

UNMAPPING RECRUITMENT:
AN EXPLORATION OF CANADA'S TEMPORARY FOREIGN
WORKER PROGRAM IN GUATEMALA

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Walls turned on their sides are bridges. / Las paredes de vuelta son puentes.
– Graffiti on border wall separating Mexico and the US

The very act of dividing the earth and the sea surface by tracing the borders whether they are physical, virtual, or legal also allows for the appropriation of its resources. However, the resource which borders appropriate is not simply the proportioned territory. Rather, it is also the subjective claim of people to freely choose the territory in which to settle and the kind of relation they wish to establish with this territory. In other words, borders transform people's claims to movement into a resource which can be appropriated and exchanged.

– Frassanito Network, *Borders are there to be undermined*

ABSTRACT

Migrant workers have made up the largest category of legal entrants to Canada over recent years, with 491,547 working in Canada in 2012. This rise of temporary “managed migration” has been organized through discriminatory classification systems that are deeply rooted in colonial categories of difference, sorting migrants according to nationality, gender, race, etc., while normalizing the exclusion of workers from full status. Although managed migration has come to dominate Canada’s bordering landscape, little research has explored how the colonial underpinnings of temporary labour facilitate the apartheid of mobility in Canada, and, in particular, how the neoliberalization of migration governance has also tightened state control over the movement of non-White workers. In this thesis, I unmap TFWP recruitment in the “Low-Skill” Canada-Guatemala Pilot Project to highlight how temporary bordering practices perform and uphold the settler state through the stratified classification and management of migrant labour. I draw from a total of twelve qualitative interviews with all seven recruitment agencies active in Guatemala in 2014 and one agency in Canada, as well as from the lived experiences of thirty-nine Guatemalan workers shared over nineteen interviews. Through an interrogation of the day-to-day agency narratives and processes that forge the “good” worker and the migrant worker category in Guatemala and Canada, I trace how the TFWP is continuously constructed through the tangible practices of agencies, employers, and the Canadian state. I demonstrate how the expansion of the TFWP via recruitment has consequences far beyond Canada’s physical borders, driving workers into debt and precarity, fraudulently enlisting and blacklisting workers, and promoting overt discrimination on the basis of race, gender, region, climate, morality, ability, etc. Through an examination of bordering actors and narratives, I denaturalize the unjust organization of managed movement and Canadian borders, unmapping the processes of differential classification and containment in support of a wider no borders politics.

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LIST OF ABBREVIATIONS

CBSA	Canada Border Services Agency
CIC	Citizenship and Immigration Canada

ESDC	Employment and Social Development Canada
FERME	The Business Foundation for the Recruitment of Foreign Agricultural Workers
IOM	International Organization for Migration
IRPA	Immigration and Refugee Protection Act
LMIA	Labour Market Impact Assessment
LSPP	Low-Skilled Pilot Program
TFWP	Temporary Foreign Worker Program
WTO	World Trade Organization

Chapter 1: INTRODUCTION

A few summers ago, the landscape of the small farming village where my family lives began to visibly change. Migrants from Guatemala arrived to labour on the apple farms that have been the working heart of the village for generations. Gradually, more and more bicycles bordered the sidewalks; long lines to the Caisse Populaire emerged on dusky Friday mornings; tortillas and beans appeared regularly at the Saturday market; and every Thursday afternoon workers gathered together on the side of the road, waiting for the bus to take them to the local Walmart. The transformations in our village were similar to what was happening in other communities all over Québec and Canada – “temporary” workers were arriving in droves, streamlined by the Minister of Citizenship and Immigration.

The arrival of migrant workers in the landscape where I grew up compelled me to investigate the lines and histories that have shaped present-day temporary labour migration. In particular, the unyielding attitudes of people in my community who consistently distinguished between migrants who, regardless of returning year after year, did “not belong,” and settlers, who seamlessly did. This despite our own relatively recent settlement on Wabanahkik¹ territory. The more I learned about temporary work, however, the more I came to realize that it has long been a central feature of building colonial Canada. I began to understand that the unshaking sense of entitlement to Indigenous land and to “foreign” labour, as expressed by employers and community members alike, is part of a broader colonial narrative of “land and labour for the taking” essential to Canada’s very founding. This narrative is importantly reproduced on a daily basis, shaping access to mobility, with certain – White – bodies valued above others, delineating who may (not) belong and whose stories should be continually erased. The neatly-perched Victorian houses that blend into Appalachian hills, guarding inclusion to the land, are a testament to what is – and continues to be – silenced.

Temporary immigration categories are deeply rooted in colonial notions of belonging that order mobility in Canada as well as globally. As a White settler who has

¹ The regional county municipality Brome-Missisquoi of the Montérégie region where I grew up is on Missisquoi Abenaki territory, of the Wabanaki Confederacy. It is the area north of the ever-maintained US-Canada border settled by British Loyalists in the 1770s and 1780s (Wilkin, 2014; The Cowasuck Band of the Pennacook Abenaki People, 2002).

freely migrated in Latin America for many years, the relationships that I built across borders drove me to reflect on my own unhindered ability to move and the stark inequalities which shape mobility and access. I came to wonder just how the Temporary Foreign Worker Program (TFWP) had evolved so quickly and family reunification programs been so swiftly cut, how the state has been able to construct and uphold the narratives that have allowed for the program's unprecedented expansion – and also settlers' indifference to the workers who continue to uphold the economy of our community – and how workers were tangibly being drafted into these programs. As someone who has also connected with individuals in Guatemala who have friends and family labouring in “my backyard,” I wondered: how did so many Guatemalans come to be part of so-called temporary labour streams? How did colonial state structures facilitate the legal precarity of “temporary” work?

In this project, I therefore examine the colonial ideologies and bordering practices that naturalize differential classification in Canada's TFWP. Specifically, I explore TFWP recruitment in the “low-skilled” Canada-Guatemala project to demonstrate how ongoing bordering practices continually perform and uphold the settler state through the stratified classification and management of migrant labour. By unmapping and making visible the processes, discourses and actors involved in the elaborate process of classifying and administering workers in the TFWP, I interrogate how borders are spatially and socially organized through shifting processes of categorization and containment. This unmapping work is valuable because it helps to make visible the violence of lawful dispossession that is – and has always been – essential to maintaining the colonial project of White Canadian nation-state building.

This thesis addresses one part of colonial Canada's neoliberal immigration apparatus: TFWP recruitment. A vital part of maintaining and expanding the temporary labour streams that exclude workers from full status in Canada, recruitment is a process that manifests the demands of Canadian employers and the Canadian state. As more and more workers of Colour are channelled into Canada's temporary labour streams – alongside the ever-growing criminalization of migrants and militarization of borders – it is imperative to recognize both the new and long-established forms of colonial violence

enacted through neoliberal state structures such as the TFWP and Canada's tightening immigration system.

In examining the recruitment process, I hope to make tangible the abstract institutions that depoliticize the TFWP, disrupt the myth that Canadians are entitled to a tied "foreign" workforce, and unsettle the notion that it is "benevolent" for Canadian employers to offer Guatemalans temporary employment. For this to take place, it is necessary to historically ground TFWP structures within the profound colonialisms that have maintained and shaped settler-state relations and entitlements over many generations, as well as question the logics that have ordained the drawing of Canada's colonial borders². This inescapably also involves an inward examination of *one's own* position as a (non-)subject of the Canadian nation and a need to both recognize and challenge the colonial foundations upon which *one's own* mobility has been built – for we are also an iteration of our own colonial histories (Thobani, 2000 & 2007).

Although there is an extensive body of literature on migrant labour and the Temporary Foreign Worker Program itself, little research has examined the colonial and racial underpinnings of the TFWP and how these foundations violently naturalize the exclusion of migrant workers today. Moreover, there has been little to no exploration of how recruitment in the TFWP is carried out beyond Canada's demarcated borders, and how this might contribute to the structural precarity of temporary work as well as deepen and expand forms of colonial state violence. Finally, although Guatemalan workers comprise the largest migrant workforce in Québec over recent years, there has been limited examination of the institutional processes in the "low-skill" Guatemala project and how its configurations and daily workings connect to broader systems of colonialism and neoliberalization.

I use the term "colonial" to refer to the ongoing, present-day forms of colonialism that, through the foundations of a White settler society and neoliberal capitalist expansion, continue to forcibly displace Indigenous peoples from their territories, threaten the self-determination of Indigenous communities, and attempt to assimilate

² Moreover, it would also be necessary to examine all of the ways that Canada has actively been part of causing displacement in Guatemala, particularly through the expansion of the mining industry, a topic that I do not cover here as it would need to be a separate research project in itself.

Indigenous cultures and traditions. This process is ongoing in Canada and is central to the enactment of Canadian border controls. As such, I refer to Canada as a colonial settler state to highlight the colonial foundations upon which it has been built as well as the continuous colonialisms and racialized hierarchies that are central to its preservation, maintenance, and expansion (Walia, 2013; Razack, 2002; Thobani, 2007).

I have chosen not to use the word “foreign worker” throughout this document because, as pointed out by Nandita Sharma (2006), it is the very “foreignness”/Othering of workers in dominant discourse that works to construct their exclusion from Canadian society. Instead, I prefer the term “migrant worker”. I also use the word “temporary worker” or “temporary labour” due to the fact that workers are increasingly made precarious through temporal border restrictions (such as the four and four rule³), and temporariness itself is a form of constructed precarity. However, I recognize that many thousands of migrant workers are not temporary at all (in the temporal sense) and have been returning to Canada for many years – some for nearly a generation.

To unmap the bordering processes of TFWP recruitment in Guatemala, this thesis is divided into eight sections: introduction, context, literature review, positioning and approach, bordering institutions, Ana’s story, narrating the “good” worker, and conclusions. I begin by situating the contemporary parameters of temporary migration, labour recruitment, and the Canada-Guatemala project with a contextual overview in chapter 2. This is followed by a deconstruction of the apartheid of mobility in Canada, as I retrace the interwoven colonial histories of Canadian borders, labour containment, White supremacy and displacement, and their connection to the growing role of migration management in Canadian immigration policy, through a review of anti-racist, migrant justice literature in chapter 3. In chapter 4, I describe my own positionality as a researcher and the theoretical framework, methodology, and methods I have adopted in this research process, as well as my experiences in carrying out fieldwork in Guatemala and Canada. In chapters 5 and 6, I interpret the agency and worker narratives that I collected during my fieldwork, depicting the institutions and organizational structures that carry out

³ The four and four rule came into effect on April 1, 2015, effectively blocking workers who have been returning to Canada for four years or more from returning to work in Canada. Workers will have to leave Canada for four years, and then may reapply to the program. This legislation even further impedes workers from organizing for better conditions or being able to access social benefits.

temporary labour recruitment in chapter 5 and examining the everyday processes of classification and containment used by recruiters to continuously shape the “good” worker subject via the migrant worker category in chapter 6. These chapters are divided by Ana’s story, a single mother’s experience with recruitment agency fraud in Guatemala, included to honour the many individuals who have paid money to come to Canada and never arrived, often incurring excessive debt as well as sacrificing their savings and homes in the process.

While this thesis is not focused on labour organizing and instead critically examines the Canadian state and neoliberal agencies that increasingly implement state policy, I would also like to recognize the profound and diverse forms of resistance that migrant workers engage in on a daily basis both here in Canada and in Guatemala. Migrants are constantly negotiating the weight of Canadian borders; before, during, and after working in Canada. Despite the categorical imposition of difference by Canadians and the Canadian state, workers affirm again and again that they are much more than a number, a pair of arms, or a subclass, continuing to speak out and demand justice for all. We would do well to follow their lead.

Chapter 2: CONSTRUCTING A SUBCLASS

Since the inception of the Temporary Foreign Worker Program (TFWP)⁴ in 2003, the number of migrant workers in Canada has surged from 179,780 to 491,547 in 2012 (CIC, 2012)⁵. Temporary employment authorizations have made up the greatest portion of legal entrants to Canada every year since 2006, exceeding all other immigration categories to solidify a temporary-driven immigration system (Weiler & Otero, 2013; Marsden, 2011; Goldring, 2014). Migrant labour has become a pillar of Canada's economic strategy: nearly 30% of all new jobs created in Canada between 2007 and 2011 were filled by “temporary” employees (Alarcon, 2013). In Québec⁶, over 3400 employers across a range of sectors use the TFWP, including hospitals, CLSCs⁷, federal and provincial ministries, municipalities, non-governmental organizations, and almost all universities and school boards (Grenier, 2013). However, most migrant workers are concentrated in the agricultural sector: roughly 9,000 of the province's current 35,600 migrant workers are in agribusiness, with workers primarily from Guatemala, Mexico, and Honduras (Duplessis, 2013).

Migrant labour programs in Canada have historically consisted of bilateral agreements between nation-states, such as with the Caregiver Program and Seasonal Agricultural Workers Program. The TFWP,⁸ however, enables employers to source workers from *any* country around the world⁹ without significant government oversight or country-to-country agreements¹⁰. Under the TFWP, workers are ranked as “high-skilled”

⁴ Previously called the “Pilot project for occupations requiring lower levels of formal training”. Canada's long-established Temporary Foreign Worker Program was originally initiated in 1973 and was previously known as the Non-Immigrant Employment Authorization Program (NIEAP) (Sharma, 2006).

⁵ Since the Harper Government took office in 2006, Temporary Foreign Worker Programs have been “fast-tracked” in immigration policy, with categories and priorities unilaterally “named”⁵ by the Minister of Citizenship and Immigration (Nakache and Kinoshita, 2010).

⁶ Overall, the province of Québec has the fourth largest population of migrant workers, after Alberta, Ontario, and British Columbia (Le Ray, 2011).

⁷ Local Community Service Centres (*Centres locaux de services communautaires* in French) provide health and social services in the province of Québec.

⁸ Canada has changed the names and outward organizational arrangement of TFWP almost every year since its deregulated inception in 2003, adding programs to the TFWP umbrella as well as dividing and merging streams under different names. This makes it particularly difficult to monitor these programs as well as keep track of exactly how many migrants are arriving as temporary workers each year.

⁹ Specifically, the General Agreement on Trade in Services (GATS) eliminated the need for bilateral agreements (Preibisch, 2010; Goldring, 2014).

¹⁰ The Seasonal Agricultural Worker Program (SAWP) and the In-Home Caregiver Program (previously known as the Live-In Caregiver Program) are now part of the TFWP; both were created in the 1970s and so involve bilateral agreements (Pang, 2013).

(levels 0, A and B) or “low-skilled” (C or D), according to Canada’s National Occupational Classification (NOC). “Low-skilled” positions are most common in agriculture and the food sector, as well as other primary industry occupations such as construction and resource extraction, and make up about 30 per cent of all migrant workers in Canada (HRSDC, n.d; CIC, 2012). This thesis will focus on the recruitment of “low-skilled” migrant workers from Guatemala.

Although the TFWP has been under growing public criticism in recent years, government modifications to the program have largely been superficial in that they do not actually support the workers who are made most vulnerable by its structures. On the contrary, the state’s “putting Canadians first” stance has worked to fuel racism and anti-immigrant bigotry, using migrant workers as a scapegoat to turn attention away from the very real way that precarity is constructed by the state while also excluding these same workers from access to the jobs that they have come to rely on. Many migrant workers have been “permanently temporary” for decades, returning to Canada year after year to complete the same “short-term” contract job¹¹ (Sharma, 2006; Preibisch, 2007). Rather than create meaningful paths to permanent status, the state has made migrants more precarious through recent reforms: policies such as the four and four rule, shorter stays in Canada, and increased application costs, put workers arriving through the TFWP low-skilled stream¹² in a more vulnerable – and temporary – position than ever, particularly due to the burgeoning for-profit webs that have come to constitute Canadian “managed migration” (ESDC, 2014; Migrant Workers Alliance for Change, 2014).

Migrant workers in Québec are primarily recruited through the low-skilled agricultural stream of the TFWP, formerly known as the Guatemala Pilot Project or Low-Skill Pilot Program (LSPP). The LSPP was initiated in 2003 through a Memorandum of Understanding (MOU) between the International Organization for Migration (IOM-Guatemala), an inter-governmental migration management organization based in Guatemala, and the Business Foundation for the Recruitment of Foreign Agricultural Workers (FERME), a private agricultural employers association for labour recruitment in

¹¹ Rather than merely fulfilling “supplemental shortages”, employers are using the program as a *permanent* means to meet their labour needs, restricting the agency and bargaining power of workers and unions to keep business costs low (Cragg, 2011; Preibisch, 2007; UFCW, 2011).

¹² “High-skilled” workers and workers arriving via bilateral agreements are exempt from these restrictions.

Québec (Vargas, 2010). With the guidance of FERME and the IOM, Québec was the first province to allow for the insourcing of agricultural labour outside of the existing Seasonal Agricultural Workers Program (SAWP), and remains the largest employer of agricultural migrants arriving through the TFWP (FOCAL & IMRC, 2010; UFCW, 2013). Because there is no bilateral agreement between Canada and Guatemala, the infrastructure managing the program has largely been private, multiplying the number of actors involved in contracting workers and in turn making labour relationships more precarious, with fewer or “less effective” rights than SAWP (Fudge, 2011).

The Low-Skill Pilot Project stream has grown over 2100% since its inception in 2002, making it the fastest growing program out of all temporary labour categories (CIC, 2013). Under the LSPP, employers may hire migrants for up to 12 months.¹³ Workers are classified as “low-skilled,” have no path to permanent residency, are tied to their employer, paid (less than¹⁴) minimum wage, and typically do not have full access to labour protections, social services, or the benefits that they pay into. Workers must be housed either on their employer’s property or in a nearby area.¹⁵ The precarious, tied and complaint-based structure of the program is intensified by the fact that employers have the power to deport workers at any time (Hughes, 2014). Over 90% of all new Québec jobs created in 2011 were for migrant workers – 70% of whom were Guatemalan (Canadian Labour Congress, 2013). Since 2009, (Indigenous) Guatemalans have become the preferred “foreign” workforce in Québec, and are the largest groups of incoming “low-skilled” migrants in the province, with nearly 5,000 workers entering Québec under the TFWP in 2013 and 65% of Québec farms employing Guatemalan workers¹⁶ (Canadian Labour Congress, 2013; WALI, 2011; CIC, 2013; St. Amour, 2012; Amigo Laboral, 2013) (See figure 1 and appendix 1).

The sudden rise of Guatemalan workers in the Québec labour market can be traced to a growing demand from agricultural employers to “diversify” the workforce

¹³ The LSPP initially permitted 12-month contracts; this was later increased to 24 months, giving employers an advantage in using the LSPP over the more established SAWP, which limited contracts to eight-month periods (Hughes, 2014). The time limit was reinstated to 12 months under TFWP modifications made in 2014 (ESDC, 2014).

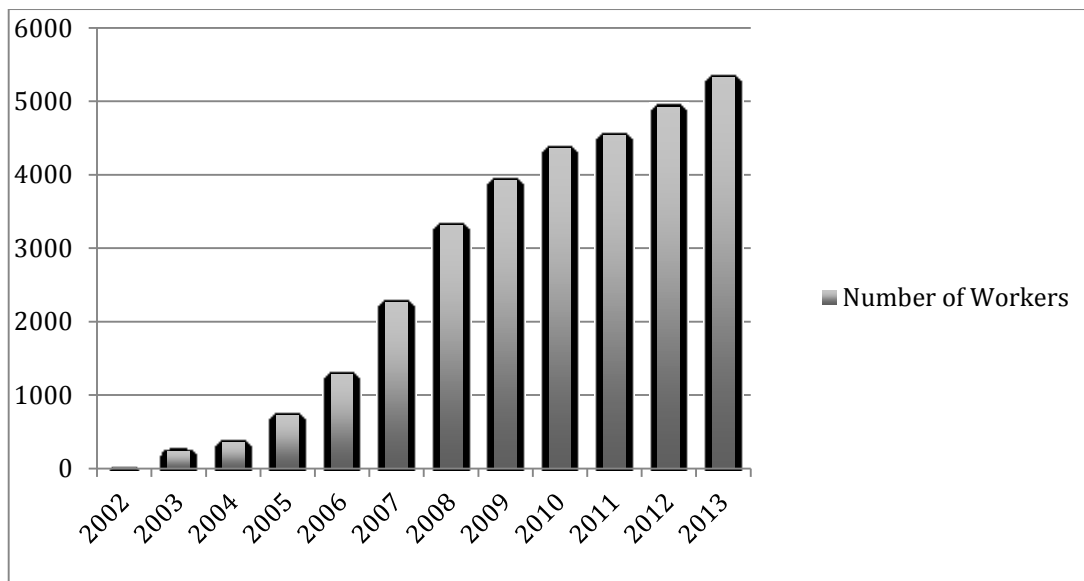
¹⁴ Although migrant workers should be paid at least minimum wage according to TFWP regulations, workers have reported being paid much less, or even not being paid by the hour and rather by the pound of produce or chicken that they deliver (Guatemalan worker, 05/14; Guatemalan worker 01/14).

¹⁵ In practice, most workers are housed on the property of their employer (Faraday, 2014).

¹⁶ There were over 6,000 LMIA's submitted for employing Guatemalan workers in 2013 (CIC, 2013).

beyond Mexican and Caribbean workers who had already been working seasonally in the province for decades – since the signing of bilateral agreements with Mexico and Jamaica in 1974 and 1966, respectively – coupled with the establishment of the 1995 General Agreement on Trade in Services (GATS) and the active presence of the International Organization for Migration (IOM) in Guatemala. FERME – which already facilitated the recruitment of workers within SAWP – pushed for a means to open up seasonal labour to countries further south of Mexico in the early 2000s, specifically to Guatemala, Honduras and El Salvador. GATS, a multilateral free trade agreement that authorized international trade in services for World Trade Organization (WTO) members, meanwhile allowed for the temporary entry of workers from member countries into Canada with a Labour Market Impact Assessment (LMIA), expanding possibilities for labour insourcing beyond existing bilateral agreements and in effect making such agreements obsolete (CIC, 2014). The long-standing role of the IOM-Guatemala in providing administrative support to Guatemalan refugees who wished to go to Canada and the organization’s consequent knowledge of Canada’s immigration system, in turn, quickly made Guatemala FERME’s most obvious choice for a Pilot Project, resulting in the signing of an MOU between the Québec-based foundation and the IOM-Guatemala in 2003.

FIGURE 1. GUATEMALAN MIGRANT WORKERS TO CANADA, 2002-2013



(CIC, 2011 & 2013)

The relatively recent boom in temporary labour migration to Canada has more broadly been facilitated through the neoliberal structures of the TFWP, which have now greatly extended beyond the Pilot Project and depend on private, for-profit actors to ensure a steady supply of flexible labour to Canadian employers. Part of a broader neoliberalization of state policies, Canadian laws have expanded and fast-tracked temporary labour streams while devolving the management of migration and labour practices to private actors. This privatization of both border management and labour control mechanisms has produced new opportunities for capital accumulation, as a growing web of private actors increasingly profit from the im/mobility of workers. High employer demand for migrant labour, coupled with the privatized framework of the TFWP, has, in particular, generated an important third party for administering and transferring temporary migratory flows to Canada: private recruitment agencies¹⁷. Private agencies represent the interests of Canadian employers who seek to expand profit-making opportunities by securing low cost “good” workers who will return to their country of origin following the end of their contract. Without a direct relationship between employers and sending governments, recruiters have become critical actors in enabling Québec’s agricultural industry to obtain cheap, specialized, and efficient transnational labour (Faraday, 2014). By seeking out, classifying, and containing migrants who wish to work in Canada, agencies effectively implement Canadian immigration policy and so have come to be important actors in defining Canada’s shifting borders of differential inclusion/exclusion.

A key player in the organization and implementation of the Pilot Project in 2003, the IOM was the only recruiter of migrant workers to Canada from Guatemala until 2009. An inter-governmental agency committed to “the orderly and humane management of migration,” the IOM has been called a leader in the ever-growing “humanitarian complex” of migration (IOM, 2015; Andrijasevic and Walters, 2010). The organization was the first to develop an expertise in the recruitment, administration, and management of Guatemalan migrant workers to Canada, arranging candidate selection and implementing bordering practices in adherence with Canadian immigration requirements

¹⁷ Service Canada describes recruiters as being TFWP experts and representatives for employers: providing TFWP advice, completing TFWP applications, and even communicating with the Canadian government – via ESDC – on the employer’s behalf (ESDC, 2015).

and employer hiring criteria (IOM, n.d.). Over time, new recruiters – most of whom are former IOM employees – have followed the organization’s lead and joined the market for recruiting temporary labour, competing for Canadian contracts as well as profiting from the high demand in Guatemalan out-migration to Canada. In 2009, FERME opened its own recruitment organization in Guatemala City in partnership with former IOM-Guatemala director Günther Müssig: Amigo Laboral. The following year, ACADEC, a campesino “development” association, also began recruiting to bring Guatemalan workers to Canada. After the IOM was finally expelled from Guatemala for corruption charges in 2013¹⁸, five new organizations quickly surfaced: Human Resources Out (HRO), Apoyo Integral al Migrante (AIM), Canadian Job, ComuGuate, and ACADEC-Guatemala (ACADECGUA), three of whom are run by former IOM staff.

The proliferation of private recruitment agencies – in Guatemala as well as elsewhere – has created new possibilities for the exploitation of workers as an increasing number of institutions¹⁹ take part in sorting and processing candidates, amassing vast reserves of low-cost labour that are ever-awaiting travel to an imagined Canada (Hennebry, 2008). As explained by researcher Fay Faraday:

As labour migration has increased, private recruiters have emerged to facilitate the flow of workers from one country to another. Exploitation in this relationship is able to flourish precisely because of the structural and income inequalities...and migrant workers' location in that power imbalance (as cited by Hussan, 2013b: para. 3).

