/lao)
12 Office of the Worker Advisor: [www.findlink.at/OWA](http://www.findlink.at/OWA)
13 Toronto Workers’ Health & Safety Legal Clinic: [www.findlink.at/workersafe](http://www.findlink.at/workersafe)
• interview preparation
• resume help
• first-aid training
• help finding accommodation

If you have been charged fees, get help from a community legal clinic,\textsuperscript{14} community agency\textsuperscript{15}, workers’ advocacy organization, or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.

Filing a claim for illegal fees

Starting November 20, 2015 agricultural workers will be able to file claims to the Ministry of Labour under the \textit{Employment Protection for Foreign Nationals Act}. Here are some of the steps involved:

1. Collect supporting documents for your claim such as copies of contracts, receipts, or employment records.

2. If you feel safe doing so, write a letter to your employer or recruiter asking them to return the money you paid by a specific date. If you are not comfortable doing this, you can still file a claim with the ministry after November 20, 2015.

3. Make a complaint to the Ministry of Labour. You can do this up to 3 \( \frac{1}{2} \) years after you paid the fees. Call the Ministry of Labour’s Employment Standards Information Centre toll-free at 1-800-531-5551 for advice on how to file a claim.
What can I do if I have been harassed or discriminated against?

The Canadian Human Rights Act and the Ontario Human Rights Code prohibit actions or words that are unwelcome or hostile and linked to grounds such as race, sex, citizenship, and place of origin.

If you are experiencing discrimination or harassment, contact a community agency, workers’ advocacy organization, community legal clinic, or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.

If you are in immediate danger, call 9-1-1 for help. If you do not feel like you are in immediate danger but still need help or advice, you can call your local police non-emergency phone number.

If it is safe to do so, confront the person who has harassed or discriminated against you and tell them to stop. If it continues, keep a written record of what happened – names, dates, times, and places. This will help you show that there has been a pattern of harassment or discrimination.

If you want to make a complaint to the Human Rights Tribunal of Ontario or the Canadian Human Rights Commission, contact the Human Rights Legal Support Centre (HRLSC) for free legal advice and support toll-free at 1-866-625-5179.

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14 Community legal clinics: www.findlink.at/lao
15 Community agencies: www.findlink.at/services
16 Community agencies: www.findlink.at/services
17 Community legal clinics: www.findlink.at/lao
18 Ontario Police College: www.findlink.at/onpolice
19 Human Rights Tribunal of Ontario: www.findlink.at/hrto
20 Canadian Human Rights Commission: www.findlink.at/chrc
21 Human Rights Legal Support Centre: www.findlink.at/hrlsc
OHSA workplace harassment and workplace violence protections

Workplace harassment or violence is not always linked to one of the grounds in the Canadian Human Rights Act or the Ontario Human Rights Code. However, you may still be protected by the Occupational Health and Safety Act.

Under this law, your workplace must have policies and programs to protect workers from violence and harassment. If you think that your employer is not respecting these laws, you can complain to the Occupational Health and Safety Contact Centre, toll-free at 1-877-202-0008.

If you wish, you can remain anonymous. You can speak to someone in your own language.

If you feel that you are in danger of workplace violence, you have the right to refuse to work. Learn more in the section of this booklet called Can I say no to unsafe work?

Am I allowed to join a union or participate in collective bargaining?

In Ontario, you can join or form an employee association. Being a part of an association can make it easier to assert your rights if your employer has treated you unfairly.

The largest association of farm workers in Canada is the Agriculture Workers Alliance (AWA). They help with issues of employment, health and safety, claims for injured workers, Employment Insurance, income tax, and translation.

22 Agriculture Workers Alliance: www.findlink.at/awa
AWA centers are open seasonally in Leamington, Simcoe, Bradford, and Niagara. If you are in other areas, you can call AWA toll-free at 1-877-778-7565 or the emergency line at 416-579-9232.

What is human trafficking?

Human trafficking is when someone is recruited, transported, transferred, or held for the purpose of exploitation. This can happen within the same country or across international borders.

Human trafficking can happen to women or men, girls or boys. It can involve forced labour, sexual exploitation, forced marriage, and organ removal.

Signs that you may be a victim of human trafficking

- You are not doing the job you were promised.
- You were promised a job and, when you came to Canada, you found out that it did not exist.
- You are working very long and/or unusual hours or are forced to be available to work all the time.
- You are restricted on what you can do or where you can go.
- You receive very little or no pay for your work.
- Your passport and other identity documents have been taken away from you.
- Your employer or recruiter has threatened you or your family.
- You owe a large or increasing debt to recruiters or your employer and you are unable to pay it off.

Most victims of human trafficking experience more than one of these conditions.

23 Agriculture Workers Alliance centres: www.findlink.at/awacentres
What should I do if I have been trafficked?

How to get help if you think you have been trafficked:

- Get help and support from the Chrysalis Network\(^{24}\) toll-free at 1-866-528-7109.
- Contact the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.
- Call Crime Stoppers\(^{25}\) toll-free at 1-800-222-8477.

**IMPORTANT:**
If you are in immediate danger call 9-1-1

You can also contact a community legal clinic,\(^{26}\) community agency,\(^{27}\) or workers’ advocacy organization for help.

Temporary resident permits

Victims of human trafficking can apply for a temporary resident permit (TRP).\(^{28}\) This permit is valid for 180 days and can be renewed. You can make an appointment at a Citizenship and Immigration Canada (CIC)\(^{29}\) office to apply for this permit. CIC officials will interview you to decide if you are eligible. Generally, your application is more likely to be successful if it includes a police report. There is no application fee if you are a victim of trafficking. You do not have to testify against your trafficker in order to get help or to apply for a temporary resident permit. Applying for a temporary resident permit can be a complex process. It is a good idea to get help with your application.

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\(^{24}\) Chrysalis Network: www.findlink.at/Chrysalis
\(^{25}\) Crime Stoppers: www.findlink.at/stoppers
\(^{26}\) Community legal clinics: www.findlink.at/lao
\(^{27}\) Community agencies: www.findlink.at/services
\(^{28}\) Temporary resident permit: www.findlink.at/trp
\(^{29}\) Citizenship and Immigration Canada offices: www.findlink.at/cicoffices
WORK PERMITS & IMMIGRATION
Do I pay for my travel to Canada?

No. Your employer is responsible for paying for your travel to and from your home country and Canada.

If you are already in Canada, your employer must pay for your travel to your new place of employment and for your travel back to your home country.

Can I work for an employer that is not listed on my work permit?

You can only work for the employer that is listed on your work permit.

If you would like to change employers, see What should I do if I want to change employers?

How can I renew my work permit?

You can renew your work permit on the Citizenship and Immigration Canada website\(^\text{30}\) if your employer has a positive LMIA. It costs $155 to renew a work permit if you apply before it has expired. If you have not received your work permit extension, but you have applied before your permit expires, you can keep working under the same conditions as your last permit. This is called “implied status.”

If your work permit has expired, you can apply to restore the status of your work permit within 90 days after it expired.

\(^{30}\) Citizenship and Immigration Canada (CIC) renewal application: www.findlink.at/cicrenew
This costs a total of $355 – $200 as a “restoration fee” to have your status restored plus $155 for a new work permit. You will need to submit your employer’s Labour Market Impact Assessment (LMIA) with your application. If your work permit has expired and you applied for a new one after the expiration date, you cannot work legally until you receive your restored work permit.

It is much faster to apply to renew your work permit online than by mail.

**IMPORTANT:**
You can renew your work permit by yourself or with the help of a community agency, workers’ advocacy organization, or a community legal clinic. Some recruiters may tell you that renewing a work permit costs a lot more than it does and that you cannot do it yourself. The price of renewing a work permit is currently $155 (plus a $200 restoration fee if you are applying after your work permit expired) and any changes will be posted on the Citizenship and Immigration Canada website.

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**Can I study as well as work in Canada?**

You can only take non-credit courses that last fewer than 6 months. You cannot take academic, professional, or vocational courses that lead to a diploma or degree without a study permit.

However, you can take online courses without a study permit. Learn more about applying for a study permit on the Citizenship and Immigration Canada website.

