March 5, 2020 |

Statements

Vigil to commemorate farmworkers puts spotlight on worker safety in agricultural sector

On March 7th, families, community organizations, unions, and political representatives will gather to commemorate the tragic van crash that killed three farmworkers in 2007. Thirteen years ago, three women—Armajit Kaur Bal, 52, Sukhvinder Kaur Punia, 46, and Sarbjit Kaur Sidhu, 31—tragically lost their lives when a fifteen passenger van carrying seventeen farmworkers skidded out of control on the Trans-Canada Highway near Abbotsford, BC.

“This vigil commemorates the women who lost their lives and honours the thousands of farmworkers that work under difficult conditions every day—planting, nurturing, harvesting and processing the food that sustains our communities and economy,” said Laird Cronk, President of the BC Federation of Labour (BCFED). Multiple investigations revealed the employer was at fault for this tragedy.

Agriculture continues to be one of the most dangerous industries to work in, with farmworkers among the most exploited and vulnerable workers in the Province. The BCFED is pushing government for a suite of changes to ensure safer transportation of farmworkers including more vehicle inspections and better enforcement to hold employers accountable. The BCFED is also fighting to extend minimum wage protections to farmworkers who currently work under the unfair piece-rate regime.

“Concrete action is needed now to improve the working conditions for farmworkers and to hold negligent employers accountable when they put farmworkers in harms way” added Cronk. “This is the legacy that we owe to the families of three women who lost their lives.”

In the decade from 2008 to 2018, twenty-three farmworkers have died on the job in BC.

Event details:

March 7, 2020

11:30 am reception

12:30 pm ceremony

Matsqui Auditorium

32315 South Fraser Way

Abbotsford

Background on working conditions and the safe transportation of farmworkers in BC:

Farmworkers face unacceptable, often dangerous working conditions. This includes minimal pay, long hours, inadequate housing and living conditions, poor sanitation, substandard transportation, and restricted access to health care services. The fact that many farmworkers are racialized, recent immigrants, or migrant workers with language barriers, only serves to compound the disadvantages.

After the tragic accident that took the lives of Armajit Kaur Bal, Sukhvinder Kaur Punia, and Sarbjit Kaur Sidhu, multiple investigations revealed that the employer was at fault for this tragedy. The van was illegally overloaded, had only two seat belts and was riding on mismatched and bald tires. It also had a fraudulent safety permit and was driven by someone who did not have the proper license.

The van crash illustrated the need for increased inspection, enforcement, protections and awareness of the safe transportation of farmworkers. An inter-agency inspection blitz following the incident resulted in more than a third of vans being immediately impounded because they were unsafe to drive. Widespread corruption was uncovered involving fraudulent safety permits being granted to owners of vehicles used to transport farmworkers.

A Coroner's Inquest into the deaths was held in 2009 and the jury made eighteen recommendations to improve the safe transportation of farmworkers. Although some recommendations were implemented, several key recommendations remain outstanding:

- Ensuring vehicle inspections sites are separate from maintenance and repair facilities— the jury recognized this as a significant conflict of interest that led to false vehicle safety certifications.
- Classifying fifteen passenger vans as "high risk vehicles."
- Mandatory annual inspections by a government-employed inspector for all 15-passenger vans—again, the jury recognized the conflict of interest with private inspectors.
- Ensuring farmworkers receive education about their rights and responsibilities under the WCB Act and Regulation.
- Ensuring business owners are responsible to check the safety compliance of labour contractors.

Sustained commitment to inter-agency random roadside and onsite inspection of commercial vehicles remains paramount. Inspections have troublingly decreased. In 2007, fifty-two roadside inspections were conducted and 522 vehicles were inspected; in 2018, only twelve roadside inspections were conducted on 133 vehicles. A troubling trend is the increase in citations for mechanical deficiencies in the inspected vehicles.

Full implementation of the outstanding recommendations is essential to ensuring sustained improvements in the safe transportation of farmworkers. A robust and sustained interagency inspection and enforcement strategy, including education of all stakeholders, is key to farmworker safety.

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