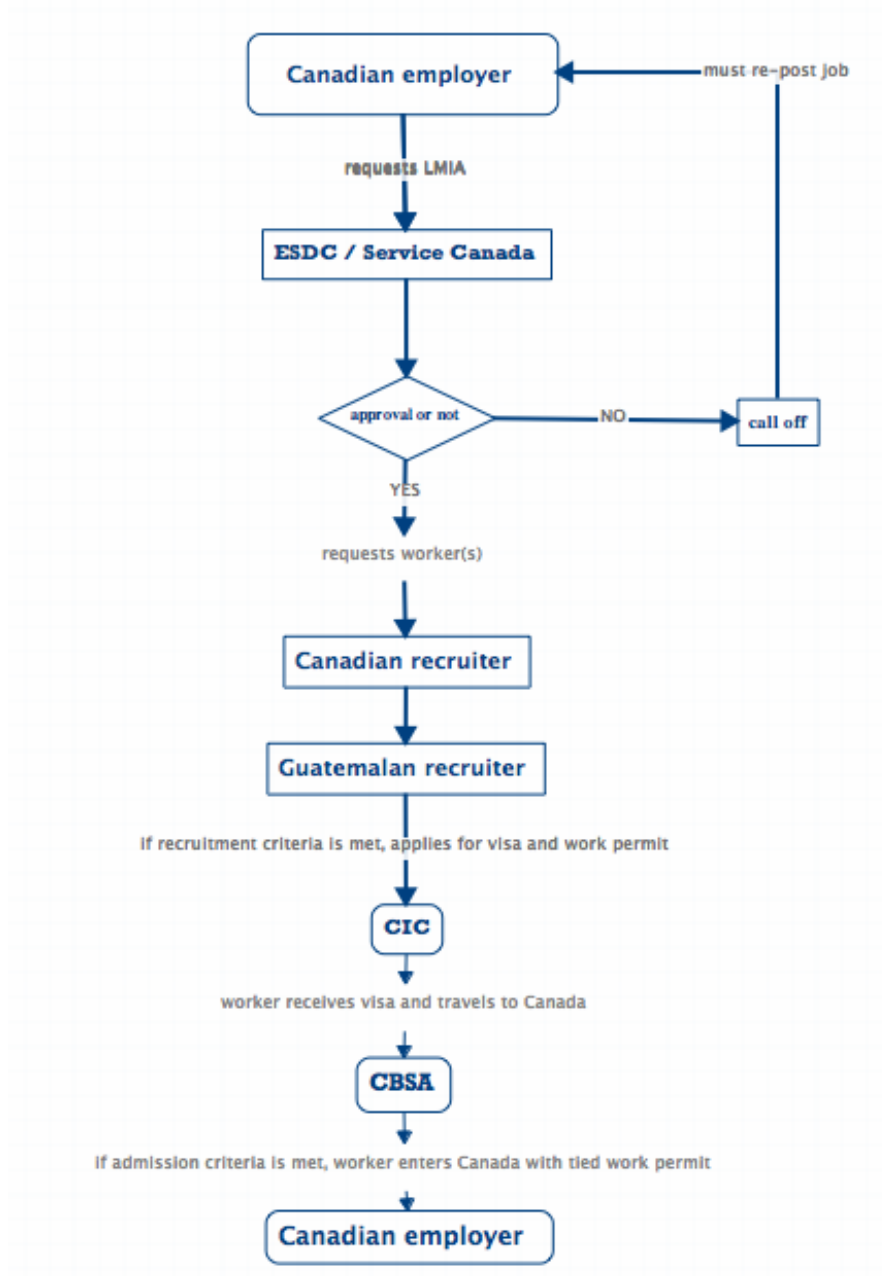
Workers are typically charged considerable sums in “user fees” and have reported an array of abuses from recruiters, from widespread fraud to the misrepresentation of jobs or immigration requirements, the withholding of information, and extensive pay deductions

¹⁸ Although there is no official information from the organization itself as to why the IOM was expelled from Guatemala, newspapers cite testimonies to the Ministerio Público that state the IOM was suspected of money-laundering, redirecting hundreds of thousands of dollars in public funds into their own pockets, and other “administrative anomalies” for over a decade. The IOM gradually amassed state-sponsored “rural development projects” all over Guatemala that went far beyond their mandate, including but not limited to constructing stadiums and sports complexes, carrying out hospital reparations, building schools and roads, etc., many of which were badly managed, never finished, or dangerously built (“Corrupción en la OIM”, 2014; “IVE denuncia a OIM por presuntas operaciones de lavado de dinero”, 2006; “La OIM no da explicaciones”, 2013; “Más anomalías en obras administradas por OIM”, 2008; “OIM no responde sobre fondos desaparecidos en Fonapaz”, 2013; “Müssig: ‘OIM nunca ha negado datos’”, 2000).

¹⁹ Some actors include: Employment and Social Development Canada (ESDC), Citizenship and Immigration Canada (CIC), the Canada Border Services Agency (CBSA), the Guatemalan Ministry of Foreign Affairs, the Guatemalan Ministry of Labour and Social Security, the Embassy of Canada in Guatemala, and the Embassy of Mexico, FERME, and the IOM, as well as individual employers and private agencies, to name a few (Vargas, 2010).

(Faraday, 2014; Flecker, 2013). This process is not only state-sanctioned but state-powered through the unregulated, serpentine structures of the Temporary Foreign Worker Program (Fudge and MacPhail, 2009; Le Ray, 2011; Peck, 2004).

FIGURE 2. OVERVIEW OF THE CANADA-GUATEMALA HIRING PROCESS



Recruitment is an important node in Canada's system of temporary managed migration because it establishes the initial parameters for labour exploitation and it is widespread, often involving workers who never make it to Canada but have paid thousands of dollars for the trip. Recruiters form the terms on which the employer-employee relationship is later built, acting as intermediaries that importantly control access to the border and Canada's labour market. Managing the complex process for workers to be able to cross international borders, agencies build essential networks between sending communities and Canadian-based employer associations. They accordingly hold inordinate power over work access, controlling what information is available to workers and determining "what workers must do – and pay – to secure work in Canada" (Faraday, 2014, 6-7). As recruitment organizations multiply, employers have a wider market of labour agencies to choose from, pushing recruiters to lower employer access fees to accumulate contracts while raising these same costs for workers²⁰. Agencies seek out particular kinds of labourers to meet the tailored demands of Canadian employers, targeting workers in specific – mainly Indigenous – communities in Guatemala, with nearly half of all recruited workers coming from the predominantly Maya Kaqchiquel department of Chimaltenango (PNUD-Guatemala, n.d.; Amigo Laboral, 2013; Wampui Sana, 2012: 59; Hughes, 2014) (See appendix 3).

In Guatemala, the transnational outsourcing of temporary labour can be traced to a long history of imperial and colonial state-driven displacement and enclosure that has pushed the region's Indigenous Maya population to be the protagonists of migration. A country with the second highest unequal land distribution in Latin America – with 60% of arable land owned by just 2% of producers and over 50% of rural plots so small that they cannot support subsistence agriculture – and some of the highest levels of regional economic inequality and violence, Guatemala has a deep history of colonization that has since its' founding depended on a variety of measures "for binding and coercing

²⁰ In order to access workers through the "low-skilled" stream, Canadian employers must submit a Labour Market Impact Assessment (LMIA) and, if the LMIA is positive, typically hire through a recruiter based in Canada, who in turn communicates with a Guatemalan counterpart to enlist workers. Canadian-based recruiters charge employers an administrative fee and then pay recruiters in Guatemala to engage in hiring and the migration process. Guatemala-based recruiters, in turn, typically charge workers a service fee – which generally surpasses that of employers – as well as additional add-on costs depending on the service offered.

[Indigenous] labour” for capitalist gain (Wambui Sana, 2012; Hughes, 2014; McCreery, 1983, 736).

Following the invasion phase of the Spanish conquest in the sixteenth century, Guatemala became dominated early on by a colonial export economy geared towards a series of cash crops, beginning with cacao, indigo and cochinal (Fox, 2015). Primitive accumulation depended on the exploitation and containment of Indigenous labour through systems such as the *encomienda* and *repartimiento*, which allowed the Spanish Crown to exact tribute from Indigenous peoples in the form of personal services or labour and facilitated landowner requests for labour through colonial authorities, respectively, forcing the Maya to work on farms, in mines, as domestic help, etc. (Fox, 2015; Lovell, 2005). The coerced resettlement and concentration of Indigenous communities into *congregaciones* (or *reducciones*), meanwhile, made labour more readily available to settlers while also clearing traditional lands for capitalist expropriation. Together, these systems “set up the initial ethno-racial institution of structural oppression” that continues to mark present-day Guatemala (Fox, 2015, 154).

Coffee export capitalism beginning in the 1870s is widely seen as the second wave of colonization that further fractured the autonomy of Indigenous communities in Guatemala to reinforce state control over labour and land and pave the way for a system of seasonal temporary labour (McCreery, 2011; Grandin, 2000; Lovell, 2005). The 1877 *mandamientos* – based on the colonial *repartimiento* – authorized a forced labour law that obligated Indigenous communities to provide seasonal workers to coffee plantations while also advancing debt peonage²¹ and vagrancy laws, effectively binding Indigenous peoples to large-scale *fincas* (Grandin, 2000; McCreery, 2011). Liberal reforms shaped “the order and orientation of the modern [Guatemalan] state,” forcibly converting Indigenous communities into temporary labour reserves that were relied on intensely during harvest season while also accelerating the privatization of communal lands²² (Stepputat, 2008, 344). This consolidated “a highly exploitative, militarized plantation

²¹ Rural labourers were required to carry a *libreta* (workbook) that included a copy of their contract and a record of the debts, credits and number of days worked (McCreery, 2011).

²² If communities could not produce a valid title to their land – which was issued by the liberal state – settlers producing for export could take over those lands (McCreery, 1983).

economy” that became increasingly enforced through the army and militia (Grandin, Levenson, & Oglesby, 2011, 109).

Growing resistance and demands from Indigenous communities eventually culminated in what many describe as a third wave of colonial repression in Guatemala: *la violencia*, a 36 year period of state-instituted violence that aimed to impede any meaningful redistribution of land, suppress workers, and further capitalist development through export production and industrialization. Following a US-backed coup in 1954, decades of state-backed violence²³ counted “more than 600 massacres, 200,000 deaths, the displacement of 1.5 million people²⁴ and tens of thousands of disappearances,” through physical violence and scorched earth campaigns, mainly in the countryside (Manz, 2008, 152; Fox, 2015). This period laid the foundation for Guatemala’s extractive industry²⁵ and initiated neoliberal restructuring, opening the country up to foreign investment through “new waves of enclosure, territorialisation, and legalization” that intensified following the signing of the 1996 Peace Accords²⁶ (Granovsky-Larsen, 2013, 346; Fox, 2015).

The colonial violence that shapes Guatemala – and Canada, as I will later demonstrate – continues to be neoliberalized today, with the encroachment of transnational corporations, open trade policies, and private entities backed by the state, what Goldin and de Tejada (1993) call “economic internal colonialism” under global capitalism. Ongoing persecution and state violence have become the norm, with rural communities often targeted by private security firms for defending their lands and opposing the expansion of foreign – mostly Canadian – mining projects²⁷ and agribusiness, including biofuel, sugarcane and palm oil plantations (Grandin, 2011). The

²³ Over a 36-year period, 93% of deaths were caused by the state and state-backed paramilitary groups (Fox, 2015).

²⁴ There are many cases of large landowners and state-backed development projects taking over communal lands for export, energy production, or mining, such as with the case of the Río Negro massacre in 1982 in Baja Verapaz (Granovsky-Larsen, 2013).

²⁵ Guatemala’s first mining code was drafted in 1965 in collaboration with a US nickel mining company; military repression was widely used against those that opposed mining throughout the internal armed conflict and continues today (Fox, 2015).

²⁶ This included market-led land reform: rather than facilitate any structural redistribution of power/land, market-assisted agrarian reform exacerbated existing power relations by allowing large landowners to benefit from land sales and title regularization, able to sell their worst land for inflated prices and effectively driving smallholders (further) into debt (Granovsky-Larsen, 2013).

²⁷ A new mining law was drafted just two weeks following the Peace Accords; the legislation effectively made it easier and more profitable for foreign companies to pursue resource extraction in Guatemala (Fox, 2015). At least 88% of mines in Guatemala are Canadian-owned (Amnesty International, 2014).

appropriation of communal lands for resource-based accumulation projects continues to spread, while the containment of flexible labour remains central to the profitability of these projects. Despite widespread impoverishment and ever-growing repression from the state and foreign interests, workers continue to struggle to secure a living wage and combat the flexibilization of labour amidst high levels of unemployment (Alonso-Fradejas, 2015; Grandin, Levenson, & Oglesby, 2011). As voiced by scholars Peter Benson, Edward Fischer, and Kedron Thomas (2008: 50): “A legacy of state violence, deep socioeconomic inequality, the penetration of extractive industries, the erosion of political and social infrastructures, and disparate access to health care, education, and life chances” have shaped the conditions that force many to migrate.

With widespread insecurity, violence, and structural exclusion in Guatemala, migration has become a vital means of survival for hundreds of thousands of Guatemalans who move both internally and across borders each year (Sieder, 2011). While rural labourers continue to migrate seasonally to costal plantations, many also work on plantations in neighbouring countries, the majority of whom cross into Mexico. Although some migrants go abroad legally, most are undocumented, with tens of thousands of mostly Indigenous, smallholding Guatemalans making the treacherous journey north each year to perform agricultural or domestic labour or to work in the informal economy. Every day more than 300 migrants leave Guatemala and 200 migrants are forcibly returned from the United States and Mexico (IOM, 2012, 17). Supporting more than 1.5 million people, remittances are a central pillar of the Guatemalan economy (IOM, 2012).

Since the creation of the Low Skill Pilot Project in 2003, a growing number of Guatemalan workers have been migrating to Canada under the Temporary Foreign Worker Program (TFWP). In many ways, the TFWP is a continuum of the seasonal migrations that have marked Guatemala for nearly five hundred years, with recruiters and employers alike hailing temporary labour as a legal means to foster “development” for a poverty-stricken Indigenous majority, ordering labour precarity through the infrastructure of the state and private actors. While temporary employment does offer an important means for workers to obtain remittances, it effectively facilitates and reinforces a multi-tiered labour system in Canada that institutionalizes disposability on the basis of

nationality, race, gender, class and ability (Walia, 2013). In legally making migrants “permanently temporary,” ever-flexible, and precarious by systematizing their deportability and containment, the TFWP also continues the cycle of imperialist dispossession and displacement that has since conquest forced so many Guatemalans to leave their communities of origin in the first place.

Chapter 3: LITERATURE REVIEW

The recruitment of Guatemalan workers to Canada is based upon narratives that reproduce the founding settler mythologies of an imagined White Canadian nation established by the British and the French. This narrative of the “two solitudes” erases the many histories of racial exclusion that have been – and continue to be – violently enacted through Canada’s colonial project (Austin, 2013). Colonial mythologies dominate structures of access and un/belonging, profoundly shaping labour hierarchies and categories of immigration, with narratives of “racial supremacy as national superiority” continually performed in the everyday selection, classification, and ranking of those who apply to work in Canada (Thobani, 2007: 249). To effectively explore the recruitment of temporary labour and the enactment of Canada’s borders, therefore, it is necessary to historically contextualize TFWP structures within the colonialisms that have maintained and shaped narratives of legality, morality, mobility, and the imagined Canadian nation. These narratives have formed the foundation from which the spatial and social production of difference can take place.

To examine these foundations as well as more broadly situate Guatemalan migrant labour in Canada and globally, the following is divided into two sections: i) narrating the settler state and ii) neoliberal migration management. I have chosen to frame the literature in this way to demonstrate how colonial logics uphold the nation-state, and in turn reveal how capitalist relations depend on these same logics. Migration management is presented as necessary for optimal capital gain, but it is built upon the othering of migrants, who will always be “foreign” in Canada and so are differentiated from Canadians despite working on the same territory (Sharma, 2006). It is the “foreignness” of workers – established through White settler mythologies – that legitimizes their state-constructed precarity. Rather than first focus on the broader capitalist system and how it interacts with Canadian policy in a political economy or systems-based approach (see Robinson, 2007; Wallerstein, 2004; Hanley & al., 2009; etc.), I start by unmapping the histories and relations of domination that have normalized discriminatory labour structures and continue to tangibly enable capitalism to operate in Canada. At its core, capitalism is rooted in racism and colonialism and relies on the

ongoing theft of Indigenous land and labour, and so this is the point from which I begin. This approach is brazenly personal, feminist and anti-colonial, inspired by the work of predominantly women of colour writers, namely: Nandita Sharma, Harsha Walia, Sunera Thobani, and Sherene Razack. It is also hopeful: in recognizing our complicity and position within these histories and relationships, it becomes possible to challenge colonial constructions on both an individual and systemic level and make space for new stories that recast the past and present.

After establishing the way in which settler state narratives organize and justify the production of difference and border controls, structuring the racialization of labour and preservation of White supremacy in Canada, I turn to a broader systems-based approach in the second part of my literature review to examine the intersections of settler colonialism, neoliberalism and managed movement. As the mobility of particular – racialized – groups becomes increasingly contained through migration management institutions in Canada and around the world that ironically sell movement as a commodity “for the benefit of all,” it is more and more apparent how border controls favour the mobility of the (White) few at the expense of the immobility of the (racialized) majority. Global capitalism reinforces and exacerbates colonial relations of exploitation through the enforcement and expansion of border management. As expressed by journalist Dawn Paley (2013): “Far from preventing violence, the border is in fact the reason it occurs” (as cited in Walia, 2013, 5). State-sanctioned managed migration, in particular, has become a growing means to uphold colonial designs of citizenship, capitalizing on people’s claims to migration and survival while expanding the market for temporary labour. I will explore these ideas for the remainder of this section.

NARRATING THE SETTLER STATE

Race has shaped the modern nation-state since its conceptual and institutional emergence. As David Theo Goldberg writes (2002: 4): “Racial configuration fashions the terms of the founding myth, the fabrication of historical memory, necessary to both the discursive production and ideological rationalization of modern state power”. Race has been – and continues to be – fundamental to the creation, expansion, and transformation of the nation-state, whose formation has been premised on “the ideological work of

manufacturing sameness” (Anderson, 2013: 36). While the measures and modes of racial exclusions have varied over time and space, the state has always been organized to reinforce racial difference, keeping those who have been classified as “racially characterized others” physically out of national space or else “regulating otherness” within spaces that are defined or controlled by the state. According to Goldberg, colonizing states, in particular, work to create and propagate difference to reproduce sameness within settler populations, externalizing racialized groups to reinforce White colonial homogeneity.²⁸

The nation state is not a natural entity, but has been constructed through specific – ideological – practices grounded in a fictive “racial mythology” (Balibar and Wallerstein, 1991; Goldberg, 2002; Thobani, 2007; Anderson, 2013). Notions of race have been used to build the nation-state, fabricating boundaries of inclusion and exclusion through processes of colonialism and racialization that have in turn fortified systems of domination. Étienne Balibar (1991:42) argues that racism itself originated in colonial nationalism, “produced and reproduced within the space constituted by conquest and colonization”. Montreal historian David Austin (2013), in turn, describes race as a product of slavery and colonialism, emphasizing the importance of colonial narratives in upholding the racial contours of the nation and the power of state rule. In Austin’s words: “[State] power is facilitated and exercised through the production of truth, through contrived narratives designed to maintain power, order, and authority, to make laws and to produce wealth” (Austin, 2013: 48).

National mythologies lay the foundation for constructing narratives that naturalize the settler state, eclipsing the violence and devastation of colonialism, past and present²⁹ (see Austin, 2013; Thobani, 2007; Walia, 2013; Sharma, 2006; Razack, 2002; Buck, 2012; etc.). As voiced by Brackette Williams (1989: 430): “As nation-builders, mythmakers become race-makers”. Hegemonic colonizer narratives forge the parameters of White belonging and entitlement while also normalizing racial violence and exclusion towards non-Whites to continually produce a colonial “Canada”. “Narrative and power

²⁸ For example, Canada’s recent Barbaric Cultural Practices Act or Québec’s 2014 Charter of Values are pieces of colonial legislation specifically targeting racialized immigrant communities in Canada.

²⁹ Nationalist myths are also manifested in state school curriculums, official language(s), national holidays, flags, monuments, literature etc. (Buck, 2012).

go hand in hand”: although Canada is a White settler colony founded upon the displacement, dispossession and commodification of Indigenous lives, resources and lands – as well as the indentureship of racialized im/migrants³⁰ – these processes are omitted and obscured in dominant discourse, concealed beneath the image of a virtuous “beginning” (Austin, 2013: 28). In the words of Sunera Thobani (2007: 34):

The foundational narrative of Canadian nationhood is a romance of pioneering adventure, of wild lands and savage peoples, of discovery and enterprise, of the overcoming of adversity through sheer perseverance and ingenuity. Europeans discovered an unknown continent and Europe’s intrepid masses came to it: a new people building a new world.

Applying colonial legal concepts such as *terra nullius* (‘empty land’ for the taking) and *terra incognita* (which gave Europeans ‘legal title’ to the land they illegally occupied), White settlers have vindicated themselves as “law-upholding” subjects through the enforcement of colonial law while simultaneously “imposing illegality” on those whom they have colonized and dispossessed (Thobani, 2007). Legality has as such always been “a construct of the powerful, not of justice” (King Alfred, 2015). Colonial sovereignty has fundamentally been based upon an order of absolute violence that denies colonized peoples self-determination within their own lands – lands that they have moved through “since time immemorial” (Walia, 2013). The institution of colonial law has facilitated the masking and rationalization of this violence, as well as its systemization. This process is inevitably racial, for: “the violence necessary to bring into being the colonial order fashioned and propagated a racial order” (Thobani, 2007: 38; Razack, 2002).

Classification, Containment, & Borders

Classifying schemas have long been prevailing modes of what Goldberg calls “racial governance” in the modern state, working “to exclude and by extension include in racially ordered terms, to dominate through the power to categorize differentially and hierarchically, to set aside by setting apart” (Goldberg, 2002: 9). Categorical “racial management” has been administered through law and policy, codifying race through its

³⁰ Specifically, the enslavement of Indigenous peoples, peoples of African descent and Chinese im/migrants in the 19th and 20th centuries (Austin, 2013).

institutionalization in and through the state, the legal system, bureaucratic apparatuses, and national imaginings. Populations are “ordered” and demarcated through hierarchies of citizenship, with those that fall outside of assimilative categories differentiated and contained or else materially excluded. Goldberg asserts that states increasingly perform “the carceral logics of containability, confinement, and control” to “enclos[e] race within” rather than just physically prohibit “undesirables” from entering national space (Goldberg, 2002: 10 & 167). White supremacy operates in much the same way, premising racial control not upon “the absence of ‘non-whites’ from white space” but from “their structured exploitation within it” (Goldberg, 2002: 208). Goldberg describes this system of state-legislated containerizing as the “new regulator state”, a process that is “mediated more and more by extra-state institutional legality and geopolitical economies” (Goldberg, 2002: 260).

Sociologist Bridget Anderson (2013: 36) asserts: “Colonialism was key to the creation of ‘race’ and racial categories...[and] to the creation of Whiteness as a *national identity*”. Differential categorization has always been central to the racial – and colonial – order in Canada, with racialized hierarchies of un/belonging produced to build and then preserve a White settler nation (see Razack, 2002; Mawani, 2002; Oikawa, 2002; Nelson, 2002). White national space has been fabricated through legal systems of racial restriction infused with moral authority that have shifted in appearance over time: from the near erasure of Indigenous peoples’ histories to their legislated classification and containment in the Indian Act, the lawful banning and regulation of “non-preferred” races in Canadian immigration policy³¹, and the institutionalization of Canada’s migrant worker programs beginning with a bilateral agreement with Jamaica in 1966 – shortly after racial criteria was officially eliminated from Canadian immigration policy for the first time (Austin, 2013; Thobani, 2007; Sharma, 2006; Walia, 2013).

With Canadian national identity “deeply racialized since its inception in colonial violence,” Canada’s juridical order – through the Indian Act, 19th and 20th century immigration policy, and other pieces of racist legislation – has historically organized national space to sustain the colonial hierarchies that maintain White supremacy,

³¹ Such as: the 1885 Chinese Immigration Act, the 1923 Exclusion Act, the 1908 Continuous Passage Requirement, various head taxes, and official the institutionalization of race in the 1910 Immigration Act, etc. (Thobani, 2007).

transforming Indigenous peoples into outsiders/outlaws in their own territories, and dividing “insiders” and “outsiders” along colonial lines³² (Thobani, 2007: 249). Canadian immigration law, in particular, has been a central means of upholding settler sovereignty – and, accordingly, White supremacy –, subordinating racialized im/migrants to exalted Whites through an ever-expanding regime of classification and containerization³³ (Razack, 2002).

Canada has historically asserted tight control over which groups could enter national territory and their conditions of entry, framing race and colour as “problems” to be controlled through particular spatial and temporal restrictions (Satzewich, 1988). Intrinsicly bound with Canada’s White racial project, immigration and labour policies have been important race-making tools, delineating who may be excluded and thus exploited through categorical difference, for: “super exploitation requires the abrogation of rights” (Buck, 2012, 108; Brodtkin, 1998). Settler demand for cheap labour – to further land expropriation and capital accumulation – has actively structured the boundaries of the nation-state, allocating and immobilizing racialized migrants to particular sites in production relations, such as with Chinese and Japanese labourers in the late 19th and early 20th centuries (Razack, 2002; Oikawa, 2002; Satzewich, 1988 & 1989).

The creation of categorical difference through the institutionalization of temporariness has long been a means of normalizing the constructed precarity of racialized workers in Canada. Historian Vic Satzewich (1988) points out that the Canadian state has always admitted “undesirable” non-Whites temporarily and overtly excluded those labeled as temporary from accessing full rights and labour protections (Rajkumar, Berkowitz, Vosko, Preston, and Latham, 2012). With migrant labour differentiated as a distinct tier in Canadian space, workers have been positioned by the state in particular, “hierarchically-organized ways” (Walia and Tagore, 2012: 75). As such, the state is able to create labour precarity by immobilizing workers within the

³² Moreover, according to indigenous scholar Andrea Smith: “For immigration to be a problem, people must live in a propertied relationship to land” (Smith, 2013, x). That is, land must be recognized and treated as a commodity that can be owned and manipulated by a particular group of people – in the case of Canada, White settlers (Smith, 2013). Smith argues that the freedom to migrate and indigenous sovereignty are necessarily connected, for: “Immigration is an Indigenous issue because settler-colonialism ultimately depends on an exclusivist concept of nation based on control and ownership of land and territory that is demarcated by borders” (Smith, 2013, xiii).