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31 Community agencies: www.findlink.at/services
32 Community legal clinics: www.findlink.at/lao
33 Citizenship and Immigration Canada (CIC) renewal application: www.findlink.at/cicrenew
34 Citizenship and Immigration Canada work and study permit application: www.findlink.at/applywp
Can I apply for permanent residence?

Depending on the type of work you have been doing, your experience in the Temporary Foreign Worker Program may or may not help you to get permanent residence in Canada.

Under the Agricultural Stream, typically only workers in managerial, professional, or skilled occupations may be eligible for federal or provincial immigration programs.

You can learn more about Canada’s immigration programs on the Citizenship and Immigration Canada (CIC) website or on Settlement.Org.

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35 Citizenship and Immigration Canada – come to Canada page: www.findlink.at/cicfswtest
Do I need to sign a contract?

Yes, to get your work permit you must sign a contract.

Do I have the right to keep a copy of my contract?

Yes. If you do not have a copy, ask your employer for one.

Some employers do not give their employees a copy of their contract. If you have asked for one and your employer refuses to give it to you, ask for help at a community legal clinic, community agency, workers’ advocacy organization, or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.

How much should I get paid?

You should get the going wage for work in your occupation. Employers cannot pay migrant workers less than other workers performing similar duties with similar experience.

The going or “prevailing” wage is different across the province. To find out more about the prevailing wage for your occupation, go to Jobbank.gc.ca and enter the name of the main task you are doing. For example you can enter “apple picker” or “general farm worker” and search the location. The report shows you the “median” wage for the type of work you are doing.

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36 Community legal clinics: www.findlink.at/lao
37 Community agencies: www.findlink.at/services
38 Job Bank wage search: www.findlink.at/JBwages
Many people who work in agriculture are paid at least minimum wage, which is $11.25 an hour. Any increases to minimum wage will come into place October 1 of each year. However, if you do tasks like planting crops and raising animals, you are considered a “farm employee” and are not covered by Ontario’s minimum wage law. Nonetheless, because of the prevailing wage rule, migrant workers in these positions typically make at least $11.25 an hour.

**Piecework**

If you are being paid at a piecework rate, the piecework rate must be at a level so that with reasonable effort you can earn at least minimum wage. You may want to keep a record of how much piecework you have done to make sure that you are paid the right amount.

**How do I get paid?**

Your employer can pay you in cash, by cheque, or by direct deposit into your bank account. If you have direct deposit, the bank account must be in your name. No one else can have access to your bank account unless you allow it.

**How often should I be paid?**

It is up to the employer to decide how often they will pay you, but it has to be a regular schedule. In Ontario, it is common to get paid every 2 weeks or every month.

Your employer should give you a paper or electronic statement (paystub). This explains your wages every time you get paid. It states what dates the pay covers, how many hours you worked, your rate of pay, and anything that has been taken off (deducted from) your wages.
IMPORTANT:
If you feel that your employer is not paying you the wages you have earned, you should call the Ministry of Labour toll-free at 1-800-531-5551 or a community legal clinic.

After your job ends, you must get 1 final pay for anything still owing to you. This must be paid either on the next scheduled payday or after 7 days. Learn more from the Ministry of Labour.

What is taken out of my pay?

Your electronic or paper paystub must show all money your employer is taking off or deducting from your wages.

Common deductions include:

- Income tax – the provincial and federal government taxes based on your income
- Canada Pension Plan (CPP) – a monthly benefit workers contribute to and collect when they are seniors
- Employment Insurance (EI) – contributions for temporary financial help you may be able to get if you lose your job

You must contribute to Employment Insurance and the Canadian Pension Plan, even if you don’t use these programs.

Accommodation costs

Generally, your employer can deduct $30 a week from your wages for accommodation. If your position is considered high-skilled and you are provided with accommodation off the farm, up to 30% of your monthly earnings could be deducted for housing costs.

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39 Ministry of Labour – payment of wages page: www.findlink.at/wagepay
40 Ministry of Labour – contact information: www.findlink.at/molcontact
41 Community legal clinics: www.findlink.at/lao
What is my employer not allowed to take out of my pay?

Your employer cannot deduct management or recruitment fees from your wages. It is their responsibility to pay the costs related to hiring you and helping you settle in Canada.

Employers cannot deduct wages for uniforms unless you have given your employer written permission to do this.

Even though it is not allowed, some employers make illegal deductions. If your employer has done this, get help from a community legal clinic, community agency, or workers’ advocacy organization to file a claim with the Ministry of Labour.

How many hours a day am I expected to work?

Your hours of work are outlined in your contract. Many agricultural workers work 8 to 12 hours a day. Your employer should pay you overtime if it is stipulated in your contract. If your contract does not include overtime pay, you will receive your regular pay for any hours worked.

Even though it is not allowed, some migrant workers are asked to work extra hours for which they are not paid. Because of this problem, it is a good idea to keep notes of how many hours you work each day. This record will help you in case you have a conflict with your employer.

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42 Community legal clinics: www.findlink.at/lao
43 Community agencies: www.findlink.at/services
How much time off should I get?

You are entitled to any breaks and time off that is written in your contract.

Am I entitled to vacation time, vacation pay, or holiday pay?

Your vacation time and pay are different depending on the type of work you spend most of your time doing and how long you have done it.

Farm workers

If you spend most of your time planting, pruning, or taking care of livestock, you are considered a farm worker. You are not entitled to vacation time, vacation pay, or public holiday pay.

Harvesters

If you bring in crops such as fruit, vegetables, or tobacco, you are considered a harvester. If you have worked for your employer for at least 13 weeks, you should receive at least an extra 4% of your wages in vacation pay. Harvesters who have worked for 13 weeks are also entitled to extra pay or a day off on public holidays. If you are required to work on a public holiday you should be paid extra or get another day off instead.


Ministry of Labour public holidays page: www.findlink.at/holidaypay
How do I file my taxes?

If you owe money in taxes or if you want to receive a tax refund, you will have to file your taxes. If you are eligible to apply for permanent residency, filing your taxes is especially important.

Filing taxes can be complicated. You can get help with filing your taxes from a community agency. You can also call the Canada Revenue Agency (CRA) if you have questions toll-free at 1-800-959-8981.

Low-income people who have fairly simple tax returns can visit a free tax clinic. Many of these clinics are open only from February to April, but some are open year round. If you can afford it, another option is to get help from a private tax company.

To file your taxes you will need:

- **A T4 slip**: A T4 slip is a statement of all the money you have earned in a year for one employer. Your employer or employers should send your T4 slip to you by the end of February.

**DID YOU KNOW?**

Being a resident for tax purposes is not the same as being a resident for immigration purposes. A resident for tax purposes just means that you have lived and worked in Canada, even if you do not have permanent residence status.

Filing your taxes for the first time

If this is your first time filing taxes in Canada, you must file them by mail. **Exception**: If the Canada Revenue Agency has your birthdate on file, you may be able to file online.

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45 Community agencies: [www.findlink.at/services](http://www.findlink.at/services)

46 Canada Revenue Agency: [www.findlink.at/cra](http://www.findlink.at/cra)

47 Volunteer tax preparation clinics: [www.findlink.at/taxclinic](http://www.findlink.at/taxclinic)
To file a paper application:

- Pick up tax forms at your local post office or tax services office.
- Download tax forms from the CRA website and
- Mail them to the Canada Revenue Agency or bring them to a tax services office.

Filing your taxes in the following years

You can file your taxes by mail or online. Your taxes will be processed much faster if you file them online. To file your taxes online, use NETFILE. This is a tax-filing program from the Canada Revenue Agency. You, or the person helping you, must use software that is NETFILE-certified. This means that the CRA has checked and approved the software.

What is Employment Insurance (EI) and how can I apply?

Employment Insurance (EI) is temporary financial help for people who:

- Have lost their jobs.
- Cannot work because of sickness, childbirth, or parenting.
- Cannot work because they are taking care of someone who is dying.
- Are taking unpaid job-protected leaves of absence.
You and your employer both pay into Employment Insurance while you are working. Migrant workers must meet the same eligibility requirements as Canadian workers.