³³ Thobani points out that the institution of citizenship itself normalized Indigenous dispossession by allocating individual rights and land titles to settlers (Thobani, 2007).

national labour market and constricting access to resources, while also perpetually framing im/migrants as “problems to be managed and contained” (Walia and Tagore: 78). It is this particular framing that also guarantees the profitability of workers. As pointed out by Walia (2013: 70):

The state denial of legal citizenship to these migrants ensures legal control over the *disposability* of the labourers, which in turn embeds the *exploitability* of their labour.

Rather than simply blocking territorial access, Canadian border restriction measures have largely controlled *how* people are able to cross colonially-drawn borders and the kinds of entitlements and mobility they (do not) have once they have crossed (Sharma, 2006; Robinson, 2006). Nandita Sharma (2006) describes migrants categorized as temporary as being strategically positioned by policymakers to exist outside of national space, despite living and working on national territory. Sharma (2001: 435) maintains that the state produces subjectivities through law and policy so that:

The notion that some people *just are* citizens and Others *just are not*, even within the same borders, comes to be a normative stance. The fact that these [subjects] are realized through the social organization of human relations in a particularly exclusionary and exploitative way is concealed.

Through the separate category of migrant worker, the state is able to facilitate the normalization of difference as well as reassert and maintain control over those groups it deems less desirable, eliminating temporary migrants from its master narrative of Canadian statehood.

Until the 1960s and 70s, Canada’s declared racial identity – as well as legal citizenship – was boastfully White, consolidated through overtly White supremacist policies that charted access to status and land (Mawani, 2002). It is therefore unsurprising that when immigration policy began to be officially “deracialized” in 1962,³⁴ im/migrants considered “coloured” were still impeded from settling in Canada, with state officials continuing to act as gatekeepers to “White man’s country” (Satzewich, 1988: 337). Rather than eliminating systemic racisms, discourses of national and cultural based difference came to replace those of biological inferiority (Thobani, 2007). This shift

³⁴ Satzewich calls the establishment of migrant worker programs at the end of the 1960s a deliberate “re-racialization” of Canadian immigration policy (Satzewich, 1988).

effectively worked to fortify racial hierarchies, “preserv[ing] racial discrimination within a legal framework where racially undesirable groups were no longer explicitly excluded”³⁵ (Marsden, 2011: 46).

Categorical separations in Canadian immigration law have strategically allowed for both the institutionalization and overshadowing of historical racisms, blocking access to basic protections and full status for the majority of racialized im/migrants who arrive in Canada while concealing this uneven access beneath “colourblind” neoliberal legislation (see Walia, 2013; Sharma, 2006; Thobani, 2007; Hanley, Choudry, Shragge, Henaway, & Stiegman, 2009; etc.). With racial categories obscured in dominant discourse, differential classification – rooted in colonial notions of difference – has become central to the contemporary workings of Canada’s immigration system. This has configured a system whereby distinct categories of people have profoundly unequal rights, while the racial contours – and racisms – of these categories are progressively buried beneath discourses of multiculturalism and White “tolerance” (Austin, 2013; Hanley, Choudry, Shragge, Henaway, & Stiegman, 2009). In Anderson’s words (2011): “Having created and codified ‘race’, modern liberal democracies now claim to move beyond it...” (Anderson, 2013, 41).

The production and preservation of racial difference, however, continues to be central to the naturalization of differential immigration streams, the contemporary criminalization of im/migrants and the militarization of border controls in Canada – as well as the continued usurpation of Indigenous lands and resources (Anderson, 2013; Walia, 2010; Razack, 2002; Sharma, 2002, 2006, & 2009; Preibisch, 2007; Thobani, 2001 & 2007). Because non-Whites are ultimately treated as “being outside of Canadian history,” the systemic discrimination and exclusion of racialized migrants is upheld in dominant discourse (Austin, 2013). Colonial narratives lay the foundation for who may be included in designs of the nation-state, creating criteria of belonging that inscribe the border categorically as well as territorially (Persaud, 2001; Mountz, 2010).

³⁵ Various authors (Satzewich, 1989; Goldberg, 2001 & 2002; Thobani, 2007; Sharma, 2006; Kemp, 2004; etc) have pointed out that the institutionalization of race by the state – through state institutions, structures, laws, and national labour market – have allowed for modern states “to assert themselves racially without the explicit invocation of racial terms” (Goldberg, 2001, 248).

Immigration regulations have always functioned to produce precarity and impose lawful dispossession onto particular – racialized – groups. Borders have consistently been used as a means to control the composition of the Canadian nation-state while facilitating settler access to “temporary,” contained labour. National mythologies actively shape the racial boundaries of the settler state, with categorical stratification and technologies of mobility control deeply racialized both across borders as well as national labour markets (McDowell and Wonders, 2009).

White Supremacy and the Racialization of Labour

Capitalist labour market hierarchies – organized through a world system of nationally-defined labour markets – have long been segmented along racial lines, what scholar Leah Vosko calls the “racialized division of labour”. Randolph Persaud (2001: 379) describes such hierarchies as “direct descendants from racialized labour regimes, colonial practices, and practices of [colonial] sovereignty,” what Kelvin Santiago-Valles (2005) dubs “racial capitalism”. Persaud elaborates (2001: 389-390):

The distinctive characteristic of slavery, indentureship, and quasi indentureship was that these labour regimes were configured around strictly controlled movement of the workers, coercion, and supremacist positions constructed around race... Both slave and indentured societies had strict laws governing movement. Elaborate legal systems were formulated to regulate the spatial characteristics of these societies... National sovereignty was inscribed by *keeping out* foreign power while simultaneously *keeping in* a substantial part of the labour population.

The “fixing” of racial subjectivities in production relations has long been used as a means to contain labour by hierarchically positioning particular workers as subordinate outsiders to the nation-state (Anderson, 2013). Colonially-powered laws have worked to legitimize labour enclosure while also reasserting national sovereignty. The growth of temporary labour streams stems from this same effort of capitalist states to both accumulate capital and reinscribe sovereignty, facilitating a formal “culture of containment” through neoliberal legislation to in turn strengthen state power (Persaud, 2001; Choudry and Henaway, 2012).

There are two main regulatory sites of racialization: the labour market and the border, with the former forging market-driven categories of hierarchically-organized

labour that are in turn administered and implemented by the latter (Kemp, 2004). The commodification of migrants fundamentally occurs through the simultaneous operation of border controls and labour production categories, with labour migration programs structured to create particular zones of confinement and flexibility. Colonial states continuously colour the material, spatial, and imaginary technologies of mobility control, with Whiteness given the “ability to move,” while blackness or colour are constructed as “static and immobilizing” (McDowell and Wonders, 2009). Workers are im/mobilized differentially through border controls and in national labour markets, positioned according to their racialized and gendered location in the colonial-capitalist world order (Bonacich and Wilson, 2008).

National mythologies shape possibilities for labour mobility and status within Canada, reproducing colonial categories of difference that continue to drive migration management and the racialization of labour. Colonial states such as Canada have always relied on the labour of racialized “outsiders” – Indigenous peoples, im/migrants and slaves – to enable capital accumulation and preserve White supremacy. The state continuously configures those categories of people to be differentially exploited, manipulating race and categorical difference according to the needs of capital. As expressed by Pem Davidson Buck (2012: 106): “Race as we now know it was created by the emerging capitalist nation-state, and is still both foundational to and conversely maintained by capitalism and the modern capitalist state”. The capitalist project of labour-force creation has as such been brazenly articulated through nationalist projects of state formation (Brodkin, 1998). This has taken on particular dimensions for immigration control and migration management under neoliberal capitalist globalization.

NEOLIBERAL MIGRATION MANAGEMENT

Neoliberalism is the hegemonic mode of discourse and conceptual framework that drives the latest phase of global capitalism (Harvey 2007). An ideology characterized by strong individual property rights, the rule of law, and institutions for free markets and trade, neoliberalism has worked to deepen the historical injustices of colonialism, racism, and imperialism, exacerbating what geographer David Harvey calls accumulation by dispossession (Harvey, 2004). According to Harvey, neoliberalism has become pervasive

and emphatically embedded in all social relations – “the common-sense way many of us interpret, live in, and understand the world” (Harvey, 2007: 3; Peck & Tickell, 2002).

Nation-states produce and preserve the institutional infrastructure necessary for neoliberalism, reconfiguring state designs and practices to promote privatization and new methods of amassing capital (Harvey, 2007; Martin, 2005). The inherent inequities of capital distribution and its need for constant expansion propels states to seek what Harvey calls a “spatial fix” to resolve capitalism’s internal contradictions, restructuring national space or else pursuing accumulation across borders. “Capital never solves its crisis tendencies, it merely moves them around” – defeated in locating new *ways* to grow, capital “searches for new *spaces* in which to grow” (Harvey, 2010: para. 26; Theodore and Peck, 2002: 465). State legislation and regulatory frameworks expedite the flow of capital, diffusing neoliberalism into everyday social and spatial relations to also broaden expressions of state power (Peck & Tickell, 2002; Harvey, 2007). The unprecedented rise of the neoliberal market has, as such, been “a politically managed and institutionally regulated process” to promote uneven geographical development (Peck, 2004: 399). States create space for flexible accumulation, forging new neoliberal landscapes that in turn transform the legal and administrative frameworks of the state in the interests of capital (Martin, 2005).

This state-led process of neoliberal expansion is inherently racial, what Jeong-eun Rhee (2013) dubs “racial neoliberalism”. Racial neoliberalism develops and is sustained through the structural conditions of racism and colonialism, operating as a racial project in and through the state while simultaneously concealing the very racial categories that facilitate accumulation by dispossession. Like processes of state formation, neoliberalism intrinsically operates as a racialized process that produces and shapes “racial subjects,” influencing racial structures by inciting the creation, transformation, and elimination of particular categories. Processes of neoliberal racialization occur in relation to discursive practices, creating new and old racial hierarchies as meanings and workings of race shift in relation to capital (Rhee, 2013). This is necessarily tied to labour exploitation, as neoliberalism relies on the creation of a flexible – largely racialized – labour force to secure the accumulation of capital (Preibisch, 2007; McNally, 2006).

The management of immigration by the state is a key means of implementing racialized neoliberal governance. Seeking new ways to accumulate capital, states both generate and contain migrant workers through continuous forms of displacement and dispossession, a process that organizer Harsha Walia (2013) calls “border imperialism”. As state governance structures evolve to unceasingly meet the needs of capital, border imperialism both uproots workers and facilitates their containment in nationally-bound labour markets. State immigration policy, in particular, fortifies growing labour market segmentation on the basis of race and status by immobilizing workers through temporary labour categories, institutionalizing disposability and furthering the cycle of accumulation by dispossession that has pushed workers to migrate in the first place (Walia, 2013).

William I. Robinson (2007) explains:

The transnational circulation of capital and the disruption and deprivation it causes, in turn, generates the transnational circulation of labour. In other words, global capitalism creates immigrant workers... In a sense, this must be seen as a coerced or forced migration, since global capitalism exerts a structural violence over whole populations and makes it impossible for them to survive in their homeland (n.p. as cited in Shantz, 2010: 76).

The freedom of capital is therefore necessarily “built on the *unfreedom* of the labouring majority” (McNally, 2006). While measures to facilitate the production of capital are carried out by state and extranational institutions, displacing and pushing workers into the labour market, labour and border mobility restrictions are increasingly tightened to contain labour, deepening labour divisions and legislating the “roll back” of rights (Peck and Tickell, 2002). As shifting forms of state governance become more neoliberalized, new means have emerged to discipline migratory flows and manage labour. This is particularly visible in the proliferation of migrant labour programs, which create the perfect “commodified and exploitable, flexible and expendable” workforce (Walia, 2010: 76). Such state-powered programs depend on drafting and restricting vast quantities of dislocated labour. As summed up by Walia (2013: 70):

The violence enacted on those [migrant] bodies that have been *displaced* by imperialist and capitalist foreign and trade policy is further enabled through the deliberate making of migrant and undocumented workers as perpetually *displaceable* by colonial and capitalist immigration and labour policies.

The Neoliberal Settler State

In Canada, the settler state project has become articulated in important ways with neoliberalism. An intensification of state-backed resource extraction and the ongoing colonization of Indigenous lands, deepening labour market flexibilization, and the growing privatization of Canada's immigration apparatus to for-profit contractors are just some examples of the kinds of exploitation that have been facilitated through neoliberal policies (Walia, 2010; Henaway, 2013). Stratified immigration controls have been important tools in furthering the racial injustices of colonial-capitalism, normalizing increasingly precarious working conditions and forging "the neoliberal worker" through differential categorization. While paths to refugee acceptance, permanent residency and family reunification programs have been progressively cut, temporary labour streams have been fast-tracked and are generally the only way for most migrants to legally reside in Canada. In this sense, the neoliberal worker *is* the migrant worker in Canada: nearly 1 million undocumented and temporary workers hold up the base of the working subclass, largely stripped of labour protections and confined to precarious employment (Tal, 2015; Goldring, Berinstein, & Bernhard, 2009; CIC, 2012).

The rapid growth of precarious, impermanent employment through the migrant worker category has been a racialized process. Despite living and working in Canada, migrant workers have "both discursively *and* legally [been] made into 'foreign' workers" by the state (Sharma, 2006: 76-77). The temporary worker category, solidified during the neoliberal restructuring of the 1970s, casts workers as "foreigners-within" Canada, differentiating labourers according to nationality to legitimize state-led labour flexibilization. Temporary labour precarity predominantly affects workers of colour, who constitute a disproportionate majority of migrant workers in Canada, particularly in the "low-skilled" stream (Preibisch, 2007; Lowe, 2007; Depatie-Pelletier, 2008). In crafting the category of "foreign" worker, the state has continually enabled a supply of low-cost – largely racialized – workers to Canadian employers, constructing a multi-tiered labour and immigration system while quietly eliminating paths to permanent status and stable employment. Sharma (2006) estimates that more than three-quarters of the workforce recruited to Canada from 1973 to 2004 arrived as migrant workers. This steady rise in temporariness has allowed for the normalization of new modes of precarious

employment, as temporary labour and temporary status become increasingly commonplace.

The migrant worker category, meanwhile, is reproduced every day through state-authorized labour recruitment and control mechanisms, particularly via what Kemp (2004) calls *the binding system* and *deportability* in Canada – i.e. labour containment. As bordering practices are devolved to private actors who facilitate the global hiring of workers, labour market processes have worked to depoliticize and conceal the role of the state in structuring and institutionalizing temporariness and tied employment. State policy binds “low-skilled” migrant workers to their employers “however exploitative, abusive, or positive that relationship may be” (Hennebry and Preibisch, 2010: 30). The binding system, according to Kemp, enforces a legislative framework in which migrants are regarded as “property-like” to employers, who, if unsatisfied, may “even ‘get compensated’ as if we were talking about a store returns policy” (Kemp, 2004: 275). At the same time, the state policy of deportation continues to position migrants as threats “to state sovereignty and law,” framing “foreign” workers as in constant need of regulation and containment for the supposed safety of Canadians (Kemp, 2004: 267). The state-designed conditions of deportability and tied employment systematize worker precarity, creating the very possibility for super-exploitation while advancing a racialized hierarchy of labour in Canada (Walia, 2013).

Relied on to “step into the work where the nation-state reaches its sovereign limits,” migration management institutions also reproduce the migrant worker category through processes of classification and categorization, effectively expanding the scope and scale of the state (Mountz and Ashtosh, 2011: 22). As more private actors become involved in implementing state policy (what Peck and Tickell call “roll-out” neoliberalism), migrants are increasingly categorized even before they reach a physical border. Alison Mountz and Ishan Ashutosh (2011) call these “new spaces of ‘networked governance’,” whereby states authorize private or intergovernmental organizations to manage and contain human mobility over vast geographies. The growing role of migration management groups in border enforcement and temporary labour recruitment points to a wider understanding of privatization as also a means of “*expanding state capacities*” (Mountz, Coddington, Catania, and Loyd, 2012: 536). Diffuse webs of

migration management open up new spaces and methods for ordering movement, multiplying the potential sites and scales for the management of migrant lives.

Migration Management and the Ordering of Movement

As border policies become more “managerialized” on a global scale, international agencies that specialize in producing regimes of border control have risen in number, expanding the “enhancement and deployment of state capacity” under neoliberalism (Andrijasevic and Walters, 2010: 980). The framing of state borders as “a problem of ‘management’” has spurred the proliferation and networking of border expertise operations, establishing “an entire specialist domain” for “the design, policing, administration, and legal and technical operation of borders” (Andrijasevic and Walters, 2010: 978). Agencies sort mobile populations into state-sanctioned categories, dividing migrants into “streams of useful and useless, admissible and returnable, employable and deportable” (Andrijasevic and Walters, 2010: 982). Andrijasevic and Walters (2010: 982) describe this process as part of “neoliberalism as the new ethos of rule”: with border managerialization sold as a commodified service, private agencies increasingly spread the norms and mechanisms for bordering practices, dispersing methods of migration governance to also extend modes of state power.

Migration management allows for a more effective control of “foreign” movement within national borders, spatially and temporally extending migration control mechanisms beyond physical frontiers. The IOM, a trailblazer in border management³⁶ services, defines migration management as a “system for the orderly and humane management for cross-border migration,” specifically “managing the entry and presence of foreigners within the borders of the state” (IOM, 2014, para. 24). While the humanitarian language of migration management distracts from the deliberate way that precarity is created through multi-tiered categories and profit-seeking brokers, “migration management” has come to be a synonym for what Hennebry (2012) calls “permanent temporariness”: rather than facilitate settlement and full status, management mechanisms permanently regulate and restrict temporary “foreigners” within nationally-bound labour

³⁶ The IOM defines border management as: “Facilitation of authorized flows of persons, including business people, tourists, migrants and refugees, across a border and the detection and prevention of irregular entry of non-nationals into a given country” (IOM, 2015, para. 4).

markets. The unprecedented increase of temporary migrant workers in Canada, for example, is directly rooted in the state's adoption of a migration management framework that favors impermanence over access to citizenship.

With immigration policy increasingly used as a means to source, contain, and remove “undesirable” migrants according to fluctuations in the national labour market, the Canadian state has eased the outsourcing of many migration-related services both in Canada and transnationally³⁷. Private labour recruitment agencies, in particular, are essential intermediaries in migrant worker programs, controlling access to Canada's labour market and carrying out migration management across borders as prescribed by the Canadian state and Canadian employers. Agencies are decisive actors in enforcing labour disposability, locating low-cost workers and also guaranteeing their removal from Canada for a profit. The precarious makeup of labour migration programs is typically compounded by recruitment intermediaries, who reportedly are responsible for an array of abuses – from general corruption, fraud and exorbitant fees, to misinformation and false promises – as well as a re-institutionalization of explicitly discriminatory hiring practices in worker selection (Faraday, 2011 & 2014; Choudry and Henaway, 2012; Preibisch, 2010).

While Canadian employers are technically prevented from using prejudiced practices in hiring Canadian workers, the organizations that hire migrant workers have systematized such practices into their work (Preibisch, 2010). With employers free to express any labour preference and hire from any region worldwide, racialized notions of productivity and docility configure labour management. As reiterated by Marta Maldonado (2009), racialized discourses and representations of particular kinds of workers have “furnished the ideological underpinning for guest worker and labour recruitment programs” (Maldonado, 2009: 1018). Recruitment agencies seek out those workers who may fit into the migrant worker category as established by Canadian institutions, hiring workers according to their nationality, race, gender, and physical attributes (Preibisch, 2010). Agencies reproduce the migrant worker category through the

³⁷ The IOM assisted Canada in carrying out its “Volunteer Departure Program” for refugees, spending over \$7.5 million since 2012 paying would-be refugees to leave the country (NOII, 2014; IOM, 2015). The number of overall deportations from Canada, moreover, has increased dramatically over the last few years, with over 49 deportations carried out each day in 2014 (CIC, 2012; CBSA, 2014).

tangible selection of temporary workers and enforcement of temporary bordering practices. Accordingly, the daily interactions of recruitment representatives can serve as a “mechanism through which racist ideologies become institutionalized and visible” (Maldonado, 2009, 1033).

While many scholars have documented the rapid growth of temporary employment in Canada and the labour abuses that these temporary structures perpetuate (see Hennebry, 2012; Galvez, 2011; Cragg, 2011; Depatie-Pelletier, 2007 & 2011; Faraday, 2012; Fudge, 2011; Fudge & MacPhail, 2009; Goldring & Landolt, 2013; Nakache, 2010; Roberge, 2011; Preibisch 2007 & 2010; Satzewich, 1991; etc.), very little attention has been paid to the growing role of private and intergovernmental actors that implement Canadian immigration policy and act on behalf of Canadian employers, selecting and transferring migrant workers to Canada (See Faraday, 2014, for exceptions). Moreover, there has been little research on the devolved infrastructure of migrant worker programs under expanding border management policies and how this may contribute to the structural precarity of temporary labour, as well as what this might look like beyond national borders. Finally and perhaps most importantly, research conducted on Canada’s Temporary Foreign Worker Program generally lacks an anti-colonial analysis that contextualizes current relations of labour exploitation within the broader colonialisms that have wrought the contours of mobility and containment.

In this context, my project seeks to uncover the ideologies and practices that naturalize differential classification in Canada’s TFWP and trace how changing neoliberal processes – rooted in the structures of the racial settler state – heighten racialized hierarchies and perpetuate colonial violences across transnational landscapes. By unmapping and making visible the discourses and actors involved in the elaborate processes of classifying and rejecting identities in the case of the TFWP, I describe how borders are spatially and socially organized through shifting processes of categorization and containment. To challenge hegemonic discourses, it is important to locate “the everyday geographies of the nation-state” and undo the conceptual lines that make the neoliberal state an abstract entity (Mountz, 2010). As states devolve and privatize under “roll-out” neoliberalism, private agencies have become significant players in the realization of Canadian immigration policy. Through an examination of agency narratives

and practices in the Canada-Guatemala project, I aspire to unsettle the continual production of difference that maintains the categorical exclusion of migrant labour in Canada.

Chapter 4: POSITIONING AND APPROACH

The problem is not that of taking power, but rather who exercises it.

– Subcomandante Marcos

This research is part of a larger personal process of seeking to understand the profound injustices that structure the freedom to move, to stay and to return, and is a means to reflect on my own privilege within the lines that configure mobility and movement. My ancestors are Anglophone settlers who over many centuries have displaced and colonized Mohawk and Abenaki peoples, and I in grew up in a Québécois agricultural community that each spring is increasingly populated with Guatemalan migrant workers. I have spent much of my adulthood moving freely in Canada and Latin America, and since arriving in Montréal have been heavily engaged in the migrant justice movement by supporting people who face the very barriers/borders that I freely am able to traverse. I recognize the immense privileges that I hold as a White settler with a Canadian passport, and believe that these privileges need to be transparent as I write, research, and act in solidarity with others.

While I see this project as a means of understanding one component of the colonial-capitalist immigration apparatus, I recognize that the research process itself – as well as my position within it – can be a reproduction of the very oppressions I am attempting to deconstruct and challenge. Academic research is rooted in colonial structures and methods that reproduce categories, hierarchies, and power relations mirroring those of Canada’s immigration system and nation-state (Lander, 2000). As expressed by Indigenous scholar Linda Tuhiwai Smith, “The term *research* is inextricably linked to European imperialism and colonialism...Research provides the foundations for reports about and representations of the other” (Denzin, Lincoln, & Tuhiwai Smith et al., 2008, 4). Being a White settler welcomed in “research culture” and the university, the fact that I am not directly affected by the violence of the borders I critique is an important part of my own positionality – for, while we are all deeply enmeshed in colonial relations of power, it is the “expert,” the researcher, who ultimately has the last word in retelling these stories.

My own mobility and status as a White Canadian has benefitted me in being able to carry out this research, giving me access to movement, resources, and particular, mostly elite, circles in Guatemala. As a White Canadian, gaining access to institutional networks in Guatemala City and the surrounding areas was a relatively simple process due to my privileged position as an academic outsider. Moreover, my impeccable timing in Guatemala City – arriving shortly after the dissolution of the IOM-Guatemala – contributed to being able to access agencies and interview recruiters. Having previously built relationships with activists, migrant workers, and academics from Guatemala, I was also able to connect to wider networks of support and make new connections through introductions and personal networks. In particular, a dedicated organizer, friend, and former migrant worker supported me extensively by introducing me to his former co-workers, neighbours, and comrades who have had intimate experiences with recruitment and work in Canada. Labour rights organizers at FLACSO and the Association of Guatemalans United for Our Rights (AGUND) were also very supportive. Meanwhile, securing interviews with agency representatives in Canada was a much more difficult – and ultimately less fruitful – process.

Although I began this project with the hope that information collected might somehow contribute to the struggle for migrant justice, I recognize that the format and language of this document are inaccessible to most and so it is unlikely that this thesis will do that. Moreover, while I believe that the research process should in every way possible support the self-determination of those who are directly facing unjust immigration and labour policies, fulfilling this has proven to be difficult in practice given the individualist and short-term nature of this project, particularly within competitive-driven university structures that emphasize the publishing of property over the practice of building relationships. Still, I hope that sharing this research might be a way to shed light on how Canadian migrant worker programs have reverberating consequences far beyond small agricultural communities such as mine, and might be a way to destabilize the unjust categories and racisms that have become commonplace in my childhood landscape and across rural Canada.

Finally, I am writing this document in the spirit of what geographers Jenna Loyd, Matt Mitchelson and Andrew Burridge (2012) call a “no-borders politics”:

A no-borders politics opposes and seeks to dismantle the complex array of public and private companies, organizations, and agencies involved in controlling the mobility of people between and within the nation-state. No-borders politics is committed to creating places where people can reside without displacement and to being able to move freely (Loyd, Mitchelson and Burrige, 2012, 11).

While the recruitment industry is just one component of Canada's neoliberal immigration system, its actors are important gatekeepers in governing and restricting the mobility of those who have been displaced. In deciphering and making visible the narratives and workings of the recruitment process, I hope to contribute to disentangling the elaborate web of the TFWP, exposing and denaturalizing the containment of movement towards a wider politics for imagining a world without borders, in support of the freedom of all to move, to stay, and to return.

THEORETICAL FRAMEWORK

Critical border studies scholars conceptualize the border as “a series of *practices*” rather than as a mere line between states. Constructed in the interests of the (colonial) nation-state, borders are constantly being produced and maintained, changing shape under neoliberalism to become increasingly multidimensional, mobile, and expanding (Parker, Vaughan-Williams et al., 2009; Mezzadra and Neilson, 2013; Razack, 2002; Mountz and Ashutosh, 2012). Parker, Vaughan-Williams et al. (2009) describe bordering practices as “actor-oriented,” highlighting the agents and actions that underlie the continuous spatial and temporal production of borders. Under neoliberal migration management, borders act as filters and sites of differentiation, with multiple actors, practices and structures contributing to what Sandro Mezzadra and Brett Neilson (2013) call “the governmentalization of the border”. Language, imagery, and performance are important components of border management, as borders are continuously enacted and changing through everyday actions and geographical imaginaries (Braiden, 2014).

The sites where bordering practices occur are important spaces for the re-production of the nation-state. Geographer Alison Mountz (2003) describes the state as constituted of a series of institutional, spatialized bordering practices, involving diverse actors that see, classify, and reject individuals through daily bureaucratic arrangements.

Bordering actors manage and produce difference through classification and categorization, implementing everyday nation-building exercises to determine who (temporarily) belongs within or outside of the nation. According to Mountz, the nation-state becomes articulated through the imaginations – and narratives – of those who enact it. It is therefore important to locate the “everyday geographies of the nation-state” as a means to deconstruct dominant discourses, challenge binaries between state and non-state actors, and undo the conceptual lines that typically make the state an abstract entity. In examining processes of differential classification in the everyday, it becomes possible to unmap the material webs and narratives that normalize state violence (Mountz, 2003).

Bordering methods, sites, and processes are increasingly dynamic and manifold. Carried out by both state and non-state actors, bordering activities range in practice from fashioning state policy to containing and processing im/migrants in administrative, detention and deportation facilities, carrying out targeted recruitment, granting temporary entry, issuing and implementing removal orders, etc. Borders are temporal as well as territorial, calculated not merely to prevent border crossings but *to control how borders are crossed* (Sharma, 2006; Robinson, 2006). This is necessarily tied to labour control. As expressed by Mezzadra and Neilson: “The border between the commodity form of labour power and its ‘container’ must continuously be reaffirmed and retraced” (Mezzadra and Neilson, 2013: 19). As such, processes of border-making are often not necessarily visible or overt. Rather, as bordering practices extend transnationally and take up new forms and spaces under neoliberalism, they also work to transform performances of state sovereignty and expressions of im/mobility, becoming dispersed through the labyrinthine institutions and mechanisms of the migration process. Spaces of networked migration management extend globally, creating new nodes – and markets – for neoliberal governance: filters, classifications, passage points, etc. (Mountz and Ashutosh, 2012; Andrijasevic and Walters, 2010). As more temporary migration streams are introduced by the nation-state, new (transnational) actors are required to perform the social, spatial, temporal, and juridical-legal practices that order and classify migrants.

Canada’s Low-Skill Pilot Program (of the TFWP) is an example of one such stream. State-powered and employer-driven, there is no specific government body to oversee the TFWP, and so its’ governance has been scattered between a multitude of state

and non-state actors, without any particular process for accountability and/or transparency. While there are many different organizations and individuals involved in obtaining and transferring workers from Guatemala to Canada³⁸, the main actors engaged in bordering practices – that is, those who sort, classify, and send temporary workers to Canada – are private recruitment organizations. Agencies participate in discursively producing differential categories – and, in turn, subjectivities – of workers by cataloguing candidates according to explicitly ableist, gendered, racialized, moral, and temporal requirements set out by Canadian institutions. Employing particular narratives to filter and order workers who wish to work in Canada, they also participate in creating new standards and ideas of border and labour expertise. This thesis will interrogate the bordering practices and narratives carried out by recruitment agencies in Canada’s TFWP in Guatemala.

METHODOLOGY

Institutional linkages make up a complex network of management and control that scholar Dorothy E. Smith calls “relations of ruling” (Smith, 1999). According to Smith, the organizational activities that shape such “ruling relations” occurs in and across multiple sites and involves the actions of individuals who typically are unknown to one another and so do not meet directly (DeVault & McCoy, 2006). Smith traces the empirical linkages within processes of bureaucracy and governance “to explore particular corners or strands within a specific institutional complex, in ways that make visible their points of connection with other sites and courses of action” (DeVault & McCoy, 2006: 17). I use Smith’s “relations of ruling” approach to examine recruitment operations as one aspect of the broader TFWP, investigating the various actors, sites, and mechanisms that together implement worker recruitment. I do so by examining the everyday geographies of migrant worker selection, conducting qualitative, open-ended interviews with a range of recruitment actors in the LSPP in Guatemala and Canada and charting the

³⁸ Such as Employment and Social Development Canada (ESDC), Citizenship and Immigration Canada (CIC), the Canada Border Services Agency (CBSA), the Guatemalan Consulate, employers, additional intermediaries, etc.

various steps that workers must undertake in order to be considered for a temporary labour contract.

I have chosen to focus on recruitment due to its' relative invisibility within the Canadian immigration complex to residents in Canada. A component of the TFWP that is largely concealed by its transnational, serpentine structure, I argue that recruitment acts as an important bordering practice in itself, particularly in constituting the ongoing borders that migrant workers face on a daily basis once in Canada. The tangled, web-like structures that comprise TFWP recruitment and management produces spaces for miscommunication, fraud, and profit, consuming workers within illegible, mazelike processes while projecting the image of a lawful, ordered Canada. Through an interrogation of the day-to-day agency activities that forge “good workers” and the imaginary parameters of temporary labour in Canada, I aim to denaturalize how the TFWP – and the ideologies which uphold it – is actively constructed in the everyday through worker recruitment. I describe how Canadian border management practices are realized through the continuous classification and containment of workers both in Guatemala and Canada. Recruitment practices also importantly contribute to maintaining dominant settler mythologies of who may reside (temporarily) within Canada, reinscribing colonial notions of inclusion/exclusion. In exposing and unmapping the particular narratives (and “truths”) which maintain daily recruitment operations and shape the selection of workers, I aim to uncover the racial, spatial, and colonial articulations of TFWP bordering practices.

I interrogate the bordering narratives of TFWP recruitment actors using narrative methodology and discourse analysis. Narratives have been defined as “indexes of power” which “make sense of experience” and “construct meaning” (Cameron, 2012; Prokkola, 2014). Complex, layered, and often multi-dimensional, narratives are a means to investigate everyday situations and sites where discourses are negotiated, a concept in and through which actual practices materialize (Prokkola, 2014). Narratives work to diffuse, communicate, and construct knowledge, relations, and power structures, and are often sites of struggle and contradiction. In geographer Eeva-Kaisa Prokkola's words: “Narrative plotting and practices can be understood as political actions in which particular social and cultural discourses are confirmed and others contested” (Prokkola,

2014: 445). Discourses, in turn, are the framework within which narratives are situated, often described as a set of ideas that structure knowledge and practice to impart meaning to narratives, concepts, texts, etc. (Berg, 2009). Subjects both contribute to discourses and are positioned by them. Discourse analysis, therefore, works to unearth how particular discourses and arrangements have come to be normalized through language. By identifying the dominant narratives and inconsistencies of TFWP actors, it is possible to uncover and challenge the bordering configurations that maintain temporary migration structures and colonially-imposed categories.

METHODS

In early January 2014, I arrived in Guatemala City to begin my fieldwork at the Faculty for Latin American Social Sciences (FLACSO) with the support of their academic personnel. After just a few days in Guatemala, I learned that the International Organization for Migration (IOM) – the intergovernmental body that had co-instituted the Guatemala-Canada Pilot Project – had been expelled from the country for corruption charges and abandoned their offices just a few months before. All that remained of the IOM was a post office box. With the organization’s departure, five new worker recruitment agencies had surfaced between June and December of 2013³⁹, many of them composed of past IOM staff, to compete with two other migration management agencies that had been operating since 2009 and 2010, respectively. The practices and narratives of these institutions became my research focus during the four months that I conducted fieldwork in Guatemala.

Contacting agencies was a relatively simple process: after a few weeks at FLACSO, I visited Movilidad Laboral, an office of the Guatemalan Ministry of Labour dedicated to supporting international migration to Mexico, the US, and Canada. At the Movilidad office, I was given contact information for the seven agencies that had been organizing to send Guatemalan workers to Canada. In the following months, from February to April 2014, I carried out twelve open-ended, qualitative interviews with the

³⁹ New agencies included: one in Santa Rosa (ACADECGUA), another in Amatitlán (Human Out), and three more in Guatemala City (Canadian Job, Comuguate, and AIM).

staff of all seven recruitment agencies active at that time in Guatemala, and one in Montreal, speaking with a total of eighteen recruitment representatives from eight agencies (See table 1 for overview and appendix 7 for agency interview questions). I was also able to interview nine former IOM staff as many of them were employed in new agencies. In these interviews, I asked agency staff about the formation of labour recruitment organizations, the operational workings of the TFWP and the various processes agencies carry out in worker classification and selection⁴⁰. During interviews I was also able to occasionally observe trainings, informational sessions, and worker interviews, as well as see recruitment sites, which ranged from small offices to parcels of land and entire operational farms used to evaluate and train workers.

TABLE 1. AGENCY INTERVIEWS CARRIED OUT IN 2014

Agency	Number of interviews	Interview structure	Number of total staff interviewed
A	2	Group, open-ended	2
B	1	Group, open-ended	3
C	1	One-on-one, open-ended	1
D	1	Group, open-ended	3
E	2	One-on-one, open-ended	2
F	2	Group and one-on-one, open-ended	3
G	2	One-on-one, open-ended	3
H	1	One-on-one, open-ended	1
TOTAL	12	5 group, 7 one-on-one	18

During fieldwork, I also collected archives, publications, statistics, and surveys from FLACSO, San Carlos University, the Guatemalan Ministry of Labour, the Consejo Nacional de Atención al Migrante de Guatemala (CONAMIGUA), and the National Statistics Institute of Guatemala (INE), as well as obtained documents from the agencies I interviewed. While I was able to collect general information from these groups, most knowledge about actual recruitment practices and agency structures for labour migration to Canada could only be learned by word of mouth through interviews with agencies and workers. While there is some information on the general number of Guatemalans who go to Canada each year and their department of origin, little has been recorded regarding

⁴⁰ See appendix vi for open interview guideline with agencies.

TFWP recruitment in Guatemala beyond that.⁴¹ Moreover, there is no written documentation on the details of the recruitment process to Canada.

While I had not planned on interviewing workers due to my positioning as a White academic, a friendship with an activist who is a former migrant worker pushed me to meet various workers who agreed to be interviewed anonymously. While visiting this friend in the province of Santa Rosa, I met a household of workers in a mountainous village near an old plantation – an area that was once a hot recruiting spot – who in turn introduced me to other workers in surrounding communities. I was also introduced to workers through friends in and around Guatemala City, who shared conversations in brightly-lit shopping malls and crowded plazas during my first few weeks of fieldwork. And, at the end of February, I embarked on a whirlwind road trip with a Guatemalan academic to visit workers from different communities in the departments of Sacatepéquez, Chimaltenango, San Marcos, Escuintla, and Santa Rosa. In total, I carried out nineteen interviews with thirty-nine workers across various departments: Guatemala (5), San Marcos (3), Santa Rosa (15), Escuintla (3), Chimaltenango (5), el Progreso (3), and Sacatepéquez (5); from a total of approximately 18 different communities (See table 3 for overview and appendix 8 for worker interview questions). All interviews consisted of open-ended questions about the recruitment and selection process;⁴² twelve were one-on-one and seven were group sessions with between two and twelve participants. These interviews proved to be critical in countering the narratives of for-profit agencies.

TABLE 2. LIST OF WORKER INTERVIEWS CARRIED OUT IN 2014

Interview	Structure & number of workers	Location	Department of origin	Date
1	Group of 3, open-ended	Guatemala City	Guatemala	January 2014
2	One-on-one, open-ended	Guatemala City	Santa Rosa	January 2014
3	Group of 2, open-ended	Santa Rosa	Santa Rosa	January 2014
4	One-on-one, open-ended	Santa Rosa	Santa Rosa	January 2014
5	One-on-one, open-ended	Sacatepéquez	Sacatepéquez	January 2014
6	One-on-one, open-ended	Guatemala City	San Marcos	February 2014
7	One-on-one, open-ended	Guatemala City	Guatemala	February 2014
8	One-on-one, open-ended	Sacatepéquez	Chimaltenango	February 2014
9	Group of 3, open-ended	Sacatepéquez	Sacatepéquez	February 2014
10	Group of 5, open-ended	Chimaltenango	Chimaltenango	February 2014
11	Group of 2, open-ended	San Marcos	San Marcos	February 2014
12	One-on-one, open-ended	San Marcos	San Marcos	February 2014
13	Group of 3, open-ended	Escuintla	Escuintla	February 2014

⁴¹ As well as two IOM “project evaluation” reports, written in 2006 and 2008, respectively.

⁴² See appendix vii for worker interview guides.

14	Group of 12, open-ended	Santa Rosa	Santa Rosa	March 2014
15	One-on-one, open-ended	Santa Rosa	Santa Rosa	March 2014
16	One-on-one, open-ended	Santa Rosa	Santa Rosa	March 2014
17	One-on-one, open-ended	Guatemala City	El Progreso	March 2014
18	One-on-one, open-ended	Victoriaville, QC	El Progreso	April 2014
19	One-on-one, open-ended	Victoriaville, QC	El Progreso	April 2014
TOTAL	7 group, 12 one-on-one	N/A	N/A	N/A

FIGURE 3. MAP OF GUATEMALA

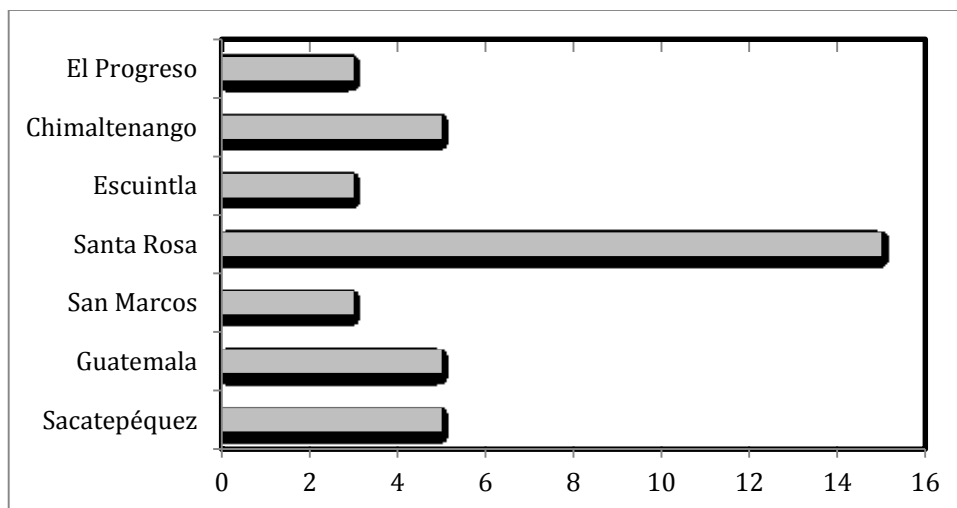


(Kairos Canada, 2015)

Of the thirty-nine workers interviewed, thirty-six had worked in Canada and three were targets of fraud (never having worked in Canada); four identified as women and thirty-five as men, and all were approximately between the age of 22 and 40. Thirty-four out of thirty-nine workers went into debt in order to afford recruitment fees. There is evidence that workers made individual payments ranging between 2000Q (325\$) and

80,000Q (\$12,735CAD) (without necessarily going to Canada);⁴³ and most (twenty-one) did not know if they were returning to work in Canada or not. All agencies interviewed, meanwhile, claimed to have at least one contract or Canadian counterpart in Canada, with the exception of one agency that had its visa applications rejected for working with a blacklisted employer and had not yet been able to obtain an additional contract or Canadian representative (See table 2). Due to the labyrinthine and employer-driven structure of the TFWP, almost all agencies (six out of eight, as well as the IOM) had at some point or another worked with a blacklisted Canadian employer⁴⁴ and six had been accused of fraud by workers while also contributing to worker blacklisting, i.e. banning workers from Canada (see chapter 6 for more information)⁴⁵. Overall, I was surprised how widespread rumours of well-paid work in Canada were, and how workers and agencies came from all parts of the country rather than just a particular department.

FIGURE 4. DEPARTMENT OF ORIGIN OF INTERVIEWED WORKERS

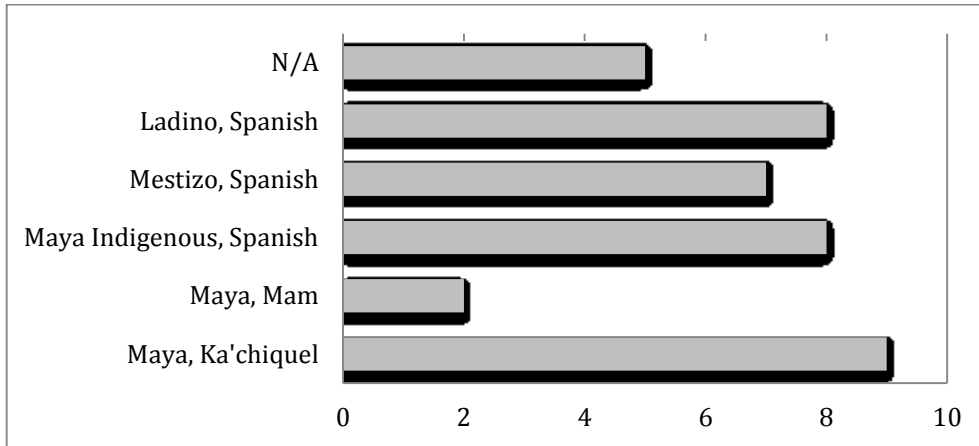


⁴³ Records from the Governance Ministry of Guatemala (Ministerio de Gobernación) show charges of 8,000Q, 10,000Q, 13,500Q, 18,000Q, 20,000Q, 30,000Q, 35,000Q, 40,000Q, 55,000Q, 60,000Q, 70,000Q, and 80,000Q etc., however, this is just a small fraction of total charges, as most individuals who have paid money to go to Canada have not begun legal proceedings against agencies that have scammed them (CONAMIGUA, 2014).

⁴⁴ Although there are a few Canadian companies that have been formally blacklisted by Canadian and Guatemalan governments for the labour abuses, this list is not public nor actively monitored and, as such, even blacklisted companies have succeeded in continuously obtaining migrant workers. If an employer becomes blacklisted by the Guatemalan government they can easily just switch source countries.

⁴⁵ For the purpose of protecting the identities of those interviewed, the names of agencies are not shared in this article.

FIGURE 5. RACIAL IDENTITY AND LANGUAGE OF INTERVIEWED WORKERS



In Guatemala, four out of the seven total agencies were composed of former IOM staff, while the remaining three were predominantly made up of former agricultural workers and/or entrepreneurs. The four agencies run by past IOM employees were all based out of offices in Guatemala City and at the time were sending the majority of migrant workers to Canada, with one particular agency handling the greatest number of workers since its inception in 2010 due to its close ties with FERME and the remaining groups emerging and competing for contracts since the closure of the IOM in 2013. The agency staff members of these groups were largely university-educated, upper class individuals of Guatemalan nationality, but also included a Canadian and a German, the latter of whom ran the largest functioning agency, and the organizations ranged in size from having three to seventeen employees. A single agency not affiliated with the IOM in Guatemala City, however, was owned and operated by a university-educated entrepreneur in partnership with a former migrant worker, employed nine staff, and had not yet sent any workers to Canada – due to applications being rejected – despite recruiting workers in agriculture since 2013 with the hope of also expanding to nursing⁴⁶.

Agencies in Chimaltenango and Santa Rosa, meanwhile, had been operating as organizations since 2009 and 2013, respectively, and were mainly administered by former

⁴⁶ Through Canada's Caregiver Program (formally known as the Live-In Caregiver Program).

farmers from these areas, in conjunction with a Canadian agency based in Montreal that I also interviewed. Although only employing between five and seven staff, most of whom had studied a profession or agricultural specialty at a collegial level but not attended university, these groups functioned as member-based organizations and so included between 400 and 275,000 members across twenty-two departments all over Guatemala who were required to pay a fee and manually contribute to the organization. All three non-IOM affiliated agencies (in Guatemala City, Chimaltenango, and Santa Rosa) held offices in their regional capital while also requiring candidates to complete a certain number of training hours on their agricultural terrain in a rural area, and typically sold various add-ons ranging from manual labour and agronomy trainings to language classes, lie-detector tests, uniforms, etc. In total, three out of seven agencies in Guatemala ran additional “development” projects alongside recruitment – such as an employment reintegration project for returned migrants and agricultural development programs – while the remainder specialized only in securing and processing workers for Canada’s TFWP. However, the majority (six out of seven) aspired to eventually create development projects of their own.

TABLE 3. OVERVIEW OF RECRUITMENT AGENCIES INTERVIEWED IN 2014

Agency	Location and site layout	Organizational structure and size	Date formed	Number of workers recruited	Accused of fraud / corruption?	Worked with a blacklisted employer?
A	Guatemala City, office	17 staff; also administer workers going to Canada from Honduras	Formed in 2010; Changed name in March 2011	+5000 workers sent to Canada; hundreds more on waiting lists; in high season, +100 workers in offices each day	Yes, staff within ranks charging fees; have blacklisted hundreds of workers	Yes
B	Chimaltenango, operational farm and office	5 staff and regional branches; 275,000 members across 13 departments and 275 municipalities	Formed in 1993; Recruiting to TFWP since 2009;	7 workers sent to Canada in 2013 and waiting on other applications; hundreds to thousands on waiting lists (numbers undisclosed)	Yes, including charging for taking names, add-on costs, and exorbitant fees	Yes, workers in Canada are currently working for a blacklisted employer
C	Guatemala City, office, operational farm	9 staff, including agronomists and engineers	Formed in July 2013	+ 200 people on waiting list; database waiting	Yes, including charging for taking names and add-on costs	Yes; visas rejected for working with blacklisted employer

D	Santa Rosa, operational farm and parcels of land	7 staff; 400 members across 22 departments	Formed in Nov. 2013	No workers yet sent to Canada but has made ties with Canadian counterpart; +500 people on waiting list, "trained and ready"	Yes, including charging for taking names and add-on costs	Unknown
E	Guatemala City, office	3 staff	Formed in April 2013	Undisclosed numbers of workers sent to Canada; hundreds of workers on waiting list	Yes; including charging for taking names and exorbitant fees	Yes
F	Guatemala City, office	5 staff	Formed in Sept. 2013	Undisclosed numbers of workers sent to Canada; hundreds on waiting list	No	Unknown
G	Guatemala City, office	4 staff	Formed in late 2013	+200 workers sent to Canada; hundreds of workers on waiting list	No	Yes
H	Montreal, office	10-15 staff	Formed in 2011	Undisclosed numbers of workers sent to Canada	Yes	Yes

As a White woman from Canada carrying out interviews in Spanish primarily with high-ranking businessmen and male workers, many of whom were racialized, there were particular gendered, raced, and classed power dynamics at play throughout my work as a researcher. I found that, being a White Canadian, I had a particular advantage in agencies wanting to speak with me as they saw a possibility of a contract or further contact with Canadian businesses. While I tried to be clear about my position as a researcher and not a broker, I am certain that my identity helped provoke recruiters to speak with me. Moreover, as there had been a recent shift in the recruitment landscape, with many fragmented groups rather than a single entity or two rivals that had characterized the institutional landscape until the end of 2013, various groups wished to "set the story straight" and have their narrative told to contrast that of their competitors; this also worked to my advantage.

Power dynamics with workers, meanwhile, were a different sort altogether and in some ways much more pronounced. Many rumours circulated about workers' fear of speaking out and the reasons for this, from the idea of paid informants to nearby agencies watching over workers' actions. As an outsider in Guatemala, it was not clear to me whether there could in fact be material consequences if a worker chose to speak with me;

however, in comparison to interviewing workers in Canada, I was told that being invited to a community was much safer, considering that employers were thousands of kilometres away and high profile recruiters mostly confined to the capital city. All the workers that I spoke with were introduced to me through trusted personal networks. I therefore also felt a much stronger obligation to follow-up with workers and be accountable to them, especially due to the precarious position of individuals who had either been physically or verbally abused in Canada, charged exorbitant amounts of money that had serious repercussions for themselves and their families, and/or were unable to return to Canada due to blacklisting despite never having received compensation. As much of the organizing I do in Montreal aims to support migrants, I found it impossible to separate support for workers who were willing to share their stories with me from the research I was conducting. What proved more difficult, however, was continuing this support over the long term, particularly after I returned to Canada – which, for me personally, has led to larger questions around solidarity work and accountability.

Upon returning to Montreal in April, I attempted to contact the Canadian counterparts of the groups I had interviewed in Guatemala, as well as Canadian employers through personal networks in the Eastern Townships. All in all, it was much more difficult to make contact with Canadian-based agencies and employers. This was most likely due to the way that the TFWP has been more publicly criticized in Canada, and so employer associations are much more guarded against media coverage, as well as my own scarcity of resources and the dispersed geographies of agencies spanning across Canada. From April to May, after many e-mails, phone calls, and even office visits, only one agency in Canada consented to an interview – and this group, in particular, was one that had only succeeded in sending one group of workers to an employer blacklisted by the Guatemalan Ministry of Labour, but had acted as a counterpart to two rural-based agencies in Guatemala. Out of four Canadian employers approached for an interview through contacts in my home community, none agreed to an interview. Through personal networks in Canada, however, I ended up conducting two final interviews with Guatemalan workers who had been recruited through intermediaries of an agency and charged thousands of dollars in recruitment fees.