**Employment insurance if you lose your job (regular benefits)**

You may be eligible to collect Employment Insurance benefits if you worked long enough before you lost your job. The number of hours you have to work depends on where you live in Ontario. Look up the hours you have to work using your postal code. You cannot receive EI benefits from outside Canada.

You can apply for EI in two ways:

- Visit a Service Canada centre within 4 weeks of your last day of work.
- Apply online.

You will need to provide:

- proof of your address
- your mother’s last name before marriage
- your Social Insurance Number (SIN)
- information about your job
- your banking information
- your work permit

You can apply even if you have not yet received your Record of Employment.

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48 Canada Revenue Agency – tax offices: www.findlink.at/cra-office
49 Canada Revenue Agency T4 form: www.findlink.at/cra-t4
50 Canada Revenue Agency – tax offices: www.findlink.at/cra-office
51 Canada Revenue Agency – Netfile: www.findlink.at/netfile
52 Ministry of Labour – leaves of absence: www.findlink.at/leaves
53 EI economic regions: www.findlink.at/eihours
54 Employment Insurance application: www.findlink.at/ei-app
Special Benefits

Special benefits provide temporary financial help to people in specific situations where they are not working. Each type of benefit has different eligibility criteria and application processes. You can receive maternity, parental, and compassionate-care benefits in your own country. However, you need to be in Canada to receive sickness benefits.

Maternity Benefits: Eligible mothers who can receive benefits for up to 15 weeks. This time off needs to be taken between the 8 weeks before a baby is expected and 17 weeks after the baby is born.

Parental benefits: Either parent can receive benefits for up to 35 weeks within 52 weeks of the child being born or adopted.

Compassionate care benefits: Eligible individuals who have a family member who is at risk of dying within 26 weeks can receive benefits for up to 6 weeks so they can take care of that person.

Sickness benefits: Eligible individuals who cannot work because they are sick can receive benefits for up to 15 weeks. You can get more information about EI by calling toll-free at 1-800-206-7218 or visiting the Service Canada website.

Am I eligible for Ontario Works (welfare)?

No, if you are on a temporary work permit you are not eligible for Ontario Works. If you lose your job you may be eligible for Employment Insurance (EI).

55 EI reconsideration process: www.findlink.at/eisite
56 EI economic regions: www.findlink.at/eihours
What healthcare coverage do I have?

You should receive healthcare coverage while you are working in Canada. Your employer is responsible for providing you with private health insurance for your first 3 months in Canada. After 3 months you are eligible to be covered by the Ontario Health Insurance Plan (OHIP).

First 3 months: private health insurance

During your first 3 months in Canada, your employer is responsible for providing you with private health insurance until you are eligible for OHIP. They are not allowed to charge you for this.

**TIP:**
You should ask for the information about your private insurance as soon as you arrive in Canada. Do not wait until you get sick to get information about your insurance. Private insurance often has exceptions. For example, some insurance does not cover pregnancy-related costs or pre-existing conditions. It is a good idea to become familiar with what is covered by your insurance.

If you need to see a doctor or get medicine while you are covered by private insurance, you will either have to pay upfront and get reimbursed later or your insurance will get charged directly. If you have to pay for your medical services or medicine, you will need to fill out a form and submit it either online or by mail. Make sure to keep your receipts as you may need to submit them with your claim or you could be asked to provide them at a later date.

Even though your employer has an obligation to provide you with private insurance, sometimes they do not do this. If you are in this situation, get help from a community legal clinic, community agency, workers’ advocacy organization, or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.
After 3 months:  
Ontario Health Insurance Plan (OHIP) coverage

Generally, migrant workers are eligible for Ontario’s Health Insurance Plan (OHIP). You can apply for OHIP at a ServiceOntario centre. You must bring some documentation with you including your work permit, passport, and proof that you live in Ontario. You will not be eligible to receive OHIP until you have been in Ontario for 3 months, but you can apply in advance.

If you receive medical services before you have applied for OHIP, you will have to pay. However, if you show proof later that you were eligible for OHIP coverage during that time, even if you hadn’t registered, the medical provider should give you a refund.

When you apply for OHIP, you may be asked to provide a letter from your employer or a contract showing that you are working full time in Ontario for at least 6 months and indicating what type of work you are doing.

If your work permit includes your employer’s name, your occupation in Canada, and the length of your employment in Ontario (this must be at least 6 months), you do not need to provide a letter or contract.

If you are not given OHIP coverage when you apply you may want to consider getting help from a community agency, workers’ advocacy organization, or community legal clinic.

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57 Community legal clinics: www.findlink.at/lao  
58 Community agencies: www.findlink.at/services  
59 Settlement.Org OHIP article: www.findlink.at/OHIParticle  
60 ServiceOntario location finder: www.findlink.at/sc-locator  
61 Settlement.Org article – OHIP documents: www.findlink.at/OHIPdocs  
62 Community agencies: www.findlink.at/services  
63 Community legal clinics: www.findlink.at/lao
You can also ask that this decision be reviewed by the OHIP Eligibility Review Committee (OERC) by making the request in writing. You can either mail or fax your request to the OHIP OERC at:

**OHIP Eligibility Review Committee Ministry of Health and Long-Term Care**
1055 Princess Street
PO Box 168
Kingston, ON
K7L 5T3
Fax: 613-548-6557

**Where can I get medical help?**

**In a medical emergency, call 9-1-1**

If it not an emergency, here are some examples of medical services you can go to. Many offer interpretation or health information in your first language.

**Family doctors**

Family doctors provide general medical help and referrals to specialists. There is a shortage of family doctors in some parts of Ontario, so look at other options as well. If you want to look for a family doctor you can call the College of Physicians and Surgeons of Ontario toll-free at 1-800-268-7096 or search online.65

64 Health number release form: www.findlink.at/release
65 College of Physicians and Surgeons of Ontario directory: www.findlink.at/drsearch
Walk-in medical clinics

Most communities have walk-in clinics. You can see a doctor or a nurse without making an appointment. You might not be able to see the same doctor every time. You may need to wait if there are other patients ahead of you. Bring your OHIP card or proof of insurance with you if you can.

Community Health Centers (CHC)

Community Health Centres\(^{66}\) have a range of professionals such as doctors, nurses, and nurse practitioners. Some serve people without OHIP or other health insurance. However, CHCs are not available in every community in Ontario. You can find out where CHCs are located on the Association of Ontario Health Centres website\(^{67}\) or by calling them at 416-236-2539.

Telehealth Ontario

Telehealth Ontario\(^{68}\) is a phone service where you can speak with a registered nurse 24 hours a day, 7 days a week. It is free and confidential. You can speak to someone in your own language through a translation service. You can use this service even if you do not have OHIP or private insurance. Call toll-free at 1-866-797-0000.

Hospitals

Visit a hospital if you need urgent medical care. Bring your OHIP card and any private insurance information with you. Hospitals will help anybody in an emergency even if they do not have health coverage, but they are expensive if you are not insured. If it is a work-related injury, the hospital should bill the Workplace Safety Insurance Board (WSIB) on your behalf.

\(^{66}\) Settlement.Org Community Health Centres article: www.findlink.at/chcarticle
\(^{67}\) Association of Ontario health centres map: www.findlink.at/chcmap
\(^{68}\) Telehealth Ontario: www.findlink.at/telehealth
**Medical services in your community**

Call 2-1-1, visit the 211 website\(^{69}\) or look in the phone book to find medical services in your community.

**Can I get medical help in my own language?**

Many hospitals and health clinics provide telephone access to an interpreter. Other healthcare services have staff or volunteers who speak different languages. You can find out more about healthcare interpreters in the Working with Your Professional Interpreter Guide.\(^{70}\)

**What can I do to take care of my mental health?**

Living and working in another country can be difficult. You are away from your friends and family. The culture and language may be new to you. You may be working long hours. All these things can cause feelings of loneliness, frustration, and anxiety.

Here are some things you can do to take care of yourself:

- Eat a healthy diet and foods that you enjoy.
- Include physical activities in your day that are not related to work.
- Have a regular sleep routine.
- Do things you enjoy when you are not working.
- Learn something new.