Altogether, the bulk of this thesis is comprised of the stories told to me by recruitment representatives from nine recruitment agencies (the IOM, seven active groups in Guatemala, and one in Canada) and thirty-nine Guatemalan workers introduced to me through personal networks. While this thesis is chiefly an examination of recruitment agency operations, I also incorporate worker narratives and experiences as a way to ground the winding discourses that agency representatives weave. This includes the story of Ana⁴⁷, a narrative crafted from interview excerpts with a single mother who has tried to go to Canada on three separate occasions, included to illustrate the magnitude of labour migration fraud in Guatemala. While I have tried my best to be true to the stories relayed to me, I recognize that my own voice is the perspective that necessarily frames and guides their narratives. Still, I hope that these stories, unmapped, may provide a counter-narrative to the entrenched myths that typically underpin Temporary Foreign Worker streams and differential exclusion in Canada.

⁴⁷ Not her real name.

Chapter 5: SITUATING BORDERING INSTITUTIONS

Recruiters are intermediaries who control access to Canadian employers, navigating the complex paperwork and processes necessary for workers to temporarily migrate to Canada. They are both legally sanctioned and structurally necessary: it is virtually impossible for workers to apply to the low-skilled agricultural stream without agency support, as an offer of employment from a Canadian employer is needed in order to obtain a valid work permit and visa, and workers must fulfill Canadian immigration requirements that are accessible only in English or French. Information regarding the TFWP is largely confined to government websites, available only to those with the resources and language skills to access them, allowing agencies to specialize as the “experts” in Canada’s temporary labour industry. To qualify for the TFWP, workers must prove agricultural experience and so typically come from removed agricultural areas, and must have equivalent or less than a sixth grade education – as such, workers are often Indigenous, speak Spanish as a second language and have no knowledge of French or English. This structure creates a situation whereby workers are forced to rely on agencies in order to access temporary employment in Canada. Without any transparent standards or instructions on TFWP costs or process – and with program prerequisites varying widely depending on employer specifications and agency practices – recruiters are thus generally free to do and charge what they wish. Unsurprisingly, fraud and misinformation are widespread, and many organizations demand payments simply for taking workers’ names.

Since the inception of the Pilot Project in 2003, the role of recruitment agents has been to secure labour that will meet the needs of Canadian employers and abide by Canadian immigration regulations. As such, they have represented Canadian and private interests. This has been clear from the onset of the Canada-Guatemala project and has intensified as the program’s devolved architecture has moved beyond the Business Foundation for the Recruitment of Agricultural Workers (FERME) and the IOM to encompass a wide variety of private, for-profit, employer-driven recruitment organizations. Recruitment has also been described by agencies, employers and the Canadian and Guatemalan states alike as a way of promoting “development” in

Guatemala, managing “lawful,” “riskless” movement for the benefit of communities. Many workers and labour rights organizations, meanwhile, have characterized recruitment as a mere means to capitalize on and deepen already precarious labour conditions. All in all, various conflicting yet connected narratives have upheld the parameters of labour recruitment in Guatemala and Canada, varying from employer to worker and recruiter, on-the-ground communities, the state, and overlapping subjectivities in-between.

This chapter aims to situate recruitment agency practices by examining the narratives used in the founding and expansion of temporary labour recruitment groups in Guatemala and Canada. Institutional narratives underpin everyday recruitment processes, arranging for the enlisting and processing of workers and shaping possibilities for capital accumulation. Broadly speaking, agencies employ three main narratives in carrying out recruitment: 1) temporary labour as a business for Canada, 2) temporary labour as humanitarian aid for Guatemala, 3) temporary labour as lawful – and therefore “good” – movement. In this chapter, I will retrace and examine these narratives as told by agencies as well as incorporate the perspectives and lived experiences of Guatemalan migrant workers.

The TFWP: A business for Canada

“An open scheme for all the world,” TFWP recruitment has been described as a neoliberal “race to the bottom,” as agencies compete to send a cost-effective, profitable, and disciplined workforce to Canadian employers (agency 3, 03/22/14; Galvez, 2011). As explained by one agency:

Employers ‘go shopping’ for agencies – which send ‘good workers, qualified workers, [which] make problems’... We send workers that have a need but fit the profile that the employer demands. It’s a business in this sense. I have to respect what the employer wants because otherwise the employer won’t be satisfied.... If you don’t send ‘good workers’, the employer cuts your contract [and goes somewhere else] (agency 6, 03/11/14).

Recruiters classify Guatemalan labour that, upon obtaining a Canadian contract, will be *legally excluded* from full status in Canada, forced to the bottom of a multi-tiered

national labour market as categorically “low-skilled”⁴⁸, temporary, bound to a single employer, without guaranteed access to social services or labour protections, often paid less than minimum wage, and without a path to permanent residency (Faraday, 2014; Walia, 2013). These structural requirements have been set out by the Canadian state and solidified through the migrant worker category (Sharma, 2006). Recruitment organizations have accordingly always operated in the interests of and received orders from Canadian institutions, as “without the employer, the TFWP would cease to exist”. In the words of agency staff:

Everything we do is in accordance with [the Canadian agency or employer]. Without our Canadian counterpart, we wouldn’t sit here. I don’t care where the workers go, who goes, whatever, we do what the Canadians ask us to do (agency 3, 03/06/14).

Recruitment is importantly a business, with agencies competing to offer a service to their clients, i.e. employers:

There are a lot of employers. Companies here, like mine, we’re at their service. Our clients are the employers. If you give them a good service, the employers will be satisfied (agency 7, 03/25/14).

Representatives reproduce Canadian recruitment criteria, implementing processes of worker classification and management according to nationality, race, gender, ability, and physical characteristics to satisfy employer demand – practices that I will elaborate on in chapter 6. In order to successfully accumulate Canadian contracts, an agency must, once again, meet employer interests:

We’re responsible for the employer until the moment the worker arrives in Canada... There is nothing that I can do [for a worker] if the employer doesn’t want me to intervene. My legal mandate here is to do recruitment (agency 6, 03/11/14).

Rather than keep employment accessible to Guatemalans, the TFWP has always been designed to make cheap labour available to Canadian employers. Agency costs for workers in the Pilot Program have always surpassed those of employers: the IOM began

⁴⁸ “Low-skilled” national occupation classifications C and D comprise “intermediate jobs” requiring high school and/or job-specific training or labour jobs, respectively. This includes occupations in hospitality services, customer service, care labour, security, processing and manufacturing, construction, agriculture, landscaping, and natural resource labour, to name a few (HRSDC, 2011). In the case of Guatemala, most workers are confined to agriculture, landscaping, hospitality services, processing and manufacturing.

the Québec-Guatemala project by charging a hefty deposit of 4000Q (~\$660CAN) per worker on top of additional processing fees – and continued to do so until 2010 – in order to keep costs low for Canadian employers (who paid approximately \$120 per worker, less than total visa and work permit costs).⁴⁹ This is because the program is employer-driven. When the IOM tried to raise the cost for Canadian employers to 240\$ per worker in 2010, FERME, the Québec-based agricultural employers’ association, responded by creating an entirely new recruitment agency in Guatemala: Amigo Laboral. Amigo Laboral would “remain competitive” for Canadian employers by officially charging Guatemalan workers an administrative fee of approximately \$530CAD. That same year, ACADEC, a Guatemala-based association, also began recruiting to enlist Guatemalan workers, charging steep sums of up to 80,000Q (~\$12,830CAD) to add workers to a waiting pool through its partnership with a Canadian-based agency (CONAMIGUA, 2014; agency 8, 05/14). Other agencies that formed after the IOM was shut down in 2013 also developed distinct fees⁵⁰ and training processes, competing for Canadian employers by building diverse pools of codified labour available on demand.

Temporary Employment as “Humanitarian Aid”

Despite the indisputable employer-driven structure of temporary labour streams, the TFWP has since its’ inception been presented by the state, employers, and agencies alike as a charitable means of providing Canadian “foreign aid” to the global South (FARMS, 2015). The Pilot Project in Guatemala has, in particular, long been portrayed as an initiative to “help the people of Guatemala” (IOM & SEGEPLAN, n.d., 3). IOM descriptors of the program emphasize the humanitarian benefits of temporary labour migration, claiming that the TFWP allows for a secure and orderly migration path, conforming to labour laws and norms that protect workers in Canada while advancing the

⁴⁹ Although there are no existent statistics on this deposit’s return rate, former IOM employees and Guatemalan workers claim that hundreds (and perhaps thousands) of workers were never reimbursed this money even after having returned from Canada. According to one former IOM employee: “The problem is that once the worker travels he forgets he has the deposit” (03/25/14). Some workers are still pursuing the IOM for the return of this money, but, as there is no longer an existing IOM office in Guatemala, this process and, apparently, “no funds,” the organization claims that its’ hands are tied.

⁵⁰ Not only are costs a barrier for many workers, often pushing workers into debt, but Canadian legislation such as the recently-introduced “four and four” rule further push the TFWP to be out of reach for many Guatemalans, legally cutting workers off from the livelihoods they have built over many years.

economic development of workers from rural Guatemala⁵¹ (IOM, 2008). The TFWP has also been celebrated as a success by the IOM and considered a “model program” by the Canadian government as well as other countries worldwide, renowned as an archetype for “humane and orderly” managed migration (Preibisch and Hennebry, 2010; Walia, 2015; IOM, 2015).

Recruiters echo this humanitarian narrative: the TFWP is frequently presented as a solution to widespread poverty in Guatemala from a benevolent Canada. Mirroring dominant accounts of the TFWP, agencies portray labour migration as a virtuous enterprise, with agency workers sacrificing themselves and even “volunteering” their time to “benefit the people of Guatemala”. The TFWP is presented as a selfless, charitable, and development-oriented project on the part of recruitment representatives and employers, facilitated by those who wish to “bring Guatemalans forward” and draw workers “out of backwardness” (agency 4, 03/26/14). This image of charitable progress drives the expansion of temporary labour pools for recruiters, with employment itself described as a benevolent act:

[When the IOM closed], Canadian employers called us and said, ‘you have to continue what you’re doing, it helps a lot of Guatemalans’ ... It feels like you are changing someone’s life [by recruiting them to work in Canada]. Over the long term, we use temporary migration as a means to develop Guatemala... People don’t have a choice. They live from nothing, so they migrate... it’s a form of development for them. That is what they need (agency 6, 03/11/14).

Framed as a simple means to fill low wage positions in Canada while solving rampant unemployment, the TFWP is often framed as a “win-win” model of for-profit international cooperation:

Our agency was created to help the people [of Guatemala]. We can help millions of people... The program helps all sides: the producer will have the work force he needs, will have *real, qualified* agricultural workers, and the agricultural worker will have the opportunity to support his family. People will be brought to work where work is needed. Zero discrimination, zero abuse (agency 8, 05/14).

⁵¹ According to the IOM’s website, the project’s objectives are to “facilitate a safe and organized migration” of Guatemalan workers and “contribute to the improvement of the economic conditions of workers from rural areas” in Guatemala (IOM, 2014).

Moreover, although Guatemalans carry out paid work as stipulated by employers similar to any other (untied) labour relationship, employers are presented as not merely providing employment, but also *giving back* to Guatemalan communities:

The vision of our organization isn't to make millions, but we'd simply like to be a tool to bring development to communities... Employers benefit from being able to count on a workforce, that way they can push their businesses forward and obtain a profit, but they also have a social feeling that they can bring something back to these people. There is a lot of need in Guatemala. So we'd like to work together... to benefit communities, for all of Guatemala (agency 7, 03/25/14).

Rather than being declared a for-profit venture, worker recruitment is presented by agencies as an altruistic means to “give back” to communities. With employers kindly investing in Guatemalan labour, employer and agency-led social development is introduced as a natural by-product of worker employment. Indeed, the program is venerated as *such* a success that many agencies claim there is little to no possibility for labour discrimination or abuse – and temporary labour migration therefore the perfect form of trickle-down development. This is despite the fact that recruiters have *no control* over working conditions in Canada. Framing temporary employment as an act of Canadian – and agency – generosity, employers are presented as benevolently employing Guatemalans through the TFWP, with (mostly White, landholding) Canadians virtuously offering (mostly poor, landless, Indigenous or Mestizo) Guatemalans the “opportunity for development” (agency 6, 03/22/14).

Many authors and labour rights organizations contend, however, that the TFWP institutionalizes a “revolving door” of precarious labour, granting employers exceptional power over workers, with workers bound to a single employer, unable to refuse work without the threat of deportation, working hazardous jobs in substandard conditions, and separated from their families, without the option of remaining in Canada. In fact, many declare that the program does the very opposite of the IOM's stated objectives, rather: facilitating *deliberately precarious labour conditions* for migrants in Canada while contributing to the economic stability of Canadians before that of Guatemalans. This is accomplished in various ways, but, in particular: by immobilizing migrants within Canada's national labour market, denying them access to the same protections as Canadians, deducting expenses from workers' salaries, and making migrants ever-

deportable and increasingly temporary⁵². Employers and the Canadian government – as well as Canadian society – profit from these structural constraints. For example, migrant workers are subject to the same rules as Canadians in paying taxes – paying into Canadian employment insurance premiums and the Canadian Pension Plan, as well as income and sales taxes – but cannot equally access government social benefits (Pang, 2013). A 2013 parliamentary report⁵³ specifically cites this lack of access as a way that Canadians “benefit” from migrant labour.

Migrants accordingly subsidize both Canadian public services as well as Canada’s ability to be internationally competitive. Workers, meanwhile, are regarded as expendable. As summed up by No One is Illegal organizer Harsha Walia (2015):

Everything about your time in Canada [as a migrant worker] is related to your ability to perform in the wage economy. If you get sick, you’re deported and can’t return. If you raise concerns with your employer and try to have a wildcat strike because you’re not allowed to unionize, you’re deported and [blacklisted]. Migrants are fundamentally treated as cheap labour and are commodified as cheap labour, and so, Canada has perfected the TFWP.

With the TFWP framed as a kind of neoliberal humanitarianism, the structural precarity consolidated through the program itself is concealed. Meanwhile, migrant workers are often denied medical attention, face discrimination and abuse both at work and in the communities in which they work, must pay huge sums just to be enlisted for employment, and are faced with the constant possibility of deportation and blacklisting. Employers, meanwhile, have the power to make whatever deductions to workers’ pay that they see fit, from exorbitant rent⁵⁴ to charging for the use of utensils or furniture, transport, phone calls, money transfers, application costs, etc. (see table 4). A minimum of roughly 77.53\$ per week per worker is deducted by employers and the state (about 18% of weekly earnings), as well as a potential additional \$2,470CAD per yearly trip to Canada, not including agency recruitment costs (for a worker paid Québec’s minimum wage of 10.55\$ per hour, working 40 hours per week for a total weekly salary of \$422CAD) (MIDI, 2015). In this way – by making workers institutionally disposable while

⁵² Once again, through the “four and four” rule effective as of April 1, 2011.

⁵³ See the 2013 Parliamentary Background paper by Pang.

⁵⁴ Agency documents show that workers are charged an average of \$45CAD per week in rent, despite the fact that the legal maximum employers can charge is \$30CAD per week. Workers have reported paying far higher sums, which are deducted from their salaries (CIC, 2012; IOM, 2010).

productively upholding Canada’s economy and continually framing White Canada as “good” – the state has, as expressed by Walia, “perfected the TFWP”.

TABLE 4. POTENTIAL WORKER PAY DEDUCTIONS ONCE IN CANADA

Canadian Pension Plan	4.95% of monthly salary
Employment Insurance	1.53% of monthly salary
Parental Insurance	0.4% of monthly salary
Preparation of tax declaration ⁵⁵	\$40-50 per year
RBC Medical Insurance	\$3.50 per week
Room rent	\$30-45+ per week
Return flight Guatemala-Canada	\$800-\$1,200
Recruiter fees for employers	\$1.50 per day per worker or 120-220\$
Use of utensils, furniture, transport, etc.	Varies, n/a
LMIA fee	\$275 until 2014; now \$1000

(IOM, 2010: see appendix 4; ESDC, 2014; CIC, 2012; agency and worker interviews)

Lawful Movement

This narrative of TFWP virtuosity is backed by the notion of temporary labour migration as a lawful means of employment. Designed by the Canadian government and supported by the government of Guatemala, migrating and working legally in Canada through the TFWP is depicted as an assured, controlled, secure option in comparison to widespread undocumented migration northward and poorly paid employment in Guatemala.

Allegedly “free from risk,” lawfulness is used as a basis to promote the program as well as justify training add-ons and other costs needed to create the “qualified,” disciplined workforce needed for “legal work”. This is despite the fact that laws concerning labour migration in Guatemala have not been reformed since 1948 and that temporary labour migration legally creates a multi-tiered labour system in which particular workers are denied particular rights based on their temporary status⁵⁶ – legally binding workers to their employer, legally making workers deportable, and legally denying workers access to the state benefits that they pay into. In sum, the labour precarity systemically embedded

⁵⁵ In Québec, the Union des Producteurs Agricoles (UPA) has a monopoly on tax declarations for migrant workers.

⁵⁶ For example, migrant workers technically cannot unionize in Québec (CDPDJ, 2014). Moreover, workers are often deported before they are able to fully process a labour claim (Preibisch, 2007).

in the TFWP is eclipsed by the notion of legality itself as being naturally virtuous or ethical.

The fact that the TFWP is a lawful structure also projects the notion of “order” and “control” in recruitment, promoting and justifying discriminatory hiring processes to effectively reinforce the power of agencies – as well as that of employers and governments. With legally drawn TFWP structures, one is given the impression that there is no need to scrutinize the temporary labour process, for, after all, it has been “legally sanctioned”. As explained by one agency:

We offer a contract... where the person will be respected with physical integrity, according to Canadian law. We do a professional selection process to send trustworthy workers, and obviously if we're sending adequate human capital to a qualified company, then they should be taking into account the human and legal rights of the person (agency 4, 04/26/14).

Because workers travel to Canada legally, the process itself is viewed as “more controlled” (agency 6, 03/11/14). Recruitment organizations emphasize the intrinsic ethical legality of the TFWP, constructing Canadian space as lawful, moral and ordered. As stated by another recruiter, the selection process “is ethical in a sense that it is legal” (agency 5, 03/25/14). This narrative of TFWP legality is strikingly similar to long-established colonial narratives in which morally-righteous legal systems forged from regimes of racial power institutionalize and justify the violence of dispossession through law and codified difference, such as in regimes of apartheid, indentureship and slavery as found in the histories of Guatemala and Canada (Thobani, 2007). Although capitalist laws create the unjust work conditions to allow for exploitation to take place, the morality and power of the legal system is exalted as absolute, furthering possibilities for abuse. Agencies use legal status as a means to legitimize exorbitant costs and fraud. As expressed by one group that has been accused of charging workers 80,000Q (~\$12,800CAD) in pre-departure costs: “We're completely legal, so that people go to Canada legally. Everything we do is legal” (agency 1, 03/04/14; CONAMIGUA, 2014).

Agency representatives, meanwhile, assert that accessible legal avenues exist for workers to pursue justice in Canada: workers “can make complaints,” and so it is often workers, rather than employers or the state, who are framed as “the problem” – either by

keeping silent, not working hard enough, being “under-qualified,” or else simply being unable to “take advantage” of the opportunity handed to them by Canadians (agency 3, 02/22/14; agency 6). According to workers, however, it is the very notion of an overarching institutional – and lawful – “order” that drives worker precarity:

I think you’re made more vulnerable with the IOM, because if you try to speak out about abuses that are happening, they will say that they aren’t happening, and because this organization is an international organization *for* migration, that is supposed to manage migration, to make migration orderly, I don’t think that there is any space for debate. That is to say, if the organization violates the laws or doesn’t respect your rights, they’re going to say that it isn’t true, that the IOM wouldn’t do that, that the [Guatemalan] Consulate or Canadian government doesn’t do that, and so in this way the reputation of an organization actually helps to further displace people... it doesn’t give credibility to the people who live with these injustices... It is not the victim – if there is a victim – that gets credibility, but rather the [employer, government, or recruitment] organization (Guatemalan worker, 01/14).

The authority of organizational control and legality effectively works to uphold exploitative labour relationships. Meanwhile, an absence of worker support mechanisms within TFWP structures leaves many migrants isolated:

Canada [is] supposed to be a country that protects the human rights of people, but here it’s worse than in Guatemala, where rights are violated all the time, here it’s worse, here they prohibit you from forming relationships with the people who want to help you (Guatemalan worker, 05/14).

Rather than facilitate or encourage outside support systems, many employers and agencies have forbidden migrant workers from developing relationships outside of their work, particularly with labour rights organizations or members of the opposite sex (UFCW, 2013). This further segregates workers in Canada, who have already been forced to leave their families behind in Guatemala and are often based in remote rural areas, with limited access to modes of transport.⁵⁷ Another worker describes his experience:

Guatemala is an underdeveloped country, a country that is behind other countries like Canada, so [in Canada] they should treat the people who go to work there with respect. But I wouldn’t go back there for anything. The lack of [medical] attention, the work overload, the poor care... I was left without

⁵⁷ Moreover, travel documents are also often confiscated by employers, making it difficult for workers to be mobile (UFCW, 2013).

support, without work, in bad health, and I lost 4000Q (~\$660CAD)
(Guatemalan worker, 02/24/14).

With Canada exalted as a “developed” nation with a “perfectly good” legal system, the continual construction of labour precarity through the binding of migrants to their employer and denial of permanent status by the Canadian state is normalized. The power and practices of the IOM and subsequent recruitment agencies, meanwhile, are also normalized. It is this normalization of temporary employment and recruitment as “lawful” and “good” that contributes to the lack of support available to migrants, who have to navigate a transnational system – in a language they are not fluent in – that has explicitly been designed to create labour insecurity. As such, Canada’s dominant narrative as a rights-respecting country serves to substantially exacerbate circumstances of labour precarity, invisibilizing the abuses that the system fully facilitates. This is also the case for recruitment organizations that claim to be humanitarian, ordering movement “for the benefit of all” – supposedly incapable of inciting violence or displacement and so unaccountable to the workers who experience these violations. Without any structural mechanisms in place for migrant support by either the Canadian government or recruiters, declaring altruistic aims for Guatemalan workers while in reality actively contributing to conditions of precarity effectively heightens worker vulnerability, reinforcing state, employer, and agency power while delegitimizing the claims of those workers who try to challenge situations of oppression.

Meanwhile, workers allege that agencies have committed an array of abuses in recruitment: from charging exorbitant fees, enlisting workers with false promises of going to Canada, and creating extra trainings and add-ons to make the selection process more lucrative, to providing the wrong information about what work will be required, what workers’ wages will be, what deductions will be made for food and rent, and even fraudulently assuring workers that they will gain access to permanent residency after having worked in the TFWP. Rendered structurally precarious, with no labour protections or guarantees of employment, workers in this sense *are* forced to rely on the benevolence of recruitment agencies and employers. As voiced by an agency representative:

People profit from this. It’s a dirty business. It’s easy to go and say, pay me 10,000Q (~\$1,664CAN) and I’ll send you to Canada tomorrow. They pay me and then I have the money. That’s how it works here... It’s a dirty business

because it's a way to make money. Because people here [in Guatemala] are so desperate... For the same reason that someone will say, 'how much would you pay to have a visa to the US,' 'I would pay anything, I would sell my house, and I gave the money to one of your men but I've never gotten the chance to travel and now I've lost everything, I live in the street now'. People profit from the needs of others... Agencies create the possibility for abuse (agency 6, 03/11/14).

Despite claiming order through a legally sanctioned system, agencies conflictually admit the lack of control they hold in the recruitment process itself, with some asserting that their organizations have been impersonated by outsiders, to having staff within their own ranks charging workers excessive fees, or even workers charging workers for making hiring recommendations. As rumours of work in Canada spread far and wide, with no transparency on process or costs and the freedom to recruit everywhere, many agencies declare that exploitation is indeed rampant, with rival recruitment groups described as “basically legal coyotes” (agency 5, 03/26/14). Workers have accused at least five of the seven agencies currently operating in Guatemala of fraud and exploitation (CONAMIGUA, 2014).

Recruitment costs typically force migrants into precarious conditions *before* they have arrived in Canada, intensifying conditions of labour insecurity in the TFWP as a whole (Faraday, 2014). Migrant workers in all TFWP streams – as well as those who never make it to Canada – are reported to be routinely charged hundreds to thousands of dollars each in recruitment fees, pushing workers to take out heavy loans and even sign over the deeds to their homes to meet migration costs (Faraday, 2014; Palacios, 2013). Guatemalan workers are no exception to this: thirty-four out of thirty-eight workers interviewed revealed having to take out loans in order to meet recruitment costs, most of whom mortgaged their homes or else borrowed money from high-interest brokers. One worker explains his situation:

I mortgaged my house to be able to take a loan out at the bank because that was what the bank asked me to do. I had to have a security deposit in case I wouldn't be able to pay, for the bank. So that the person I paid the money to [for recruitment] wouldn't have any problems. Right now I am barely making any money, 185\$ every 15 days, and from the little money I receive I have to pay 800Q (~\$125CAD) [each month] just to the bank, plus the costs of education for my kids and supporting my family (Guatemalan worker, 05/14).

Exorbitant costs drive workers into precarity early on, increasing the vulnerability of tied employment and pushing individuals to labour in risky circumstances to pay off accrued debts. Although Employment and Social Development Canada (ESDC) regulations⁵⁸ stipulate that employers must pay *all* travel costs related to hiring, with highly imbalanced power dynamics, no contracts in Spanish, rising immigration application costs, and no structural oversight, it is workers who most bear the weight of growing TFWP payments – from travel⁵⁹ to visa and work permit costs, as well as additional recruitment fees (ESDC, 2012 & 2015). Many workers and their families are driven into greater precarity than before having migrated or paid fraudulent processing fees, depending on the price tag of recruitment (Faraday, 2014). As described by one worker, “everything has a cost”: from trainings to language lessons, uniforms, equipment, polygraph tests, medical and physical examinations, visa and work permit processing costs, etc. These costs have been condemned by workers:

[Individuals and agencies] should stop charging people money. There are people who have paid too much money... there are people charging upwards of 25000-30000Q (~\$4,000-\$4,800CAD) just to put workers into the program” (Guatemalan worker, 05/14).