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\(^{69}\) 211 Ontario: www.findlink.at/211

\(^{70}\) Working with Your Professional Interpreter Guide: www.findlink.at/interguide
• Stay in touch with your family and friends back home.
• Make new friends and find people you can talk to.
• Find a community that shares your faith.
• Join a community group or sports team.
• Limit alcohol, cigarettes, and other unhealthy ways of coping.

Asking for help

It is normal to have good days and bad days. But you may want to get help if you often have these problems:

• not being able to sleep
• having trouble concentrating
• feeling hopeless
• using drugs or alcohol as a way to cope
• having thoughts about harming yourself or committing suicide

To talk to someone or find mental health services in your community, call the Ontario Mental Health Helpline\(^\text{71}\) toll-free at 1-866-531-2600. It is free and confidential.

If you want to talk to someone in your language, simply say the name of your language in English (for example, “Spanish”) and you will be connected with an interpreter. You do not need OHIP coverage. You do not have to give any information about yourself to use this service.

\(^\text{71}\) Ontario Mental Health Helpline: www.findlink.at/mhhelpine
Others who can help include your doctor, your faith group, local community agencies,72 and Community Health Centres.73 You can also call a distress centre74 at 416-408-4357. Distress centres provide help for people who need emotional support. You can talk to somebody in your language through an interpreter.

What can I do if I become pregnant?

Getting pregnant in another country can be a stressful experience. There are many things to think about including your access to healthcare, your social support system, and your job situation. It is easier to handle difficult situations when you are not alone. You may wish to contact a community agency75 or workers’ advocacy organization for help.

Your options

If you did not plan to get pregnant, you generally have 3 options:

- Raise the child.
- Place the baby up for adoption (giving somebody else the legal right and responsibility to raise the child).
- Have an abortion (end the pregnancy).

If you would like information about placing the baby up for adoption or having an abortion, you can call the National Abortion Federation’s76 free hotline for information toll-free at 1-800-772-9100. You can also find information on adoption from AdoptOntario77 toll-free at 1-877-236-7820. Both processes are legal in Ontario and free if you have OHIP.

72 Community agencies: www.findlink.at/services
73 Settlement.Org Community Health Centres article: www.findlink.at/chcarticle
74 Distress centres: www.findlink.at/dcontario
75 Community agencies: www.findlink.at/services
76 National Abortion Federation: www.findlink.at/naf
Healthcare and pregnancy

If you have OHIP, the costs for medically necessary services related to your pregnancy are covered. If you have private health insurance, you should check to see if it covers pregnancy costs. Some private insurance companies do not cover these costs.

Giving birth in Ontario can be very expensive if you do not have OHIP or private insurance that covers pregnancy costs. Hospitals can charge you what they want, including amounts above OHIP prices.

Below are some lower-cost or free supports that may be available to you.

Community Health Centres (CHCs)
CHCs have health professionals such as doctors, nurses, and nurse practitioners on staff. If you do not have OHIP, you might be able to get health care services at a CHC.78 You can find out if there is a CHC in your community by calling 416-236-2539.

Prenatal and postnatal care
Public health units have programs for pregnant women. For example, the Healthy Babies, Healthy Children (HBHC) program has services for babies from birth up to 6 years old. Contact your local public health unit79 for more information. Also the Canada Prenatal Nutrition Program80 has many services and programs for pregnant women and parents.

Midwives
Getting care from a midwife can be a lower-cost option. As well, for any hospital or doctor treatment, some midwives may be able

77 AdoptOntario: www.findlink.at/adoption
78 Settlement.Org Community Health Centres article: www.findlink.at/chcarticle
79 Public health units: www.findlink.at/ph-units
80 Canada Prenatal Nutrition Program: www.findlink.at/cpnp-find
to help you negotiate costs. They can support you in planning for possible costs, and help you understand how the health system works during your pregnancy. Some midwives can serve pregnant women who do not have OHIP and some have birthing centres. You can find midwifery services through the College of Midwives of Ontario\(^{81}\) at 416-640-2252.

**Employment insurance**

You may be eligible for the Employment Insurance (EI) special benefits of maternity and parental leave. You can contact Service Canada\(^{82}\) toll-free at 1-800-206-7219 to find out if you are eligible.

**IMPORTANT:**
Your employer is not allowed to fire you, reduce your hours, or send you back to your home country because you are pregnant – this would be a violation of the Ontario Human Rights Code. However, even though it is against the law, a lot of women experience discrimination at work because of their pregnancy. If you are in this situation, you may want to contact the Human Rights Legal Support Centre\(^{84}\) toll-free at 1-866-625-5179 for help filing a claim. You can speak to someone in your language on this phone line.

**Pregnancy and parental leaves**

You can take unpaid time off work and return to your job if you are pregnant (pregnancy leave) or if you are a new parent (parental leave). There is a minimum amount of time that you must be working for your employer before you can take these job-protected leaves.\(^{83}\)

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\(^{81}\) College of Midwives of Ontario – find a midwife: www.findlink.at/cmo-search

\(^{82}\) Employment Insurance contact information: www.findlink.at/scphone

\(^{83}\) Ministry of Labour – leaves of absence: www.findlink.at/leaves

\(^{84}\) Human Rights Legal Support Centre: www.findlink.at/hrlsc
What can I do if I am in an abusive relationship?

Talk to someone you trust and get help. If you are in immediate danger, call 9-1-1. Abuse can come in many different forms. It can be physical, sexual, emotional, or financial. Physical and sexual abuse are illegal in Canada, even if you are married to the person who is abusing you. So are some forms of financial abuse.

Some people have difficulty being able to tell if they are being abused. Here are some examples of warning signs that you may be in an abusive relationship. Your partner:

- Embarrasses you with put-downs.
- Looks at you or acts in ways that scare you.
- Controls what you do, who you see or talk to, or where you go.
- Stops you from seeing your friends or family members.
- Takes your money, makes you ask for money, or refuses to give you money.
- Makes all of the decisions.
- Tells you that you are a bad parent or threatens to take away or hurt your children.
- Prevents you from working or attending school.
- Destroys your property or threatens to kill your pets.
- Intimidates you with guns, knives, or other weapons.
- Shoves you, slaps you, chokes you, or hits you.
- Threatens to commit suicide.
- Threatens to kill you.

These are only examples – it is not a complete list. If you want help, but it is not an emergency, call the Assaulted Women's Helpline\(^{85}\) toll-free at 1-800-863-0511. Abused men can call the Support Services for Male Survivors of Sexual Abuse\(^{86}\) line toll-free at 1-866-887-0015. Both helplines are free and confidential.
DID YOU KNOW?:
If you are not safe in your home, you may want to stay in a shelter. Shelters are safe places that are usually free or have a small fee based on your income. You can stay in a shelter for a few weeks or longer while you make a plan to escape abuse. Most shelters have counselling and support groups. They can refer you to other community services.

You can speak to someone in your first language.

The Barbra Schlifer Clinic at 416-323-9149 offers legal advice and counselling for women who have been abused. You can also contact the police, a doctor, or a community agency for help.

Learn more about abuse: Abuse is wrong in any language.

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85 Assaulted Women’s Helpline: www.findlink.at/awhl
86 Support Services for Male Survivors of Sexual Abuse: www.findlink.at/mss
87 Barbra Schlifer Commemorative Clinic: www.findlink.at/VAWclinic
88 Community agencies: www.findlink.at/services
89 211 listing of shelters: www.findlink.at/211shelter
90 Abuse resource: www.findlink.at/abusedjc
Should I receive health and safety training?

Yes. Your employer and your supervisor must make sure you have the information, training, and equipment you need to work safely and protect yourself from injury or illness. This is the law under the *Occupational Health and Safety Act* (OHSA).

Any time you start a new job or are given a new task, your employer and supervisor have to tell you if there are any dangers.

You should also receive basic training in occupational health and safety on these topics:

- your duties and rights under OHSA
- the duties of employers and supervisors under OHSA
- common workplace hazards and occupational illnesses
- the role of joint health and safety committees and of health and safety representatives under OHSA
- the role of the Ministry of Labour, the Workplace Safety and Insurance Board (WSIB), and health and safety associations
- information and instruction requirements in the Workplace Hazardous Materials Information System (WHMIS) Regulation

If you are a supervisor, your training may be different.