While it is true that Guatemalan workers have many reasons to migrate and will go to great lengths to do so, presenting Canadian employers and labour recruitment agencies as “saviors” and the Pilot Program as an initiative intended to benefit Guatemalan workers is highly problematic. Not only does this narrative overlook the stated Canadian government objectives of the TFWP and the very conditions of perpetual displacement, precarity, and apartheid that the program creates and maintains, it also glosses over the disproportionate power that employers and agencies hold, bolstering impunity while naturalizing exploitation and dispossession – all the while maintaining that workers should be “grateful”. Moreover, it negates the agency of workers

⁵⁸ ESDC states that employers who choose to use recruitment services “must pay for all of the fees associated with the service and meet all of the applicable requirements” (ESDC, 2015, para. 49). This includes the 155\$ required for each worker’s visa and work permit (FARMS, 2014; ESDC, 2015). Moreover, recruitment officials receiving compensation from employers *must* also be authorized under section 91 of the IRPA to “be a member in good standing with” a Canadian law society, whether the *Chambre des notaires du Québec*, the Province of Ontario’s law society as a paralegal, or the Immigration Consultants of Canada Regulatory Council (ICCRC) (ESDC, 2015). Most Canadian or Guatemala-based agencies do not have these qualifications.

⁵⁹ Some employers do not even cover any portion of workers’ travel costs. There is specific evidence that Savora, a company in Québec, did not cover travel costs for migrant workers (Trembley, 2015; IOM, 2010).

themselves, reinforcing capitalist White supremacist notions of “development”. Outwardly declaring labour security through the TFWP’s supposedly superior legality and “benevolent aims” dangerously obscures the very real risks and forms of discrimination that workers may face upon joining recruitment for Canada’s temporary labour force, deceptively concealing the true motives of the TFWP – capital accumulation – while also naturalizing exploitation. Employer-driven and state-powered, the TFWP is designed to bestow power into the hands of employers, confining workers to a particular job and subclass in Canada’s labour market and excluding workers from society at large. Workers are positioned as perpetually displaceable and disposable. The lawful, altruistic image that agencies dominantly project of Canada and temporary labour itself, and the structural reality of precariousness both during recruitment in Guatemala and work in Canada, are therefore two very different “truths”.

ANA'S STORY

It happened three times.

I first heard about the option of working in Canada in 1991, but never tried to do it. A few people were coordinating possibilities to go there to work. They said it was to do agricultural labour on farms, and spoke about what people in Canada did, planting, picking fruit or flowers; that is what they told me then.

It wasn't until 2010 that I became interested; employment circumstances were changing and I was left without work. I saw it as a way to survive, to support my three daughters, and so I made the arrangements. Recruiters brought me to a farm just beyond the valley, to discuss going to Canada. They told me that I would have to wait, as everything happened according to when people came, and there were others already waiting to go. It was necessary to leave an initial deposit; then they would send you to Canada. When I returned a few weeks later, they were gone. Their families said that they had left to make travel arrangements and finalize paperwork, but they never reappeared, so I let it be.

Later on, another recruitment organization formed in the next town over. Rumour had it that it was formal, without the possibility of risk, and that you had to leave a deposit in order to secure a spot. They gave us an account number, where we had to transfer the deposit; the only proof we had was the payment receipt of 10000Q. That was the cost of the trip. Recruiters would call us together for meetings at different places, in town, at the gas station, or in the homes of the organizers, and would share information that couldn't have been true, because they always said we would travel in one month, then in another month, and another, and this was repeated until it had been over a year. It never happened. We were a big group, maybe 25 people, so imagine that, at 10000Q each.

Afterwards, ACADEC appeared, and again I saw the potential for a better life. Here in Guatemala, when you see something that might improve your life, to live with a little more economic stability, to support your family, you take it. So when they told me about ACADEC, I decided to take the opportunity. I went to their offices in Chimaltenango, to a

big farm where they had meetings. Everything seemed in order, it didn't seem like a scam or a lie. Everything was formalized, the paperwork, everything: we got passports, did tests, gave them all of our papers. They brought us to a clinic where we did a blood exam. Supposedly things were going forward, arrangements were being made. It was to work on Canadian farms, to work in the fields. After the paperwork, we had to pass a training on Canadian farming, where they gave lectures and spoke about agriculture, how to plant, etc., giving us all kinds of information and testing us about the work we would do in Canada. We got a diploma at the end, to certify us. The training cost was 2000Q. They said it was the price to prepare us to work in Canada. One day, they even brought us to a house and took our measurements for what they said would be uniforms and equipment. This also had a cost. Everything had a cost.

They would always receive us, give us information and tell us that everything was fine. Everything seemed so official. They would speak about Canadian representatives from Montreal that would come to Guatemala and were in charge of the paperwork, but I never saw them, never met them. They said it was a long process and that's why we hadn't gone yet. It was a way for them to get easy money, imagine, with 50 people paying about 10000Q each. Two years passed and we never went. I don't go to the farm anymore, or to meetings, because, like before, they always said we would go next month, and then the next month after that, and the next, and the next.

This situation happens not because people are stupid, but because people are desperate. You believe you'll be able to recuperate the money you invest because obviously you can make a lot more money in Canada, salaries are better than here, and so you make deals to be able to get this money and pay for the paperwork, and be part of the group that might travel. And if you don't have the money, if you don't have cash, they accept loans, they accept cars, payment agreements, or you take out credit at the bank and leave your property as the guarantee. Or you turn to moneylenders, with high interest rates, who charge even more, and so you are left much more indebted, with more problems. These are the things they take advantage of.

My economic situation has gotten worse and so I'm always looking for ways to get some more stability, to recuperate my home, to have a more steady job, because I have three

daughters, you know, that's why I'm always fighting. I'm still looking for opportunities to work in Canada, but, well, they have always been lies, always. Yet here we are, thank the Lord, standing up and moving forward, each day an opportunity to rise up little by little. And if it happens – because I'm going to keep searching and I'm going to contact these new agencies – it's because it was meant for me. Perhaps I've been looking in the wrong places. This is what happens: you believe so deeply that you look in the wrong places.

Chapter 6: NARRATING THE “GOOD” WORKER

In the Guatemala-to-Canada “revolving door” of labour migration, nearly a dozen private agencies are operating in both Guatemala and Canada to recruit workers – actively screening, evaluating, classifying, and ranking candidates who hope to labour in Canada. On a search for the “good” worker to satisfy employer demand, agencies carry out various tests and trainings – which may last from a few days or weeks to many years, each with a cost – to determine whether or not a particular individual may meet Canadian criteria and, in turn, be “worthy” of waiting for a Canadian contract. In seeking out the desirable worker, recruiters sort migrants according to explicitly nationalized, racialized, gendered, and ableist characteristics as set out by Canadian institutions and employers, reproducing differential categories – and subjectivities – of workers through the bordering practices of classification and containment. As expressed by one worker: “This is where the discrimination begins” (Guatemalan worker, 01/14).

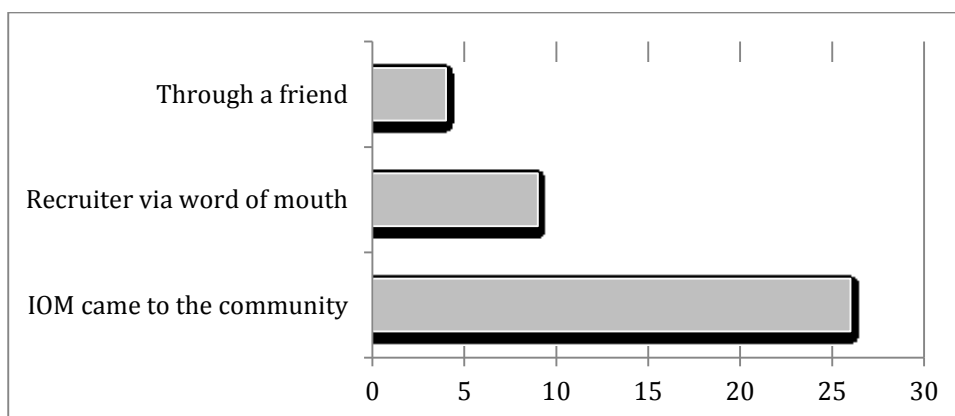
This chapter will examine the place-based narratives of those who engage in TFWP recruitment practices, making visible a component of the labour migration process that is often concealed from Canada and uncovering the discourses that underpin daily TFWP operations in Guatemala. By unmapping the narratives that uphold the classification and containment of migrant workers in Guatemala and Canada, I hope to show how the migrant worker category – and the apartheid of mobility more generally – is constantly being constructed and naturalized on a day-to-day basis. Moreover, by specifically examining worker recruitment and selection, I aim to present a more expansive perspective of the making of difference, unsettling the boundaries of the temporary worker category by highlighting the production and management of the “good” worker subject in Guatemala.

CLASSIFICATION: ORGANIZING DIFFERENCE

The classification of Guatemalan workers is used as a means to sort as well as capitalize on applicants who wish to labour in Canada. Ranging in process from long hours of training to short informational talks, elaborate or simple interviews, security screenings, physical and mental assessments, and agricultural examinations, agencies have developed extensive processes for the recruitment of workers to Canada. Private agencies enlist

workers by making visits to rural areas, through recommendations from workers who have already gone to Canada, or by receiving workers in their offices or agricultural terrain who have heard about the possibility of working in Canada through word of mouth. Many Guatemalan agencies charge thousands of Quetzales⁶⁰ just to receive a new applicant or else ask workers to progressively “invest” in their training if they hope to be sent to a Canadian employer.

FIGURE 6. HOW INTERVIEWED WORKERS JOINED THE TFWP



Recruiters typically begin worker classification with an interview and personal evaluation – which “has nothing to do with the work in Canada” but is used to verify one’s “moral character” (agency 6, 02/25/14). The intermediaries between Canada and Guatemala, agencies are regarded as both experts on the immigration process as well as Canada itself. Recruitment unfolds beneath the backdrop of an imagined Canada – agencies recruit particular workers to satisfy Canadian demand, and so carry out selection in the name of Canadian interests. With this in mind, various groups have developed detailed training programs in Guatemala “to prepare and certify” workers specifically to meet Canadian labour needs (See photos 1-6 in appendix 6). Supplemental screenings and trainings⁶¹ that mirror imagined Canadian agricultural practices have become increasingly commonplace, each with a distinct fee, giving companies the opportunity to profit from workers while competing for contracts. Agency representatives emphasize the importance of behaving according to the expectations and demands of Canadians – in everything from work tasks to personal habits. As described by agency staff:

⁶⁰ Guatemalan currency.

⁶¹ Including but not limited to: polygraph tests, observational testing, agronomist agricultural training, language classes.

We, in a visionary way, ask workers to think that what they're doing here [in the training centre] is what they'll be doing in Canada. Arriving from their home, to an unknown place, and they have to become familiar with the environment, the climate, and the work. So... we give them instructions of how they should behave, what to do, what not to do... we try to make sure that everything is in order, that everything [is done] obediently: personal hygiene, eating habits, listening and receiving orders, everything... we have people from all over Guatemala and it is growing everyday (agency 2, 03/18/14).

Some agencies offer extensive “preparation” sessions and tests specifically geared to Canadian crops and Canadian agricultural expertise:

Then we begin the training, which has been elaborated by agronomist engineers. It is a work plan, 80 hours in agricultural training... We have a specific area, so that the workers really do the work – planting, packaging, cleaning, etc. – whatever they'll have to do in Canada (agency 5, 03/26/14).

At the end of these trainings, recruits are given a diploma for working in Canada (see photos 5 and 6 of appendix 6). For one agency, not only are training sessions necessary, but an individual must also emerge as a “leader” and participate in the organization for years before they might be considered for a Canadian contract:

You have to spend two years being tested, where you have to carry out missions, participate in trainings, meetings, organizations, all of that.... If you are a good leader... you can be accepted (agency 1, 03/18/14).

Canadian jobs are presented as exalted positions only for the most moral, qualified, and obedient “good” worker in Guatemala. To qualify in recruitment, all aspects of a worker's life are examined to decide whether they may qualify for a contract or be permitted to enter the brimming candidate waiting pool – from family relations, lifestyle, position in the community, commitment to returning to Guatemala, etc. Various agencies declare having 1-2 week programs in which workers must “donate” 40-80 hours of work as well as pay a training fee (See table 5). This is described as part of a “package deal” to go to Canada – if a worker is able to prove “obedience” and efficiency in carrying out tasks. Some agencies have created training programs designed from TFWP informational videos produced by the Canadian and Québécois governments, with support from “certified agronomists and engineers” in Guatemala as well as Canada-based agencies (agency 5, 03/26/14). Trainings are described as a means to ensure “a professional selection process” and guarantee that candidates are *truly* agricultural labourers. Once a

worker has been trained, and, in some cases, also paid pre-departure costs, their names are added to a growing waiting list.

TABLE 5. LIST OF POTENTIAL RECRUITMENT FEES⁶²

DOCUMENT TYPE	COST IN QUETZALES	APPROXIMATE COST IN CAD
Visa and Work Permit	1,140Q to 3,500Q	\$184 to \$566
Training and Selection	1,000Q to 80,000Q	\$162 to \$12,935
Taking names	250Q to 3,000Q	\$40 to \$485
Agency service fee	930Q to 2,670Q	\$150 to \$432
Guatemala Medical Insurance	260Q	\$42
Medical exam	670Q to 1,375Q	\$108 to \$222
Guatemala Airport Tax	250Q	\$40
Deposit (until 2009)	4000Q	\$650
Visa Application Centre fee	540Q	\$87
Guatemala security deposit (afianza)	372Q	\$60
Canada Airport Tax	330Q	\$53
Additional costs	Passport, (inter)national and municipal travel, photos, photocopies, criminal check, polygraph test, agricultural letter, uniforms, equipment, etc.	
Total recruitment costs (not including abovementioned additional costs)	Range from 3,225Q to 80,000Q	Range from \$522 to \$12,935

TABLE 6. REQUIRED RECRUITMENT DOCUMENTS FOR WORKERS

Passport, ID, and personal information; as well as the ID and personal information of your partner, parents, and kids; Photos
Criminal Background Check
Payments for Visa and Work Permit
Proof of address
Photocopies of marriage license and driver's license, if applicable
Photocopies of your children's birth certificates
Letter of recommendation, agricultural letter
Certified copies of proof of study for 6th grade education
Proof of having passed physical exam, medical exam, eye exam, trainings, screenings, etc.
If already gone to Canada, letter of recommendation from Canadian employer

On a quest to secure contracts and appease employers, agencies strive to secure the “good” worker through bankrolled add-ons that demonstrate labour expertise and dependability. The “good” worker subject is described by agencies as having particular, ideal qualities: honest, honorable, moral, pristine legal status (i.e. never deported), trustworthy, consistent mental and physical health, obedient work ethic and a capacity to

⁶² These are the various costs given to me by recruitment agencies, in recruitment documents and visa word of mouth (IOM, 2009; Amigo Laboral, 2014; etc.).

obey, good personal hygiene and eating habits, ability to withstand extreme weather, qualified, equipped with agricultural expertise, physical strength and endurance, family in Guatemala in order to ensure return, etc. Candidates must be between approximately 20 and 40 years old, have equivalent to or less than a sixth grade education, no criminal record, must pass a medical exam and be able to prove that they are authentic agricultural workers. In order to prove the abovementioned qualities, workers must spend many hours collecting the documents demanded by recruiters, making repeated visits to and from the capital city to gain proof in order to be considered eligible. Agencies emphasize the long and intricate process of evaluating a candidate's qualities in determining who will be considered for a Canadian contract:

We send people who have been investigated...in the first screening, we investigate the applicant, make sure that the person isn't bad, but honorable, humble but honorable. Second, we check their mental and physical capacities to make sure that they're capable of working and can handle 10-11 months outside their country and away from their home, with the commitment of returning. This is another challenge because people go [to Canada] and don't want to come back...We make sure the applicant has family here and is actually going to return (agency 4, 03/26/14).

Representatives assert the importance of obtaining "honourable," "good," qualified, and trustworthy applicants who will remain temporary, returning to Guatemala upon the completion of a contract. To guarantee workers' temporariness in Canada, families are separated, with partners and children unable to accompany workers – who are often heads of families – to Canada. This fragmentation of families contributes to the formation of "good" workers. Having family remain in Guatemala further guarantees migrants' return as well as contributes to their position as "distinct" from Canadian society, maximizing possibilities for labour efficiency while setting them apart as workers. Candidates, meanwhile, are described as handpicked, prepared and dutiful:

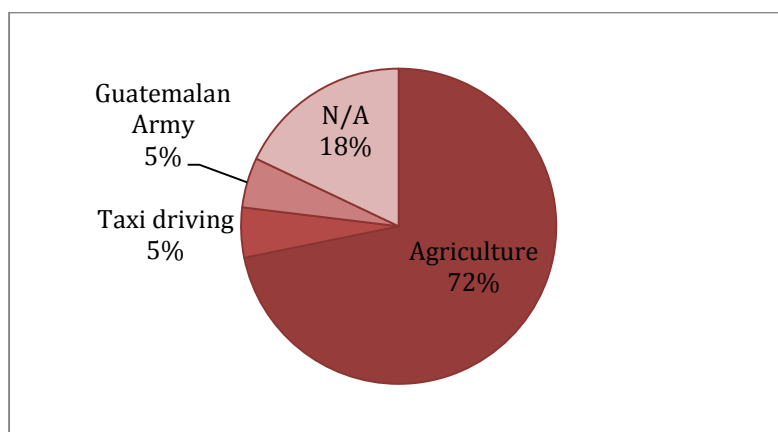
We don't just take a random person from the park. We train people. If someone asks us for five workers, they're going to be well-trained, well-studied, and well-exercised, we're not just going to send anyone... We're worried that people who go [to Canada] aren't really farmers... We make sure that our workers have been well-trained, psychologically as well as physically (agency 2, 03/18/14).

Agencies, moreover, highlight their own critical role in guaranteeing that clients – employers – are satisfied:

We have to be careful to choose the right people, to make sure the employer is satisfied. So it's a business in this sense, to send the 'good' worker (agency 6, 03/11/14).

With White Canadian space depicted as ethical, ordered, and lawful, classification schemas and comprehensive trainings are depicted as necessary in (a disordered, immoral) Guatemala to foster control and reproduce homogeneity within the low-skilled migrant worker category, ensuring that only “good” workers be granted a Canadian contract. One agency cited using a polygraph test to guarantee that candidates were truly “honorable and ethical”– i.e. that they would not overstay their visas, were not involved in criminal activity, and were authentic campesinos. A common concern that recruiters shared was that of Guatemalan workers “abusing the system” and thus cheating “good employers” – either by legally returning to Canada too many years in a row (and therefore becoming versed in how the system itself functions), remaining in Canada after an expired visa or work permit, not adequately following employer orders, and/or not being “legitimate” agricultural producers – this despite the fact that most workers interviewed reported having indeed worked in agriculture prior to the TFWP (see figure 6). With workers framed as those who must be constantly investigated and screened for criminality and “agricultural fraud,” the moral authority of private recruitment institutions – as well as Canada itself – is repeatedly reinforced.

FIGURE 7. INTERVIEWED WORKERS' SPECIALIZATION PRIOR TO THE TFWP



Many agencies have added steps to examine workers, with the aim of providing “quality selection” for Canadians: from physical examinations, open-ended interviews, proof of qualifications, to enlisting workers who are considered “low-risk” to employers (i.e. they will never be permanent) and providing extensive training and testing sessions. As emphasized by one agency: “Screenings are done by us [agencies], not by the Canadian Embassy” (agency 6, 03/11/14/). Ongoing worker evaluations ensure agency oversight throughout the recruitment process, differentiating between “suitable” and “unsuitable” workers. Agencies emphasize that agricultural expertise is central to the lucrative operation of the TFWP: rather than being “low-skilled,” as Canada claims, recruiters assert that demands from Canada are often very specific, with several distinct characteristics and qualifications requested. As such, agencies commonly seek out workers who meet very particular, skilled criteria:

The other day we had a company on the south shore of Outaouais ask for someone who knows how to breed, feed, vaccinate, and take care of cows, can do construction, paint, and operate a tractor... finally there was only one applicant [out of hundreds] who knew how to do all of that and I sent him. He’s going to do everything (agency 6, 03/11/14).

In order to be considered for a job, moreover, workers are asked to provide solid evidence of their specialization in agriculture:

[We need] proof that they are agricultural workers, of what they specialize in. We’re not going to bring someone who works in plumbing to come kill chickens. That doesn’t make any sense (agency 7, 05/14).

Candidates are generally asked to provide a letter of recommendation, “to prove they are really from X village and are farmers,” signed by the mayor of the community or municipality “because we can’t just send *anyone* to work” (agency 1, 03/04/14). A strong emphasis exists to ensure that candidates have even been trained to handle the particular crop they will be working with in Canada, with employers explicitly seeking out workers who already have years of experience:

You need workers in the agricultural sector that can say this is a tomato, this is a bean, this is a carrot; they need to know what’s going on. If you go to a coffee grower and tell him this is a snow pea, he will not know. So this means, although the program is called ‘unskilled’, it’s skilled in the agricultural sector. People are skilled, they are very, very good... If an applicant comes here and we *really* see that he is an agricultural worker, we have a person look at him, and he joins the waiting list (agency 3, 03/22/14).

Specific requests from Canada narrow down those workers who may be eligible for a job, allowing employers to access knowledgeable farmers with extensive expertise in particular crops, livestock care, greenhouses, operating specific machines and equipment, etc. Expertise is also used by some agencies as a means to sell additional tests and trainings and add general costs for workers, making individuals more marketable, with training sessions described as a means to “make sure that people have fulfilled the requirements” (agency 1, 04/04/14).

Narratives of agencies’ established moral authority – resting on their declared connection to an exalted Canada and underlying claims to philanthropy – are in turn used to normalize explicitly racialized and gendered processes of differentiation that have been requested by Canadians. To meet employer demands, agency representatives recruit workers from regions of Guatemala that are known for particular agricultural practices, climate, racial character, culture, etc., with the largest numbers of workers coming from the departments of Chimaltenango, El Progreso, San Marcos, Sacatepéquez, Guatemala, Jutiapa, and Santa Rosa. As agencies emphasize the lawful and managed nature of the temporary migration process, the sorting of labour candidates according to regional classifying schemas that are overtly gendered and racialized is presented as essential for delivering “qualified human capital” to an imagined Canada:

The [Canadian] agency contacts us and says I need 10 workers for a tomato greenhouse, so get us workers that measure more than X, that weigh about X amount, that are able to pick up boxes of tomatoes... If you want someone for chicken catching, they have to measure about six feet and be able to do the work and catch the chickens. Those in Chimaltenango are about five feet tall...so they wouldn’t be able to do it. So [recruitment] is strategic according to the kind of work that is requested. We know the regions where people are from here in Guatemala (agency 6, 03/11/14).

Employers may specify the height, weight, age, and physical characteristics of the workers they wish to hire. With particular physical characteristics associated with different agricultural sectors, classification comes to distinguish which kinds of workers – and regions – are more suitable for which kinds of employment:

There are demands for specific kinds of people: the employer tells us that he needs someone between the age of 25 and 30, who measures 1.7 metres, for a chicken farm, so we need someone who is tall, but if it is to cut cabbage, lettuce, or broccoli, we need someone who is shorter and a different age, and that is where worker classification comes in (agency 2, 03/18/14).

Some representatives even cite the climate as a means to determine if workers from particular areas might be more “suited” for work in Canada:

Usually [Canadians] ask for people from San Marcos, Quetzaltenango, or Huehuetenango, because these are the highlands, with cold seasons. [Employers] ask for cold regions, for workers who can tolerate the cold (agency 4, 03/26/14).

To be distinguished as capable of performing Canadian agricultural labour, therefore, workers are regarded as having to possess particular physical traits, catalogued according to individual height, weight, sex, eyesight, endurance, physical strength, agility, geographical region, etc., depending on the sector in question. Recruitment often targets particular regions of Guatemala depending on the characteristics that have been requested by an employer – with some regions known as being more ladino or Indigenous, consisting of differing topographies and agricultural practices, and certain identities prized above others for specific kinds of employment. Maya Ka’chiquel workers from Chimaltenango, for example, make up the majority of Guatemalan workers who harvest Canadian fields, with some Canadian employers visiting Guatemala each year to hand-pick workers alongside recruiters in that region; while Santa Rosa is a predominantly ladino area, where workers are mostly recruited for chicken-catching (agency 3, 03/22/14; agency 6, 03/11/14). A worker’s region of origin is seen as tangibly contributing to their expertise, qualities, physical strength, and “ability to tolerate the climate,” with certain regions referenced by agencies as inherently containing “better” workers for labouring in Canada – such as Chimaltenango, El Progreso, and Santa Rosa. As a result, other areas are also ruled out for work in certain sectors if they are said to have “bad workers”. For example:

The first time workers were brought to Canada from [the region of] San Marcos, it was a disaster, because they are very good with their hands to cut coffee, but they were not good for lettuce (agency 3, 03/22/14).

In many ways, the overtly racialized recruitment requirements used in migrant worker selection mirror the racially exclusive criteria that dominated 19th and 20th century immigration policy in Canada. The 1910 Immigration Act, for example, specifically barred races deemed “unsuitable to the climate...of any specified class, occupation, or character” (i.e. non-White) from entering Canada,⁶³ unless they could be physically

⁶³ This also effectively prevented many women of colour from entering Canada, as occupations were specifically gendered.

exploited in agriculture or construction (Thobani, 2007; as cited in CCR, 2000, para. 13).⁶⁴ The 1903 Chinese Head Tax, meanwhile, subjected Chinese immigrants to a 500\$ fee should they wish to enter Canada, and in 1919 section 38 of the Immigration Act specified that Canada could “prohibit any race, nationality, or class” from settling (CCR, 2000, para. 29). Although these acts have been condemned as “shameful chapters” in Canada’s history, historical racisms continue through privatized immigration structures such as the TFWP, with migrants continually recruited according to explicitly racialized, gendered, and ableist requirements, typically charged huge sums of money on an ongoing basis in order to continually secure short-term work in Canada.

Migrant workers are pointedly sought out according to region, moral character, race, gender, ability, and climate to qualify in Canada’s TFWP. Regarded as “suitable” for temporary labour, they are deemed “unsuitable” for permanent settlement or full status in Canada. Meanwhile, although there are no overt state requirements regarding race in the TFWP, the privatized and tied structure of the program has impelled the development of specific racialized and nationalized preferences for various occupations and employment sectors, as particular geographies, races, and genders become associated with particular jobs. For example, according to Kerry Preibisch (2007), Canadian employers consider Jamaican workers more suited to fruit tree picking, while Mexicans or Guatemalans are preferred for field harvests. One Guatemala-based agency that also recruits in Honduras specifically describe Honduran workers as “shit” while contrastingly referring to Guatemalan workers as “very, very good” – a sentiment that, according to the former director of the IOM-Guatemala, contributed to the development of a program in Guatemala over that of one in Honduras⁶⁵ (agency 3, 03/22/14). If an employer deems a particular nationality or race to be “no good,” they have an endless pool of labour to choose from and may easily switch to a group deemed “more efficient” or “well-behaved”.

In confining migrant workers to particular “low-skilled” jobs that essentialize workers’ identities in Canada, racialized criteria is increasingly used and maintained to define spaces of exclusion through the migrant worker category. Certain types of bodies

⁶⁴ Racial requirements were part of Canadian immigration policy until 1962. Some well-known pieces of racist legislation include: the Chinese Immigration Act of 1885, the Chinese Exclusion Act of 1923, the Continuous Passage Requirement of 1908, the 1910 Immigration Act, etc. (Thobani, 2007; CCR, 2000).

⁶⁵ According to former IOM Director, the 2003 Pilot Program was also originally started with Honduras, but did not work. It then began again in 2010 with the opening of Amigo Laboral International Inc.

are deemed as exclusively fitting to low-wage work; and are only valuable as long as that work is needed. As such, bodies are only valued while they are able to efficiently perform “dirty, dangerous, and difficult” labour (Hennebry and Preibisch, 2010, 5). This plays out on a micro level as well, as particular identities and characteristics become associated with particular geographies in Guatemala, and particular groups hierarchically ranked above others in terms of their value for physical labour. With various gradations of “work ethic” or “docility” applied to entire racial groups, regions or nationalities, categorical racialized difference – marked by ideas of supposed racial expertise, skill, and behavior – is used as a labour management strategy, with groups and individuals often pitted against one another to compete for contracts.

Meanwhile, agencies implement what workers call “military-style” physical examinations to evaluate candidates and narrow down who might qualify for a contract. Often designed by employers, these tests typically require male workers to perform heavy lifting, sit-ups, and run laps – with some agencies demanding hours of “volunteer” labour in agriculture, construction or landscaping – to observe a candidate’s physical capacity for carrying out tasks as they might occur in Canada. Examinations are paid for by workers and range in cost from 930Q to 80,000Q (~\$150CAD to \$12,940CAD),⁶⁶ depending on the duration of the training, quantity of exams, or level of corruption of the labour broker. Tests and trainings are specifically gendered – related to a labour market that is explicitly segmented according to gender and race: while men are generally tested for strength and work in industrial agriculture or landscaping, women must carry out tasks that involve quick finger-work and are largely employed in laundry, strawberry picking, or the processing industry in Canada. One female worker reported having to repeatedly count corn kernels during a pre-departure training session (Guatemalan worker, 02/28/14). As described by one agency:

Women are taught to practice an exercise to see how agile they are to separate a few things, like beans, rice, corn, or stones, or some fruit, to see what kind of ability they have in separating one thing from another, and how to count and package items, per dozen. It is an exercise to see their ability and concentration in how they work, and to see how capable they are of concentrating, to see who can make the least mistakes (agency 2, 03/18/14).

⁶⁶ Classifying exams are also gendered, with women confined to tasks such as separating and picking berries, packaging, cooking for male workers, or washing laundry.

Meanwhile, with no limit to essentialized employer demands, employers may go so far as specify the dress, marital status, and family structure of the worker they are seeking:

There are farms that ask that women come only from rural areas in Chimaltenango, wear their traditional dress, be single and without commitments⁶⁷ (agency 3, 03/22/14).

In contrast to Guatemalan men, who are wanted married, with children, often prohibited from forming relationships with women and generally criminalized as predators in Canada, some farms prefer that Guatemalan women be single and childless. In other words, certain kinds of family connections are desired and not others, depending on a candidate's gender. Overall, women form a meagre fraction of the total workers who go to Canada from Guatemala, comprising just 3-5% of workers from 2003 to 2008, depending on the year (Hughes, 2014). This is because recruitment is explicitly gendered, largely limited to a pool of able-bodied men. Out of thirty-nine interviews with workers, only four identified as women, one of whom had never made it to Canada, while the remaining three had been waiting over a year to get a call from their agency in the hopes that they might eventually return to work.

According to workers, agencies seek out those who have “Never been sick and never have broken a bone” (Guatemalan worker, 02/28/14). Searching for the perfect worker, agencies are able to design any pre-departure criteria as requested by Canadian employers or specific to the sector where workers are in demand, including mental and physical health, efficiency, speed, etc. As explained by one worker:

Agencies carry out an exam on your ability, to see how well your brain works and how your hands move. If you're in bad health, you can't travel... [You also] need the mentality to go, and the physical ability to do it (Guatemalan worker, 01/14).

Through observational tests and trainings, recruiters narrow down the most “hard-working,” speedy, “moral,” or agriculturally experienced workers as those few who may go to Canada – who also appear to be guaranteed as temporary, with strong reasons to return – while the majority of those who have been enlisted and even paid fees remain in Guatemala.

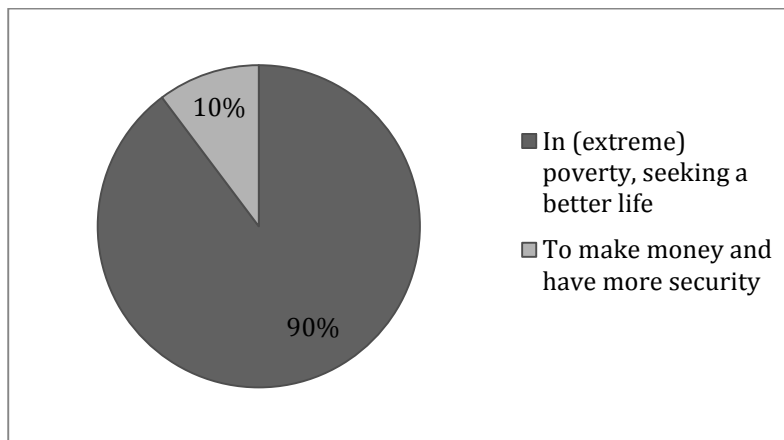
⁶⁷ In Guatemala, “without commitments” in this sense typically refers to being without kids or family obligations.

Employment agencies, meanwhile, may curb recruitment costs according to the projected salaries of workers in Canada, making particular kinds of work harder to access:

It costs 30,000Q (~\$5000CAN) to work in cattle in Québec. Cattle costs more to get into because the wages are higher, you make 13\$ per hour (Guatemalan worker, 05/14).

Costs vary widely, depending on the training and the sector, ranging from 250Q (~\$40CAD) for just enlisting workers to over 30,000Q (~\$5206.61CAD) if a worker would like to be trained in cattle. Once again, many workers must take out substantial loans to meet recruitment costs, either borrowing from family members, the bank, or labour brokers themselves, and often mortgaging their home and/or land. Meanwhile, nearly all workers interviewed cited (extreme) poverty and seeking a better life as their main reasons for joining the TFWP (See Figure 8).

Figure 8. Interviewed Workers' Reasons for Joining the TFWP



Agency classifying mechanisms are used to convey and reproduce a particular – colonial-capitalist – order as demanded by Canadian employers and the Canadian state, and apply it to those who wish to be included in the migrant worker category. This is framed as a virtuous action on the part of agencies and employers, done in accordance with specific racialized criteria that differentially and hierarchically assign particular types of labour as belonging to particular types of bodies and geographies, and vice versa. Through the sorting of workers according to trainings, tests, region of origin, race, gender, and notions of morality and “honour,” distinct categories of labour – and people – are constructed and presented as belonging in distinct spaces and/or occupations. Configured through the migrant worker category itself, the “good” worker

subject is actively created through the imaginations of exalted Canadian employers, intermediaries and the state, shaped as temporary, tied, without access to full status, and thus always excludable and disposable. This subject is reproduced on an everyday basis through the ongoing recruitment of Guatemalan workers to Canada. In order to remain in the migrant worker category, moreover, diverse identities must be enclosed and theoretically made “governable,” confined through the constant bordering – i.e. containment – of the good worker subject.

CONTAINMENT: ORDERING “GOOD” MOVEMENT

During pre-departure trainings, agencies give instructions as to how workers should behave in Canada. Workers are most commonly told they should be “obedient” towards Canadians, privileged to be labouring within a lawful Canada. In particular, one should: “be present, obey, follow-through, and tolerate – because there are a lot more obligations than rights” (agency 2, 03/18/14). Workers who speak out against dangerous or discriminatory working conditions, on the other hand, are identified as “bad” workers who have overstepped their obligations by “creating problems”:

A worker’s responsibility is to work and to produce conscious labour, to be responsible with their employers, carry out the orders they’re given, not be provocative or problem-creating people, not get together in groups or organize protests, not say ‘I don’t want to work’ or ‘I want to go back to Guatemala’ because these are the people that create problems. We tell workers beforehand that anyone who does this will be expelled from the [work] site and returned to their country, and will have to pay all costs that the employer incurred as well as those that the agency paid for... The worker has more obligations than rights because he has the obligation to be present, to obey, to fulfill [his tasks], to withstand [work conditions] – there are a lot more obligations than rights. They don’t have the right to protest. Here we teach workers that they can’t protest, and they can’t demand anything. But they can ask politely (agency 2, 03/18/14).

Representatives express that they do not wish to hire “problem-creating people” – i.e. workers should follow employer orders over making demands or objecting to a task assigned to them, no matter the circumstances. Moreover, being “unable to enforce’ workers’ obligations is cited as a root cause of “imbalances” in the TFWP:

The Canadian companies comply with their obligations... the only problem is that we have no way to enforce workers’ obligations. This is not balanced. Everyone is talking labour workers’ rights but no one is talking about an employer’s right to fill a job, to not break a contract (agency 3, 03/22/14).

In instructing how workers should or should not behave in the workplace, emphasizing the employer's right to fulfill a contract, and demonizing workers who do not comply with categorical containment – i.e. the ideal qualities of the “good” worker: honest, honorable, moral, pristine legal status, consistent mental and physical health, obedient work ethic and a capacity to obey, good personal hygiene and eating habits, ability to withstand extreme weather, equipped with agricultural expertise, physical strength and endurance, etc. – as being “provocative,” agency representatives are prescribing those subjectivities that can fit into the migrant worker category. In doing so, they also reassert the position of the category itself which, as maintained by Sharma, is arranged in particular, hierarchically-organized ways in Canadian space, implying that an employer should be able to retain proper “control” over Guatemalan labour throughout workers' time in Canada – for the supposed security Canada's borders as well as for employer and agency profit (Sharma, 2006). Moreover, because the TFWP is a complaint-driven system that, under the command of Canadian employers, puts workers at constant risk of deportation – and, subsequently, program blacklisting – agencies remind workers of the severe consequences that could arise should a worker deviate from the category that has been assigned to them.

With workers valued specifically in terms of their capacity for labour, commodification through the migrant worker category has been cited as central to the experience of many Guatemalan workers in Canada. Workers are given explicit instructions regarding personal hygiene, eating habits, and respecting the employer, and are prohibited from forming relationships outside of work, particularly, “with any group or association”. Demonstrating a “lack of respect” towards a Canadian employer or engaging in sexual relations is considered to be reasonable grounds for dismissal, deportation, blacklisting, as well as having to front travel costs to and from Canada (UFCW, 2013; IOM, 2010; See appendices iii and iv). One worker shares his own experience of commodification and expendibility:

If you don't want to do a particular kind of task, they threaten you and say that they'll deport you to Guatemala, but you learn the work, and it's okay, but when you have an accident, that's when the employer and everyone turns.... When things are good, when you're working for them, you're a machine to make money, but once you're sick, they want to kick you out like a disposable object (Guatemalan worker, 05/14).

Another worker adds:

In Canada, if you complain, it's sure that you won't have work the next day. Versus here in Guatemala, you can openly complain (Guatemalan worker, 01/14).

Agencies crusade to offer obedient, contained, temporary, “qualified human capital” to Canadian employers. Human capital that – in a “controlled,” orderly manner – will return to Guatemala following the end of their work contract. Spatial (and categorical) control is seen as a central component to the lucrative management of migrant workers for employers, agencies and the Canadian state. Workers must be temporary in order to be profitable (and in demand). To implement and guarantee temporariness, agencies claim to “protect and control” workers’ mobility when travelling to and from Canada, ensuring “that everything is in order” through centralized arrival and departure points – in some cases, even carrying out the devolved work of the Canada Border Services Agency (CBSA) with additional security checks (agency 6, 03/11/14).

“Control” – in both the labour selection process and the transfer of workers to and from Canada – is effectively maintained through the elaborate management of workers, which is consolidated by each agency in a database system that centralizes participants’ information:

In the database, every worker has a number, and each number has a commentary. For example, if someone only speaks Kachiquel, or measures 3’5 feet, or is 19 years old – when we usually work with people over 25, who have kids and a reason for returning, who aren’t going to go out at night and party. So we write down all the commentary and grade it, so like he’s an A+, he’s perfect, he’ll travel... when we put an A we’ll put a comment like he’s this height and weighs 90 pounds, etc. What we’re waiting for is more contracts to help another 100 people travel to Canada (agency 6, 03/11/14).

Agencies use differential classification and training add-ons as a means to legibly organize candidates within their database and keep track of who is (not) “suitable” for work in Canada and who has (not) adequately completed recruitment procedures:

The part of the work that we call classification is when we see if people are suitable to carry out the work, and if they’re not, well we train them so that they can become competent, so that they can move up and do this kind of work. When the worker has fulfilled all of the requirements of the organization, his paperwork and information goes into a database in Canada [with our Canadian counterpart]... I compile [all the worker’s information] and add it to the database. We have a list of all the workers, where they are from, what they can do... when a worker’s information is there, he gets a contract (agency 2, 03/18/14).

Importantly, agencies also arrange which workers may return to Canada and which become blocked from the program as “bad” workers. With workers’ information and status organized in a central location, each agency is able to clearly decipher individual candidates and distinguish “Who is going [to Canada], who is not going, who is called, and so on”. Databases generally include a worker’s personal information, height, weight, family information (including brothers, sisters, or kids), education level, if they have ever been deported from the US, etc. and are often shared with a group’s Canadian counterpart. This is an instrumental tool in maintaining spatial control, managing mobility by intelligibly differentiating between “good” and “bad” workers and, in particular, “keeping out” blacklisted (“bad”) workers from the TFWP – who, according to agencies, may “try to lie and sneak back in” (agency 3, 03/22/14).

“Good” workers are able to return to Canada through a “naming”⁶⁸ process: upon their removal to Guatemala, workers are given a letter and evaluation to present to their agency, stipulating whether the worker was good and if they might be asked to return the following year. Some agencies are also directly given a recall list from Canadian counterparts or employers:

We receive a recall list from [the Canadian agency], with an evaluation if the farmer said that the worker was good, for example, but if he doesn’t want the worker again, the farmer can recommend him to another farm, and in that case the worker joins the waiting list and he has an evaluation. We also have some workers that employers don’t want back and they don’t recommend him to another farm. And if [the worker is not recommended] they are out of the program, because we cannot place a worker if the employer says that he is no good (agency 3, 03/22/14).

Recruitment officials emphasize the need for evidence of a worker’s “good” – or desirable – status if they have already worked in Canada:

If the person is a good worker, they’ll have a letter with them that says they are going to be recalled the next year... if they don’t have this letter, then they can’t be called again, because the employer doesn’t want the worker back... If they’ve already gone to Canada, *we need proof that they are a good worker* (agency 1, 03/04/14, my emphasis).

Without a direct channel of communication between employers and workers, workers often return to Guatemala without knowing for many months whether or not they will be

⁶⁸ This term is used by both recruiters and workers in Guatemala.

rehired in Canada. Some interviewed workers reported having waited more than a year for a phone call from a recruitment representative, to no avail, and had thus started visiting other recruitment agencies in hope of being granted a new contract.

Even if a worker is named as “good,” it does not mean that they will be returned or wanted by the same Canadian employer. Employers have the unrestricted power to refuse a worker for whatever reasons – without having to disclose them – and as such may also recommend someone to labour on a different farm, returning that worker to the wider waiting pool. Between growing recruitment and returning workers, waiting lists have rapidly expanded in recent years. Although there are no transparent numbers on the length of waiting lists, each agency reported possessing extensive lists of a few hundred workers, easily amounting to over two thousand candidates currently awaiting a potential contract in Guatemala and likely including many more. As expressed by an agency representative:

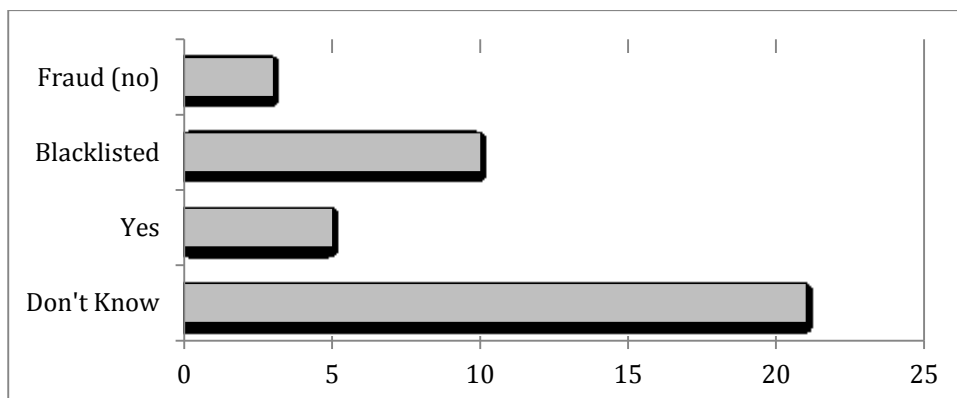
We have people who are well prepared, who are waiting. Everything is ready here, we just need the boss in Canada to say, ‘I need 50 workers’ (agency 1, 03/04/14).

Dependent on market demand in Canada, a waiting worker must be prepared to hurriedly leave Guatemala if they suddenly receive a contract:

It all starts when we call you. The point is to be available (agency 3, 03/22/14).

This demand-driven dynamic leaves at least hundreds – and likely thousands – of workers in limbo in Guatemala. Agency representatives only contact a worker if an employer has named them. To know if one has been named, recalled, or blacklisted, a worker must either make a visit to the recruiter’s office – which is typically many hours of travel from an individual’s community – or else eternally wait for a phone call from a recruiter explicitly expressing that the worker has been offered a new contract (Guatemala Ministry of Labour, 02/12/14). If workers do not obtain a contract, they simply do not hear from their agency. Workers are often given just a few days notice before they are set to travel to Canada, with little time for pre-departure arrangements and goodbyes. The possibility of re-obtaining a Canadian contract also impedes workers from securing work in Guatemala. An arbitrary, non-transparent process, naming (or lack thereof) acts as a means to silently remove imperfect or dissenting workers from a brimming pool of ready labour.

FIGURE 9. ARE WORKERS RETURNING TO CANADA? (39 TOTAL)



While thousands of Guatemalans are recruited to work in Canada each year, thousands also remain behind on waiting lists, part of a growing labour reserve or else targets of fraud. Blacklisting is discretionary and widespread, often occurring without even informing workers of the fact. “Bad” workers are produced by travelling to Canada. As explained by one agency: “We had to block 400 workers for protesting.”⁶⁹ If a worker is unable to complete the duration of a contract for whatever reason, engages in a conflict at work, is not able to comply with work conditions, or suffers from an accident, they may be labeled a bad worker by their agency and permanently removed from the program. This has commonly included situations that are out of workers’ control, including but not limited to: mass layoffs in Canada due to economic decline, early end-of-season depending on weather, having to tend to a sick family member in Guatemala, standing up for access to medical care, etc. Workers in these situations have also been threatened or forced to pay additional costs associated with their removal. As described by former IOM staff:

When a worker would breach a contract [under the IOM], even if it was for his wife or kids being sick, he would be kicked out of the program and blacklisted. With the case of the Association of Guatemalans United for our Rights... I’m sure that three-quarters of the cases [of blacklisted workers] were for stupid reasons. I’m sure (former IOM worker, 03/14).

Common reasons for permanently removing workers from the TFWP include “low productivity” and “bad behavior” (OIM report, 2006, 33-34 & 2010; see appendices

⁶⁹ Referring to the Association of Guatemalans United for our Rights (AGUND), a group of Guatemalan workers who have been organizing against program and agency abuses after having gone to Canada and not been allowed to return.

4 and 5; various agencies). This is particularly problematic as, under the IOM as well as with current agencies, there is also a monetary incentive to blacklist workers:

The IOM, as an NGO and a fund, was charging a deposit [of 4000Q] and removing people from the program without reason, so they were making a large sum of money (Guatemalan worker, 01/14).

Under the pretext that it would guarantee workers' return to Guatemala, the IOM charged workers a \$660CAD deposit to go to Canada until 2010. If a worker's contract was cut and ended earlier than expected, regardless of the reason, that deposit was regularly pocketed by the organization. Since the elimination of the deposit, new means have emerged to continue levying worker payments, from the creation of a "service fee" to wide-ranging training programs. Most agencies are able to earn more by charging workers add-on recruitment costs in Guatemala than actually going to Canada to work. This has contributed to the recent surge in deregulated recruiters following the departure of the IOM from Guatemala. If an agency can fully charge a worker recruitment, training, and processing costs, blacklist that worker, and then charge a new worker these same costs, they are effectively able to make a higher profit margin than by merely returning the same workers year after year.⁷⁰

Although there are no available figures on the total number of workers blacklisted in Guatemala, each agency interviewed admitted to blacklisting workers for some of the abovementioned reasons, particularly if workers had engaged in a conflict or protest at work. With an overarching organizational "trust in employers" and no employers officially blacklisted from the program,⁷¹ agencies continue to maintain that the system functions in the interests and benefit of Guatemalan workers. However, it is "bad workers" rather than bad employers who are said to jeopardize the future of the TFWP – imperilling contracts and the production of capital – and so must be banned from the program to maintain an overall demand for Guatemalan labour. Moreover, although a handful of Canadian employers have been *informally* blacklisted by the Guatemalan Consulate and

⁷⁰ This will be intensified now that the "four and four" rule has come into effect, forcing workers who have worked in Canada for four years (since April 1, 2011) to leave Canada for four years before they can reapply to the TFWP.

⁷¹ Although an undisclosed list is kept by the Guatemalan Ministry of Labour, this is not public. Moreover, it has been recorded that even supposedly "blacklisted" employers have continued to recruit workers and in some cases be granted Canadian work permits and visas.

Guatemalan Ministry of Labour⁷², these employers have for the most part succeeded in continuing to source workers, with almost all agencies (eight out of nine) reporting to have worked with a blacklisted employer at some point or another. As expressed by a former IOM employee and current recruiting agent:

There are a lot of farms that the IOM let go [overstepping regulations] over the years, and now they're all part of the competition. Workers who slept in basements, on the floor, inhumane conditions, and well other agencies, for the money, [agencies] do business with [these farms] (agency 6, 03/11/14).

As migrant workers take out heavy loans – often mortgaging their homes – to meet recruitment and travel costs, stakes are high if a worker is not able to make enough money to pay off the debts that they have accrued in Guatemala. With rising and variable costs for recruitment, a worker can be put into a very precarious position if they become blacklisted or waitlisted – that is, if they have actually succeeded in obtaining a Canadian contract in the first place. Meanwhile, many workers call their Canadian employers “racist and abusive,” citing discrimination, isolation and a lack of support while in Canada. Without any structural support mechanisms in place for workers, and with so many increasingly banned from participating, it is difficult to imagine how the TFWP could simply be the “humanitarian initiative to benefit workers” that agencies claim it to be. As rumours of well-paid work in Canada continue to spread far and wide, and fraud rates rise across Guatemala, more and more workers continue to be displaced by the burgeoning webs of made-in-Canada TFWP recruitment and its’ ever-expanding migrant worker category. As voiced by one worker: “Recruitment is a bad game, because you don’t know [if you’re really getting a job or not], and you can never know if it’s true or a lie” (Guatemalan worker, 01/14).

⁷² Although there exists a few Canadian companies that have been formally blacklisted by Canadian and Guatemalan governments for the labour abuses, this list is not public nor actively monitored and, as such, even blacklisted companies have succeeded in continuously obtaining Guatemalan labour.

Chapter 7: CONCLUSION

The purpose of this thesis has been to unmap the colonial ideologies and bordering practices that naturalize differential classification in Canada's TFWP. Specifically, I have examined the narratives of recruitment actors to uncover how processes of classification and containment spatially and socially organize Canadian borders through mechanisms such as the TFWP, "managing" and categorizing subjectivities through the recruitment of migrant labour according to nationality, region, gender, race, physical ability, marital status, training, monetary investment, etc. This is necessarily grounded in colonial constructions of difference that facilitate exploitation and the apartheid of movement. Through an exploration of the everyday geographies of temporary labour recruitment in Guatemala, I have traced how notions of "lawfulness," difference, morality, and order are used to manage and advance the racialization of labour and capital accumulation under temporary migration systems. Uncovering the institutional practices of neoliberal migration management structures illustrates how made-in-Canada forms of constructed precarity and lawful dispossession are also produced and normalized beyond Canada's colonial borders.