10 questions to ask your employer about health and safety

If your employer has not given you this information, here are some useful questions to ask:

- What are the hazards of my job?
- Are there any other hazards that I should know about?
- Will I receive job training?
- Do you have health and safety meetings?
- Is there safety equipment I’ll be expected to wear? Will I receive training in how to use it? When?
- Will I be trained in emergency procedures (such as fire or a chemical spill)? When?
- Where do you keep fire extinguishers, first aid kits, and other emergency equipment?
- What do I do if I get hurt? Who is the first aid person?
- What are my health and safety responsibilities?
- Who do I ask if I have a health or safety question?

If you have questions about the Occupational Health and Safety Act, call the Ministry of Labour, Health and Safety Contact Centre toll-free at 1-877-202-0008. You can speak to someone in your own first language on this phone line.

**What are my rights and duties as a worker?**

You have important rights under the Occupational Health and Safety Act (OHSA):

1. **You have the right to know.** You have the right to know the dangers in your job. Your employer or supervisor must tell you about anything in your job that can hurt you. Your employer must make sure you get the information you need so that you can work safely.

2. **You have the right to participate.** You have the right to take part in keeping your workplace healthy and safe. Depending on the size of the company, you can be part of the health and safety committee or be a health and safety representative. You also have the right to take part in training and information sessions to help you do your job safely.
3. **You have the right to refuse unsafe work.** If you believe your job puts you in danger, you must report the unsafe situation to management. If the situation is not corrected and you feel that your health and safety is still in danger, you have the right refuse to perform the work. The law says that you cannot be punished (reprisal) for refusing unsafe work.

If you report a hazard to your employer and they do not fix it, you can call the Ministry of Labour toll-free at 1-877-202-0008. You also have a duty to keep your workplace safe for yourself and your co-workers.

You must do these things:

- Report any workplace hazards (dangers) to your supervisor.
- Wear or use any protective equipment that is required for the job.
- Follow the law and the health and safety policies and procedures of your workplace.
- Work and act in a way that won't hurt yourself or any other worker.

Ask questions if you are not sure if something is safe or if you don’t know how to do something.

**Can I say no to unsafe work?**

You can refuse work that you believe is unsafe to yourself or another worker under the *Occupational Health and Safety Act* (OHSA). You can also refuse work if you are in danger of violence from someone in the workplace.

**IMPORTANT:**
Say no to work that is not safe. You do not have to do that work until it is safe.
If you refuse unsafe work, there are some steps you will need to follow. If you refuse unsafe work you need to:

- Tell your supervisor or employer right away that you are refusing work and explain why.
- If you need to, explain that you are exercising your rights under the *Occupational Health and Safety Act*.

You can learn more about the procedure for saying no to unsafe work on the Ministry of Labour website.  

Your employer is not allowed to fire you, send you back to your home country, or treat you badly in any other way for refusing to do work that you don’t believe is safe. This means there can be no *reprisal*.

If you don’t feel comfortable saying no to your employer or are worried you will lose your job, contact a community legal clinic, community agency, workers' advocacy organization, or the Temporary Foreign Workers Association hotline toll-free at 1-888-366-0194.

**What safety precautions can I take when working on a farm?**

There are many ways you can protect yourself and take care of your health if you are working on a farm. This booklet includes only information on some aspects of farm safety. There is much more to learn. The Agriculture Workers Alliance (AWA) and

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91 Ministry of Labour Work refusal guidelines: www.findlink.at/nounsafe
92 Community legal clinics: www.findlink.at/lao
93 Community agencies: www.findlink.at/services
94 Agriculture Workers Alliance centres: www.findlink.at/awacentres
Occupational Health Clinics for Ontario Workers (OHCOW)\textsuperscript{95} can give you more extensive information on farm safety. The Ministry of Labour also has many fact sheets\textsuperscript{96} on this subject.

If you are ever asked to do work you believe is dangerous, you can refuse to do it under the \textit{Occupational Health and Safety Act} (OHSA). You can find out more in the \textbf{Can I say no to unsafe work?} section.

If you are ever in an emergency, call 9-1-1.

**How can I protect myself from pesticides?**

Some farms use dangerous chemicals to kill pests. Pesticides can be applied as gases, sprays, powders, or liquids. Sometimes you can’t tell if an area has been applied with pesticides.

Contact with pesticides can cause rashes, muscle pain, chest pain, vomiting, diarrhea, itchy eyes, blurred vision, dizziness, throat pain, slurred speech, or drooling. You might feel these effects right away or after a few hours or days.

\textbf{IMPORTANT:}\n
Get medical attention right away if you are exposed to pesticides without proper protection.

Pesticides can also have serious long-term effects. They may not show up until years later. The long-term effects can include cancer, harm to kidneys, and damage to the liver or the nervous system.

Some pesticides have effects that are worse than others. Under the \textit{Occupational Health and Safety Act} (OHSA), you have the right to know the risks and to ask questions that can help you keep safe. If you are using some type of pesticides, you should receive specialized training.\textsuperscript{97}
To protect yourself from pesticides:

Ask questions:

- Ask your supervisor for safety instructions and training.
- Ask what the symbols on the pesticide labels mean.

Wear protective gear:

- Wear long pants and a long shirt that cover your skin.
- Wear safety glasses.
- If you are spraying pesticides ask your supervisor what protective equipment you should wear. You may need to wear a protective suit to cover your entire body, goggles, a mask or respirator, face shield, and head cover.

Look around you:

- Watch out for signs saying pesticides have been used.
- Keep away from areas your supervisor has told you to avoid.
- Stay out of areas where pesticides are being sprayed or where they may have drifted.
- If you are worried that the wind is blowing pesticides from another field towards you, tell your supervisor. You have the right to stop work until your concerns are addressed.

95 OHCOW: www.findlink.at/ohcow
96 Ministry of Labour farm resources: www.findlink.at/molfarm
97 Pesticide training and certification: www.findlink.at/pesticide
Wash carefully:

- Wash your hands before you eat, drink, chew gum, go to the bathroom, or smoke.
- Wash your work clothes regularly. Pesticide residues can remain on your clothes.
- Wash work clothes separately from your regular clothes.
- Wear gloves when touching work clothes that may have pesticide residue on them. If you don’t wear gloves, make sure to wash your hands thoroughly after touching the clothes.

**IMPORTANT:**
Do not work with pesticides if you are pregnant.

What to do if you are exposed

Tell your supervisor and get medical help right away. Tell the doctor the name of the pesticide so they know how to treat you. If pesticides are on your skin, rinse the area with clean water. If they get in your eyes, rinse for 15 minutes.

The Ontario Poison Centre has a toll-free phone line at 1-800-268-9017. They can give you more information on what to do if you have been in contact with pesticides. You can speak to an interpreter by saying the name of your language in English (for example “Spanish”).

In case of emergency, call 9-1-1.
How can I protect my eyes?

Many migrant farm workers get irritation or injuries to their eyes. Exposure to things like dirt, soil, dust, and pesticides can irritate or injure your eyes. The sun’s ultraviolet (UV) rays can also hurt your eyes.

To protect yourself:

- Wear a good hat. Try to get a hat that has a strong brim, long peak and side panels. This type of hat protects against the sun and any objects that may come too close to your eyes.
- Wear safety glasses that have 100% UVA & B protection. Your eyewear should fit well and be designed for the specific duty or hazard you are exposed to. Be sure to wear your safety glasses regularly.
- Be careful of flying debris when you or your colleagues are using power tools. When working around trees or plants, be careful of branches that can scratch or poke your eyes.

What to do if you have eye problems from work

To help with eye irritation, wash your face and rinse your eyes with clean water at the end of the day. Some people find it helps to put a compress (clean cloth) with warm water on their eyes. Some find that eye drops can also help.

If you get an eye injury, get medical help right away and tell your supervisor. Go to a hospital, an ophthalmologist (specialist in eye problems), or a doctor. If it is an emergency, call 9-1-1.

DID YOU KNOW?:
It is important to get proper medical treatment if you get an eye injury because it lowers the chance that your sight will be lost or damaged.

98 Ontario Poison Centre: www.findlink.at/poisonctr
How can I stay safe in the heat?

As a farmworker, you often do physical work in the sun and in hot temperatures. This can be dangerous – the sun can cause skin damage and the heat can cause sickness.

To protect yourself from the sun and heat:

- Drink water often, even when you don't feel thirsty. You lose a lot of water through sweat in the heat and it is important you keep hydrated.
- Wear white or light-coloured, light-weight clothing to deflect some of the sun's heat.
- Wear clothing that blocks the sun, such as hats, pants, and long-sleeved shirts to reduce your skin's exposure.
- Use sunscreen.
- Wear sunglasses or safety glasses with UV protection.
- Take breaks in the shade.
- Ask your employer if they would consider organizing work shifts to avoid times when the sun is strongest.
- Get training on sun safety.

Heat exhaustion and heat stroke

Two of the most common heat illnesses are heat exhaustion or heat stroke. Both illnesses are serious but heat stroke can be life threatening. Being able to identify early symptoms is important. If you notice early signs of heat exhaustion, take a break in the shade, drink water, and let your supervisor know. If you do not address heat exhaustion it can develop to heat stroke which can put your life in danger.

Signs of heat exhaustion include:

- dizziness
- headaches
- sweating
- vomiting
- cramps
- fast heartbeat
Signs of heat stroke include:

- hot, red, dry skin
- a high temperature
- fainting
- convulsions (shaking and muscle spasms)
- being confused

What to do if someone has heat stroke

- Call 9-1-1. While you are waiting for the ambulance, try to cool the person's body. Spray cool water on them – under the arms, behind the neck, and between the legs are places that can help cool someone down quickly.
- Make sure you know who has a phone. You should also know the name of the farm you are working at and the address of the farm or the field you are working in, so you can tell the ambulance where to go.

Learn more on the dangers of heat from the Ministry of Labour's heat stress information sheet.⁹⁹

What can I do if I get hurt at work or something has made me sick?

If you get hurt at work, get medical attention right away. If you feel safe doing so, report the injury to your employer as soon as you can. If it is an emergency, call 9-1-1.

Your employer is not allowed to fire you because you have been injured or because you have made a Workplace Safety and

⁹⁹ Heat stress information sheet: www.findlink.at/heat
Insurance Board (WSIB) claim. However, some migrant workers have lost their jobs because they were injured. This is not allowed, but it happens. If you are in this situation, try to get support from a community agency, workers’ advocacy organization, or community legal clinic in order to protect yourself.

Workplace Safety and Insurance Board (WSIB) compensation

You may be eligible for financial compensation through the Workplace Safety and Insurance Board (WSIB). WSIB coverage is free. You can file a WSIB claim even if the accident was your fault.

Applying for compensation

You start the process of filing a WSIB claim by reporting the injury or illness. For help with filing your claim, contact:

- The Office of the Worker Adviser (OWA) toll-free at 1-800-435-8980. OWA provides free help with WSIB claims for workers who are not part of a union.
- A community agency
- IAVGO, a community legal clinic for injured workers toll-free at 1-866-521-8535.

Your doctor must fill out a form as part of your claim. Clearly explain to your doctor that your injury or sickness happened at work or because of your work. The doctor needs to understand exactly what happened so that they can make accurate notes. If you don’t agree with the decision of your WSIB claim, you can make an appeal.

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100 Community agencies: www.findlink.at/services
101 Community legal clinics: www.findlink.at/lao
102 WSIB report an injury/illness: www.findlink.at/wsibfile
103 Office of the Worker Advisor: www.findlink.at/owa
104 Community agencies: www.findlink.at/services
105 IAVGO: www.findlink.at/iavgo
106 WSIB worker appeals: www.findlink.at/wsibappeal
Warning: WSIB’s practice of “deeming”

Deeming happens when WSIB decides that a person who is collecting compensation is able to work again, even if they are not able to work at their old job. If WSIB thinks you can work in some other “suitable employment,” they could reduce or end your compensation. This is a problem for migrant workers since they are often not able to get the right kind of work permit to return to Canada. If this happens, contact IAVGO,107 a community legal clinic that helps injured workers. Or, you can get support from a community agency,108 workers’ advocacy group, or another community legal clinic.109

To learn more about making WSIB claims:

- Visit the WSIB website.110
- Call WSIB toll-free at 1-800-387-0750. You can ask to speak with someone in your language.
- Email your questions to the WSIB in your language to translation@wsib.on.ca.
- Read Workers’ Compensation: Making a Claim111 from Community Legal Education Ontario (CLEO).112

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107 IAVGO: www.findlink.at/iavgo
108 Community agencies: www.findlink.at/services
109 Community legal clinics: www.findlink.at/lao
110 WSIB: www.findlink.at/wsib
111 Workers compensation claim resource: www.findlink.at/wc-claim
112 CLEO: www.findlink.at/cleo
EVERYDAY LIFE
What type of housing should I receive?

Your employer has to either provide you with housing or help you find appropriate housing. Your accommodation may be on the farm or away from it. It could be private or shared. It is very common to share your accommodation with other farm workers. This means that many people could be sleeping in the same building and you may have to share a bathroom and/or a kitchen with your colleagues. You should be provided with a cooking area and equipment.

Generally, your employer can deduct $30 a week from your wages for accommodation. If your position is considered high-skilled and you are provided with accommodation off the farm, up to 30% of your monthly earnings could be deducted for housing costs.

DID YOU KNOW?:

You can leave the accommodation your employer has provided and find your own place to live; however, it is at your own cost. If you decide to do this you should tell your employer in advance.

What should I do if I have a problem with my housing?

If you have problems with your accommodation you should contact a community agency, workers’ advocacy organization, community legal clinic, or the Agriculture Workers Alliance for help. Some municipal health units can help make sure your housing meets certain standards.

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113 Community agencies: www.findlink.at/services
114 Community legal clinics: www.findlink.at/lao
115 Agriculture Workers Alliance: www.findlink.at/awa
116 Municipal health units: www.findlink.at/ph-units
What rights do I have with the police?

You have rights when dealing with the police. Generally, police cannot:

- Search you without a reason.
- Ask for blood or saliva samples unless there is a reason to do so and you have given permission.
- Detain or imprison you without a reason.
- Enter your home without a warrant.

**T I P:**
If you are questioned or arrested by the police, you can ask for a lawyer. The police should stop questioning you once you ask for a lawyer. Anything you say to the police before or after an arrest can be used by them as evidence.

If police find out that you have overstayed your work permit or have violated the conditions on your work permit, they may tell the Canada Border Services Agency (CBSA).

**Racial profiling**

Some migrant workers experience racial profiling from police.

Racial profiling is when someone is treated differently because of their race or ethnicity, instead of reasonable suspicion.

Racial profiling is common even though it is not allowed under the Ontario Human Rights Code.

117 Community legal clinics: www.findlink.at/lao
If you believe that you are experiencing racial profiling, know that you have the right to speak with a lawyer and that you do not have to give any saliva or blood samples unless the police have a specific reason to suspect you. Write down all the details of what happened such as the date, time, location, and the people involved. You may want to get support from a community legal clinic, workers’ advocacy organization, or a community agency to file a complaint with the Office of the Independent Police Review Director.

You can find out more about your rights with the police in Community Legal Information Ontario’s (CLEO) Police Powers: Stops and Searches.

What rights do I have with the Canadian Border Services Agency?

The Canada Border Services Agency (CBSA) is the government department that enforces immigration laws. They can arrest and detain people who do not have valid work permits or who have violated the terms of their work permits. The CBSA is different from the police.

If you open the door of your home to a CBSA officer they can search your home or make arrests. The only times CBSA officers can enter your home without permission are if they have 2 warrants:

- an immigration arrest warrant, and
- a “special entry” or “feeney” warrant

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118 Community legal clinics: www.findlink.at/lao
119 Community agencies: www.findlink.at/services
120 Office of the Independent Police Review Director: www.findlink.at/oiprd
121 Police powers resource: www.findlink.at/policepwr
122 Canada Border Services Agency: www.findlink.at/cbsasite
You can speak to CBSA officers through the door and ask them to pass you the warrants under the door. If they have the two warrants and you do not let them in, they may force themselves in or they may come back later. CBSA officers are not always in uniform – sometimes they wear plain clothes.

If they do not have the 2 warrants, you do not have to talk to the CBSA officers. If you do not want them to come in, do not open the door.

A CBSA officer could arrest you if you don’t have full immigration status when you are outside your home. Unless you are driving a car, riding a motorbike, or riding a bicycle you don’t have to show identification. However, you may want to identify yourself since they can arrest people if they are unsure of their identity. Once you have identified yourself, you may not want to answer any other questions they ask you.

More information on dealing with CBSA can be found in the resource Migrants: Know Your Rights\textsuperscript{123} from No One Is Illegal.\textsuperscript{124}

**What services are available to me?**

**Settlement services**

Settlement services offer newcomers to Canada help such as language training, job search assistance, referrals, housing help, and social support.

\textsuperscript{123} Migrants: Know Your Rights resource: www.findlink.at/infonoi
\textsuperscript{124} No One Is Illegal: www.findlink.at/noi

62
These services are provided free of charge. Many settlement agencies have workers who speak many different languages. Each settlement agency has its own rules about who can access services. Ask the agency what services are provided for migrant workers. If the agency does not provide services for migrant workers, ask for help to find one that does.

Some settlement agencies serve everyone who is new to Canada regardless of their immigration status.

**Municipal services**

Municipalities such as cities and towns generally offer services to their residents such as recreation programs, childcare, subsidized housing, libraries, job-search programs, emergency shelters, food banks, and health services.

Some of these services are free while others have a cost. Many cities or towns offer lower prices to people who do not earn a lot of money or “low income” residents.

In Toronto, Ottawa, Sudbury, and Windsor, you can find out about municipal services by calling 3-1-1. The call is free and there is a translation service.

**Sanctuary cities: Toronto and Hamilton**

Although most municipalities require valid work permits or permanent residence cards to access services, many municipalities are now considering “don’t ask don’t tell” or “access without fear” policies. This means that any resident can access services regardless of their immigration status.

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125 Settlement.Org’s interactive map: www.findlink.at/services
Toronto and Hamilton currently have these policies. However, some migrants have found that even in these cities, they are asked for proof of immigration status and are not given services.

If you do not have a valid work permit or have violated the terms of your work permit, you should be careful to share this information only with people you trust.

**How can I find faith or community groups in my area?**

**TIP:**
Looking in the phone book, checking community bulletin boards, and phoning 2-1-1 are also good ways to find a place of worship, faith group, or community group in your region.

Joining a faith or community group can help you meet people in your community and feel more at home in Canada. Many municipalities and school boards have listings of community groups you can join. You can also search on Settlement.Org’s interactive Services Near Me map.

**What are my transportation options?**

If you are living on or near a farm in Ontario, it can be very difficult to get around without a car. There is limited public transportation.

Many agricultural workers rely on transportation from their employers. Some employers have a schedule to take workers into town. Ask your employer if they offer rides to employees.

For long distance transportation, Greyhound Canada goes to many areas of rural Canada. You can get information by calling toll-free at 1-800-661-8747 or emailing Canada.info@greyhound.ca.
Cycling

Cycling is an option for travelling short distances. In Ontario, bicycles are considered vehicles. This means that you must follow the traffic laws and bike on the right side of the road.

Some migrant workers have been hurt while cycling.

If you decide to bicycle consider the following safety tips:

- Wear a helmet.
- Use hand signals to indicate where you are going.
- Where possible, stay at least one metre from the curb or from parked cars.
- Keep your distance from trucks and other large vehicles that might not be able to see you.
- Wear light or bright colours and use lights and reflective gear at night.
- Use a bell or a horn.

How do I open a bank account?

To open a bank account, you must show appropriate documentation. For many migrant workers, the easiest documentation to bring is your work permit, passport, and health card. In addition to these, many banks require at least one document issued in Canada.

Banks in Canada charge fees for having an account and for services such as extra cash withdrawals and money transfers. Compare the fees at banks and credit unions in your community before choosing one.

126 Services Near Me: www.findlink.at/services
127 Greyhound Canada: www.findlink.at/greyhound
128 Settlement.Org article – bank accounts: www.findlink.at/bankacnt
What is the phone system like in Canada?

Cell phones (mobiles)

If you are going to get a cell phone plan in Canada, research the different plans before signing a contract. If you are living in a rural area, you should also check the coverage of the phone company. Some companies do not offer cell phone coverage everywhere in Canada. Read your contract carefully before you agree to it. Find out what the penalties are if you break your contract.

The main phone companies in Ontario are Rogers, Telus, Bell, Fido, Virgin, Mobilicity, Wind and Koodo.

You can choose between a pre-paid system and one where you are billed at the end of every month. Some phones are not available with the pre-paid system. Prepaid systems charge by the minute and it can often be more expensive. However, some people find that it is easier to budget with this system.

Home phones (land lines)

For home phones, you usually pay a standard monthly fee for the line and pay extra for long-distance calls. Some companies offer bundles in which a single company provides many services, such as telephone, television, and Internet.

129 www.findlink.at/rogers
130 www.findlink.at/telus
131 www.findlink.at/bellphone
132 www.findlink.at/fido
133 www.findlink.at/virgin
134 www.findlink.at/mobilicity
135 www.findlink.at/wind
136 www.findlink.at/koodo
Bell Canada\textsuperscript{137} and Rogers\textsuperscript{138} are the 2 major home telephone providers, however many companies provide similar services. Contact different companies to discuss their plans and rates.

**Pay phones**

You can also use pay phones. They cost 50 cents for a local call; however, you may have trouble finding them if you are living in a rural area. Some public pay phones do not provide the option to pay using coins, and require payment by a credit card or Bell Canada phone card.

**Long distance phone calls**

Long-distance calling rates in Ontario are high compared to rates in other countries. A long-distance calling package or a calling card may provide better rates. You can sign up for a package that includes long-distance minutes. Or, you can buy a pre-paid calling card to use when you make long distance calls. You can find these at many convenience stores or grocery stores.

**DID YOU KNOW?**

Long distance numbers starting with 1-800, 1-844, 1-855, 1-866, 1-877, or 1-888 are toll-free. This means there is no charge for them. Many government numbers are toll-free.

**How can I send mail from Canada?**

Canada Post\textsuperscript{139} handles mail delivery. To send a letter or package, go to the post office. Some post offices are located in drug stores or grocery stores. If you are sending a package, the price depends on the size, weight, and how fast you want it to arrive.

\textsuperscript{137} Bell: www.findlink.at/bellphone
\textsuperscript{138} Rogers: www.findlink.at/rogers
\textsuperscript{139} Canada Post: www.findlink.at/canpost
CHECKLISTS & RESOURCES
First day checklist

Review your work permit for validity and accuracy including your name and date of birth, the name of your employer, location of employment, and the type of work you do.

My workday

- What are my daily hours?
- What are my regular workdays?
- Should I be at work earlier than the start of my shift?
- How long is my lunch break?
- Is my lunch break paid?
- Do I get any other breaks, like a coffee break?
- How many regular hours do I work before it’s considered to be overtime?
- How much overtime, if any, is required?
- Will you provide transportation to and from work?

Pay and benefits

- How will I receive my pay?
- How often will I be paid?
- What is my overtime rate?
- Do I receive health benefits, a pension, or union membership?
- How much will these benefits cost?
- Will someone review the deductions from my pay cheque with me?
- Will I be paid for travel to and from work?
- Will I be paid a bonus?
  - What do I have to do to earn it?
- How much will it be?
Taking time off

- Do I get paid vacation time or is my vacation pay included with my pay cheque?
- How is my vacation time/pay calculated?
- What happens if I am sick? Who do I contact?
- Do I get paid sick days?
- Am I allowed to schedule unpaid time off?

Health and safety questions

- What are the risks and dangers of my job?
- What other hazards should I know about in my workplace?
- When will I receive job training?
- Is there any health and safety information available for me to look at?
- Are there health and safety meetings?
- Where are the first aid kits and fire extinguishers located?
- What do I do if there is a fire or other emergency?
- Who do I go to if I get hurt at work?
- What are my health and safety responsibilities?
- What are my employer’s health and safety responsibilities?
- Who should I talk with if I have a health and safety question?

Resources

Here are some of the organizations and resources that may be useful for migrant workers. It is not a complete list.

Government agencies

**Citizenship and Immigration Canada (CIC)** – The federal government department in charge of immigration and temporary residency rules and applications.
- [www.findlink.at/cic](http://www.findlink.at/cic)
- 1-888-242-2100
Employment and Social Development Canada (ESDC) – The federal government department that oversees Canadian labour market matters and processes Labour Market Impact Assessment applications.
- www.findlink.at/esdc
- 1-800-622-6232

Ministry of Citizenship and Immigration and International Trade (MCIIT) – Ontario’s government department for immigration matters.
- www.findlink.at/MCIIT
- 1-800-267-7329

Ontario Ministry of Labour – The provincial government department in charge of Ontario’s labour laws. Their phone lines offer information in many languages.
- www.findlink.at/MoL
- Ministry of Labour Health and Safety Contact Centre: 1-877-202-0008
- Employment Standards Information Centre: 1-800-531-5551

ServiceOntario – The provincial government agency that administers services such as health cards, driver’s licenses, benefits, health services, and more.
- www.findlink.at/serviceon
- 1-800-267-8097
- 1-800-268-1154 (OHIP)

Workers’ advocacy organizations

Canadian Council for Refugees (CCR) – A national umbrella organization committed to the rights and protection of refugees and other vulnerable migrants in Canada and around the world.
- www.findlink.at/CCR
- 514-277-7223
Canadian Labour Congress (CLC) – An organization that advocates for the rights of workers across Canada.
  • www.findlink.at/CLC
  • 613-521-3400

Justicia for Migrant Workers (J4MW) – An advocacy group formed of migrant workers and supporters.
  • www.findlink.at/j4mw
  • j4mw.on@gmail.com

KAIROS: Canadian Ecumenical Justice Initiatives – A coalition of churches and religious organizations that organize for human rights.
  • www.findlink.at/kairos
  • 1-877-403-8933

Migrant Workers Alliance for Change (MWAC) – A coalition of advocacy and community groups, unions, researchers, workers, and community members working for justice and dignity for migrant workers.
  • www.findlink.at/mwac
  • coordinator@migrantworkersalliance.org

No One Is Illegal (NOII) – A group of immigrants, refugees, and supporters who fight for the rights of all migrant workers to live with dignity and respect.
  • Toronto: .................. www.findlink.at/noii
    nooneisillegal@riseup.net
  • Ottawa: .................... www.findlink.at/noiiottawa
    Noiiottawa@gmail.com

Ontario Council of Agencies Serving Immigrants (OCASI) – An umbrella organization of immigrant and refugee serving agencies in Ontario. OCASI’s goal is to achieve equality, access, and full participation for immigrants and refugees in every aspect of Canadian life.
  • www.findlink.at/OCASI
  • 416-322-4950
Workers’ Action Centre – A worker-based organization that organizes for change and provides information and resources on workers’ rights.
- www.findlink.at/wac
- 416-531-0778

Local resources

Agriculture Workers Alliance (AWA) – An association for farm workers operated by the United Food and Commercial Workers (UFCW) Union. The association has centres that help agricultural workers with workplace rights, accessing benefits, filing claims, housing issues, and medical treatment.
- www.findlink.at/AWA
- info@awa-ata.ca
- 1-877-778-7565 (within Canada)
- 1-877-344-3472 (toll-free from Jamaica)
- 01-800-681-1591 (toll-free from Mexico)
- Emergency line: ... 416-579-9232

- Bradford: ............... bradford@awa-ata.ca
  905-775-3837
- Leamington: ........ leamington@awa-ata.ca
  519-326-8833
- Simcoe: .................. simcoe@awa-ata.ca
  519-426-4056
- Virgil: .................... niagara@awa-ata.ca
  905-468-8329

Barbra Schlifer Commemorative Clinic – A centre that provides legal support and counselling for women who have experienced violence.
- www.findlink.at/vawclinic
- 416-323-9149

Community Legal Clinics / Legal Aid Ontario – Community legal clinics provide information, legal advice, and representation to eligible individuals.
• www.findlink.at/lao
• info@lao.on.ca
• 1-800-668-8258

**FCJ Refugee Centre** – An organization that provides support, advice, and accommodation to refugee claimants, migrant workers, and people without status.
• www.findlink.at/FCJ
• info@fcjrefugeecentre.org
• 416-469-9754

**Human Rights Legal Support Centre** – This centre offers free legal advice and support for people who have experienced discrimination. Their services are available in many languages.
• www.findlink.at/hrlsc
• 1-866-625-5179

**IAVGO Community Legal Clinic** – A community legal clinic that provides free services to injured workers in Ontario.
• www.findlink.at/iavgv
• 1-866-521-8535

**Kababayan Multicultural Centre** – A centre that provides settlement services to community members, with a focus on the Filipino community in Ontario.
• www.findlink.at/kababayan
• office@kababayan.org
• 416-532-3888

**New Canadian's Centre** – A non-profit charitable organization dedicated to supporting immigrants, refugees, and other newcomers in the Peterborough and Northumberland regions.
• General website: .........................www.findlink.at/NCC
• Peterborough: .........................info@nccpeterborough.ca
  705-743-0882
• Cobourg: ..............................info@nccpeterborough.ca
  905-377-8100
Occupational Health Clinics for Ontario Workers (OHCOW) – Clinics that provide information and services about work-related health problems.

- **Ontario**:  
  www.findlink.at/OHCOW  
  info@ohcow.on.ca  
  1-877-817-0336

- **Hamilton**:  
  848 Main Street East  
  hamilton@ohcow.on.ca  
  905-549-2552

- **Sarnia-Lambton**:  
  171 Kendall Street  
  sarnia@ohcow.on.ca  
  519-337-4627

- **Sudbury**:  
  84 Cedar Street  
  sudbury@ohcow.on.ca  
  705-523-2330

- **Toronto**:  
  #110-970 Lawrence Ave West  
  toronto@ohcow.on.ca  
  416-449-0009

- **Thunder Bay**:  
  #103B Barton Street  
  thunderbay@ohcow.on.ca  
  807-623-3566

- **Windsor**:  
  #1-3129 Marentette Avenue  
  windsor@ohcow.on.ca  
  519-973-4800

- **Provincial office**:  
  #606-1090 Don Mills Rd, Toronto  
  info@ohcow.on.ca  
  416-510-8713

Workplace Safety and Insurance Board (WSIB) – An independent trust agency that administers compensation and no-fault insurance for Ontario workplaces. If you get injured at work you can file a WSIB claim.

- www.findlink.at/wsib  
- 1-800-387-0750  
- 1-800-465-5606 (multilingual)
Useful websites and helplines

**211 Ontario** – A helpline and online database of Ontario’s community and social services. It is free and interpretation is available.
- www.findlink.at/211
- Phone: 2-1-1

**Assaulted Women’s Helpline** – A free multilingual service that provides crisis counselling, support, information, and referrals to women experiencing abuse.
- www.findlink.at/awhl
- 1-866-863-0511

**Community Legal Education Ontario (CLEO)** – CLEO’s website has many plain-language publications on legal matters including housing, immigration, workers’ rights, and more.
- www.findlink.at/cleo

**MigrantWorkerHealth.ca** – A website with information on many topics related to migrant farm workers’ health including accessing healthcare, filing WSIB claims, and health and safety regulations.
- www.findlink.at/mwhealth

**Ministry of Labour: Farming Operations** – This webpage includes resources, publications, and alerts that are useful to agricultural workers.
- www.findlink.at/MOLfarm

**Ontario Mental Health Helpline** – A service that provides education, advice, and community referrals related to mental health. It is free and available in many languages.
- www.findlink.at/mhhelpline
- 1-866-531-2600
Settlement.org – A website that provides trustworthy information for new immigrants. The Services Near Me section has an interactive map of community services.
• www.settlement.org

Temporary Foreign Workers’ Association hotline – A free, confidential helpline for migrant workers.
• 1-866-366-0194
OCASI would like to thank the following organizations for their help with this resource:

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Select content from the Government of Alberta and the Assaulted Women’s Helpline.

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For web or PDF versions of the guide, please visit www.migrantworkerguide.ca