Researching the spaces and actors of temporary labour recruitment has allowed me to draw several conclusions from collected empirical material: described as a lawful, humanitarian initiative and also a business for Canada, the marketing of Guatemalan migrant labour to Canadian employers has entailed a growing "race to the bottom" as recruiters rush to compete for employment contracts. This has brought about a profusion of tests, trainings, and databases to rank workers, stratifying the pool of "ready" Guatemalan labour while augmenting costs – and creating excessive debt – for migrants. Although the bulk of recruitment in Guatemala remains concentrated in the hands of FERME's Guatemalan counterpart, the rise of new recruitment groups has made it cheaper and easier for Canadian employers to source labour from Guatemala – including those already banned for labour violations. Recent "putting Canadians first" changes to TFWP legislation, meanwhile, have introduced migrant labour caps for the first time, quadrupled application costs, and put into effect the "four in and four out" rule, minimizing workers' time in Canada while raising recruitment fees and lengthening blacklists – further disfranchising workers while continuing to frame state-designed temporary migration

itself as ethical movement for “the benefit of all”. As temporary labour becomes lawfully more precarious for workers, rumours of work in Canada continue to spread far and wide, driving thousands of migrants into conditions of deeper insecurity each year – as testified by Ana and so many others.

At the same time, the migrant worker category – and the apartheid of mobility more generally – is constantly being constructed on a day-to-day basis both in Guatemala and Canada. Through the category of migrant worker, Guatemalans are legally excluded from full status in Canada, their visa bound to their employer and so constantly subject to the threat of deportation, without any path to permanent residency and limited access to social services or the benefits that they pay into. In charting the various steps that workers must undertake to be considered for a temporary labour contract, I have tried to depict a more expansive perspective of the making of difference through the transnational use of the migrant worker category, unsettling the boundaries of temporary labour by highlighting the production and management of the “good” worker subject in Guatemala. Through processes of classification and containment, “good” and “bad” migrants are constantly being positioned as either “deserving” or “undeserving” of work in an exalted Canada – work that they must pay to access, without a guarantee. Categorical difference, in turn, normalizes the very production of disparities through the social and spatial organization of Canadian borders.

In being critical of recruitment and TFWP structures more generally, I wish to be clear that I am *not* suggesting that “low-skilled” temporary labour streams be abolished. “Low-skilled” streams provide important paths to work in Canada for thousands of migrants – just as “high-skilled” streams and other channels of migration to Canada are important for those who are able to access them. Most migrants who come to Canada as temporary workers only have access to just that: temporary labour streams. Blocking access to these channels – as begun under recent legislation – rather than creating meaningful paths to full status for all is a glaringly exclusionary and racist action on the part of the Canadian state. Rather, in critiquing recruitment and the migrant worker category, I am emphasizing the colonial, racialized, and gendered organization of Canadian borders and how the apartheid of movement is continually created and naturalized on an everyday basis, often with humanitarian undertones. Multi-tiered temporary labour streams are just one example of how the apartheid of mobility can be

produced and maintained. The classification systems that sort migrants into groups of “good” and “bad,” “authentic” and “inauthentic,” “desirable” and “undesirable” more broadly uphold Canada’s immigration system and are rooted in realities of colonialism and commodification that divide and discriminate, with growing lists of “safe countries” creating “bogus refugees,” a narrowing of eligibility for family sponsorship, and new measures introduced for removing “fraudulent” im/migrants from Canada – from the rescinding of citizenship and permanent residency to rising numbers of people who are detained and deported each year.

In writing this thesis, I have aimed to unsettle the production of difference by highlighting the narratives and processes of classification and containment which underlie the recruitment of Guatemalan migrant workers to Canada. This is grounded in a broader migrant justice framework that resists the colonially demarcated boundaries that have historically carved up Indigenous territories, dividing the “lawful” colonizer from the “lawless” colonized, to establish the very basis for global capitalism. Carlos Fernandez, Meredith Gill, Imre Szeman, and Jessica Whyte elaborate:

Without the border, there would be no differential zones of labour, no spaces to realize surplus capital through the dumping of overproduction, no way of patrolling surly populations that might want to resist proletarianization, no realize valve for speculative access (as cited in Walia, 2013: 71).

Borders drive dispossession and deny self-determination, shaping geographies of access to constantly position migrants as “out of place”. There are over a billion migrants around the world, 740 million of whom are migrant workers (Walia, 2013). Colonial states increasingly tighten and subcontract the regulation of non-White mobility – i.e. migration management – to for-profit actors, promoting the economic appropriation of claims to movement of the majority of the world’s population. Although the managed migration of “foreigners” – whose status will always be temporary – is a profoundly colonial and often violent process, it is carried out under the banner of being lawful and “good”. This exacerbates possibilities for exploitation and consolidates relations of domination, as the apartheid of movement and the disposability of workers is continuously presented as natural and even charitable. As expressed by Haudenosaunee scholar Audra Simpson (2014): it is in “appearing virtuous” where the power of colonial violence lies. In claiming legality and virtuosity, migration management actors effectively multiply the scales for

racial governance and capital accumulation, expanding the frontiers of dispossession and displacement through the steady denial of self-determined movement.

Narratives of national belonging, in turn, continue to powerfully shape the production and normalization of the apartheid of movement in Canada, configuring access to land, territory, and status. The continual erasure of colonialism and propagation of settler mythologies in dominant discourse allows for the very organization of hierarchical categories of (White) belonging, fashioning possibilities for im/mobility and lawful violence through Canada's immigration system. Settler colonial narratives promote the free flow of capital over the free movement of people, advancing the commodification of resources, land, and movement through an exclusionist concept of the nation-state. The envisioning of a world without borders, therefore, must begin with recognizing and unlearning these – as well as other – forms of colonial violence, re-imagining and deconstructing the hierarchies of colonial control that perpetuate categorical difference to instead support the freedom of *all* to move, to remain, and to return. As voiced by Indigenous youth from the Akimel, O'odham, and Tohono O'oham nations:

[We must] return to traditional indigenous values of freedom and movement for all people. Prior to the colonization by European nations and the establishment of the European settler state...and the artificial borders it and other European nation states have imposed; indigenous people migrated, traveled, and traded with each other without regard to artificial lines drawn on maps... [I]mmigration policies dehumanize and criminalize people simply because of which side of these artificial lines they were born on. White settlers whose ancestors have only been here at most for a few hundred years have imposed these policies of terror and death on 'immigrants' whose ancestors have lived in this hemisphere for tens of thousands of years, for time immemorial (O'odham Solidarity Across Borders Collective, 2010).

Open the borders!

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APPENDICES

Appendix 1: Annual entries of temporary residents in Québec, 2000-2010

Entrées annuelles de résidents temporaires selon le statut pour les pays de naissance s'étant classés au moins une fois parmi les trois premiers¹, Québec, 2000-2010

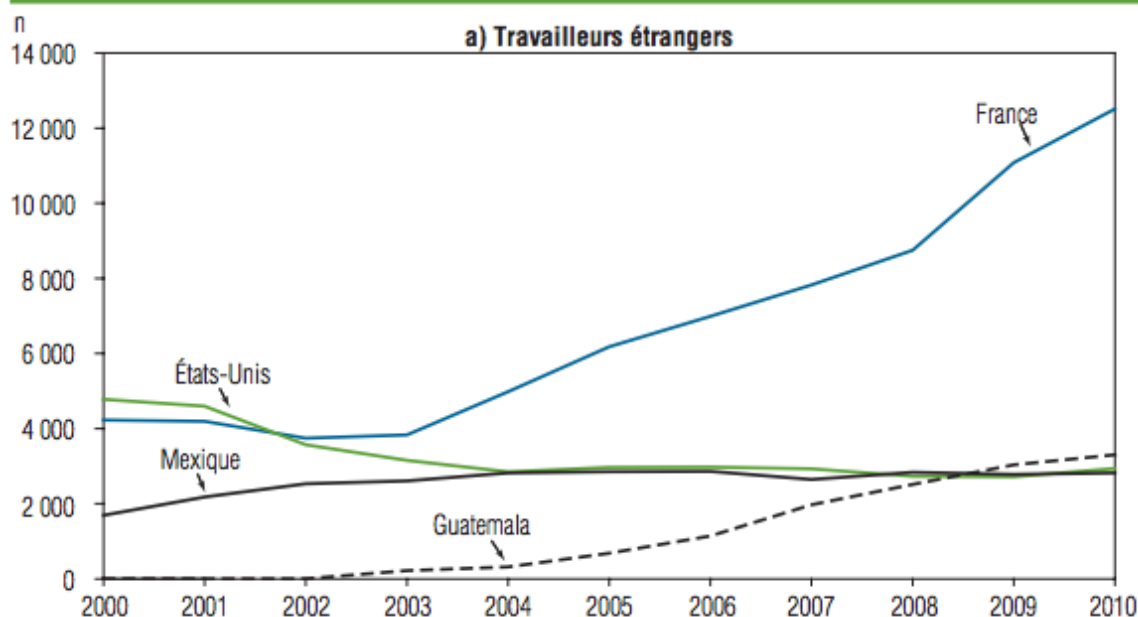


Figure 1 : “Annual entries of temporary residents in Québec according to status for top three countries”

(Source: Institute de la Statistique du Québec, 2012: 4)

Entrées annuelles de résidents temporaires selon le statut pour les pays de naissance s'étant classés au moins une fois parmi les trois premiers, Québec, 2000-2010

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
	n										
Travailleurs étrangers	18 330	19 396	16 832	15 811	17 691	19 128	20 243	22 489	24 234	27 893	30 307
France	4 230	4 196	3 747	3 833	4 983	6 178	6 990	7 823	8 748	11 083	12 510
Guatemala	–	6	5	220	316	683	1 139	1 971	2 515	3 035	3 305
États-Unis	4 781	4 599	3 571	3 154	2 848	2 967	2 979	2 929	2 733	2 719	2 941
Mexique	1 693	2 179	2 534	2 608	2 820	2 855	2 862	2 647	2 839	2 783	2 819
Autres pays	7 626	8 416	6 975	5 996	6 724	6 445	6 273	7 119	7 399	8 273	8 732

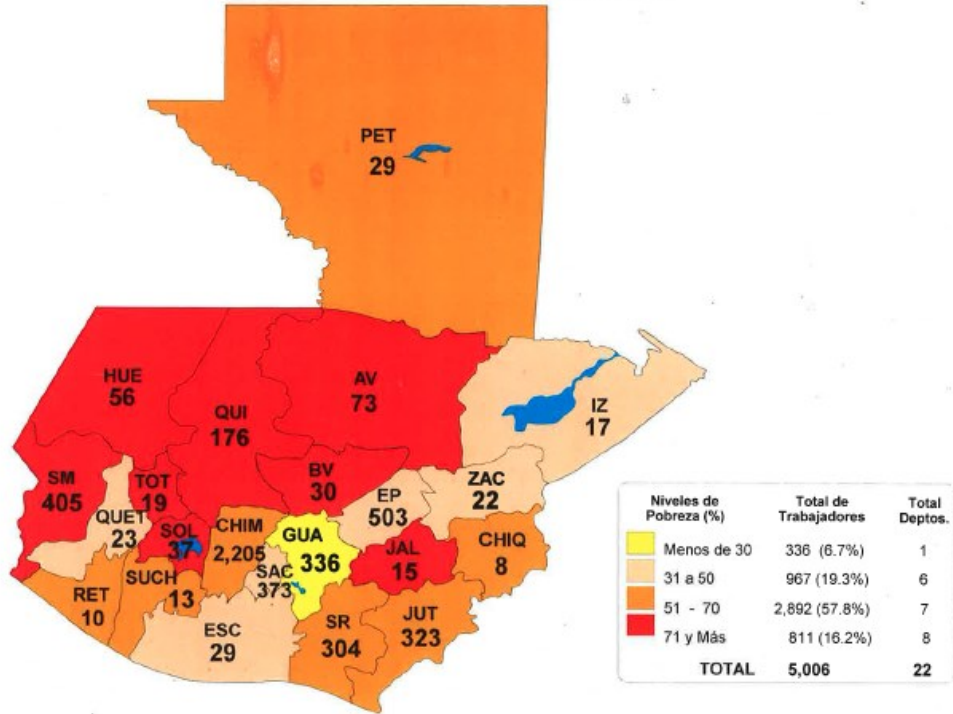
Figure 2 : “Annual entries of temporary residents according to status for countries of origin of top three countries, Québec, 2000-2010”

(Source: Institute de la Statistique du Québec, 2012: 5)

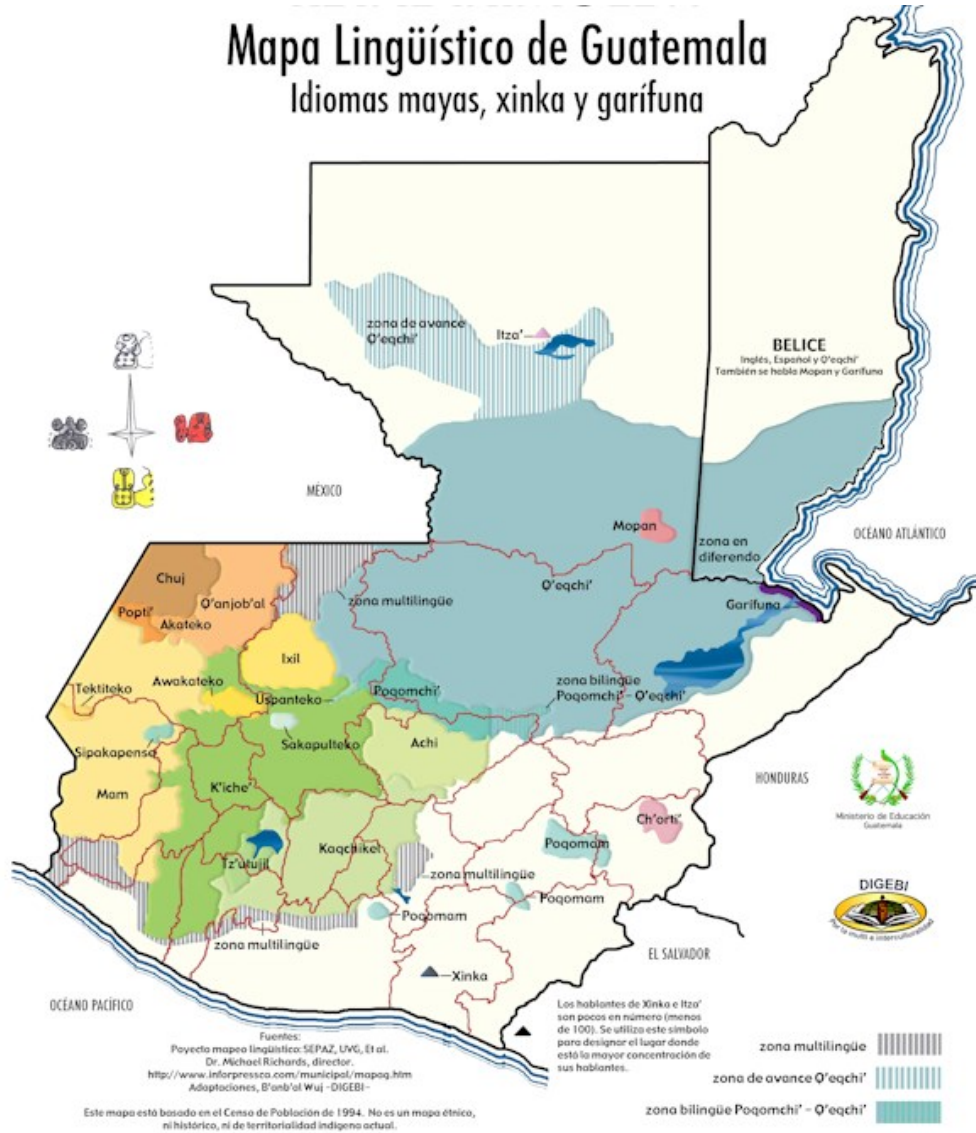
Appendix 2: Number of Guatemalan Migrant Workers to Canada in 2013 under Amigo Laboral (FERME), according to department of origin

AMIGO LABORAL
INTERNACIONAL, S.A.
 Asistencia para la Migración y Orientación Laboral

TRAJADORES AGRICOLAS MIGRANTES A CANADÁ
AÑO 2,013



Appendix 3: Linguistic Map of Guatemala



Source: Guatemalan Ministry of Education, 2009

REGLAMENTO DE NORMAS Y CONDUCTAS EN QUEBEC, CANADA

Comportamiento

1. Debe cumplir con las reglas de la finca dentro y fuera del horario de trabajo.
2. **No esta permitido consumir bebidas alcohólicas o drogas durante el día laboral.**
3. Se prohíbe tomar las pertenencias de compañeros de trabajo, de las instalaciones de la finca y de supermercados o expendios de consumo.
4. Respetar a todas las personas y evitar el abuso de confianza con todos los compañeros de trabajo, con el capataz y el patrón, sin distinción de nacionalidad.
5. Evitar pleitos y malos entendidos con cualquier persona de la zona (finca, aldea). Si se presenta un caso de mal comportamiento, llegará el Cónsul y tomará las decisiones necesarias.
6. **Cuidado en relacionarse con mujeres, 2 guatemaltecos han sido detenidos por acoso sexual.**
7. Si usted abandona su trabajo con la intención de quedarse en Canadá y/o emigrar a EEUU, las autoridades le detendrán y tendrá que regresar definitivamente a Guatemala en condición de deportado y por supuesto pagar el boleto aéreo.

Recuerde: Usted es uno de los pocos guatemaltecos que tiene la oportunidad de trabajar en Canadá y mejorar el ingreso para su familia. Es importante que cumpla con el periodo establecido en el contrato.

Trabajo

1. Deberá realizar las tareas agrícolas que le sean asignadas. Hay una variedad de tareas, el patrón le indicará que hacer.
2. Deberá cumplir con las condiciones del trabajo.
3. **En muchas fincas hay capatazas, es decir su jefa es una mujer y deben tenerle el mismo respeto y responsabilidad.**
4. Deberá cuidar las instalaciones, instrumentos y herramientas de trabajo.
5. Usted estará en la finca por unos meses, el trabajo es exigente y abundante. Es importante que mantenga una buena condición física para así poder desarrollar bien sus actividades.
6. El esfuerzo es recompensado con un buen salario y condiciones laborales según la ley del país.
7. En caso fuera necesario regresar a Guatemala antes de finalizar el contrato, el Cónsul comprobará si la razón es justificada.
8. **Usted debe dedicarse solamente a las actividades que le asignen en la finca. Está prohibido trabajar en otras fincas.**
9. Está prohibido que hermanos trabajen en la misma finca.
10. **Aceptar transferencias encadenadas esto quiere decir que hay algunos empleadores que pueden enviarlos a otra finca dentro del mismo tiempo en el que dure su contrato – usted tiene conocimiento de las transferencias encadenadas antes de su salida a Canadá**

Horario de trabajo

1. Trabaja en promedio 40 horas por semana. El horario y el promedio de horas de trabajo semanal pueden variar según las necesidades del patrón. (clima, crecimiento del cultivo, el día, etc.) Es posible que durante unas semanas trabaje menos y en la temporada alta trabaje mucho más.

Appendix 4 (continued)

2. Se paga solamente las horas trabajadas. Si no hay trabajo, no se paga.
3. Usted tiene derecho a 30 min. de almuerzo al día (no pagados) y 2 pausas de 10 min., una en la mañana y otra en la tarde (pagadas).
4. Usted tiene derecho a un día libre por semana, pero si el patrón lo solicita, deberá trabajar ese día y ponerse de acuerdo con el patrón para trasladar el día de descanso para una fecha posterior.

Salario y Pago de Vacaciones

1. El patrón le proporcionará un anticipo por eso no debe llevar dinero de Guatemala, éste le será descontado durante el primer mes.
2. El patrón le pagará \$ 10.00 (Dólares Canadienses) por hora, en pagos quincenales.
3. Usted recibirá al finalizar su contrato de trabajo el 4% de vacaciones pagadas. (véase también punto no. 2 de Deducciones y Beneficios)

Deducciones y Beneficios

1. **Vivienda/alojamiento**
 - \$ 45.00 por semana por semana si el Trabajador acepta vivir en el alojamiento proporcionado por el Empleador. Si El Trabajador decide vivir en otro lugar que el sugerido por El Empleador, deberá informar al Empleador lo antes posible y deberá asumir los costos adicionales de transporte
2. **Certificado de Aceptación de Québec (CAQ)**
 - \$ 175.00, lo pagará al finalizar su contrato de trabajo y se descontará del 4% de las vacaciones pagadas.
3. **Rentas de Québec (RRQ)**
 - 4,95 % mensual del salario bruto
 - Beneficio

Tiene derecho de que le paguen una pensión, al cumplir la edad para jubilarse, según las leyes de Canadá.
4. **Seguro de Empleo (AE)**
 - 1,53% mensual del salario bruto
5. **Seguro Parental (RQAP)**
 - 0,4% mensual del salario bruto
 - Beneficio

Si tiene un hijo que nació mientras usted esta trabajando en Canadá o nacerá dentro de un año después de su regreso a Guatemala, y acumuló más de 600 horas de trabajo al final de su temporada, puede recibir una ayuda económica por parte del Gobierno canadiense.
 - Usted hará el trámite para la reclamación del Seguro Parental (RQAP) por medio de la empresa UPA u otra empresa el cual tendrá un costo de \$50.00.
 - **Usted tiene que devolver el dinero si lo recibió injustificadamente; en este caso tiene que pagar una multa al regresar a Canadá.**
6. **Seguro Médico (RBC)**
 - \$ 3.50 por semana del salario bruto
 - Beneficio

Tiene Seguro Medico durante su estadía en Canadá

7. Impuesto Sobre la Renta (ISR)

- Si usted es casado o vive en una unión de hecho y gana más que \$ 20,764 (Dólares Canadienses) en una temporada, se le descuenta el 16% de lo ganado. Si es menos que dicha cantidad no paga Impuestos Sobre la Renta siempre y cuando presente a su patrón el formulario federal TD-1 2010 con la declaración de impuestos.
- Si usted es soltero puede ganar hasta \$ 10,382 (Dólares Canadienses) sin pagar Impuestos Sobre la Renta siempre y cuando presente a su patrón el formulario federal TD-1 2010 con la declaración de impuestos.

8. Declaración de Impuesto Sobre la Renta (ISR)

- \$ 40 para la preparación de la declaración de impuestos sobre la renta TD1-2010. Usted lo pagará al finalizar su contrato de trabajo y se descontará del 4% de las vacaciones pagadas.

Para mayor información sobre sus deducciones y beneficios comuníquese al Consulado General de Guatemala en Montreal.

Usted debe tener en cuenta que los impuestos sobre el sueldo en Canadá son diferentes a los de Guatemala. Todos los trabajadores los pagan.

Recuerde: Usted no se puede comparar con los trabajadores mexicanos, ellos tienen otro tipo de descuentos.

Despido del trabajador

1. En caso que el patrón lo despidiera, éste le avisará por lo menos 1 semana antes de hacerlo.

Recuerde: No cumplir con las condiciones de trabajo, significa que usted le quita la oportunidad a otro guatemalteco que sí quiere trabajar.

Alojamiento/Habitación

1. El patrón tiene la obligación de proporcionarle alojamiento adecuado, así como utensilios de cocina e instalaciones para preparar sus alimentos.
2. Usted es el responsable de mantener limpia su habitación, baño, cocina, refrigerador, útiles y enseres, etc. Nadie le prepara la comida, no hay personas que hacen la limpieza.
3. Usted debe cuidar su higiene personal, bañarse y usar desodorante todos los días, cepillarse los dientes, afeitarse, cortarse las uñas de las manos y los pies, mantener el pelo corto para evitar piojos u otras enfermedades en la cabeza.
4. Ponerse todos los días ropa limpia. Usted mismo lava su ropa.
5. Esta prohibido que personas ajenas entren a las habitaciones y al lugar de trabajo

Alimentación

1. Es muy importante comer bien tres veces al día, sobre todo mucha carne. El trabajo es exigente y lo requiere, además el clima puede ser extremo (mucho frío) y uno gasta más energía.
2. Sin una alimentación adecuada, perderá defensas y es probable que se enferme por lo que no podrá seguir trabajando.
3. **La comida se guarda en la refrigeradora y NO en las habitaciones.**

Appendix 4 (continued)

Recuerde que una buena alimentación hará de usted una persona sana y con energía para poder trabajar mejor.

Desayuno:

Procure incluir leche, huevos, frijoles, pan o tortilla, mantequilla o crema, cereales, jaleas y fruta de la temporada.

Almuerzo:

En el almuerzo procure comer carne de res, pollo, pescado, ensaladas, frutas y verduras, tomar mucha agua.

Cena:

Si su almuerzo fue bastante bueno, procure hacer una cena ligera, incluyendo cafecito, pan o tortilla, frijoles, plátanos, queso, crema o mantequilla.

CONSEJO:

Coma muchas frutas y verduras para mantener una buena digestión, también recuerde tomar mucha agua y procure hacer tres tiempos de comida, Desayuno, Almuerzo, y Cena. Haga ejercicio ó camine un poco después de cenar, para ayudar a una buena digestión. No se pase de comida, coma solo lo que su cuerpo necesita y procure **NO CONSUMIR ALIMENTOS YA PREPARADOS, COMIDA RAPIDA O CHATARRA, SOPAS INSTANTANEAS, YA QUE NO ES BUENO PARA SU SALUD.**

Razones de exclusión del Programa y pago del boleto aéreo

1. El abandono de empleo y problemas de conducta como el alcoholismo o robo.
2. Si usted es enviado de regreso por su baja productividad, incumplimiento de las condiciones del trabajo o mal comportamiento.
3. Si usted se regresa a Guatemala antes de terminar el periodo establecido en el contrato.

Paquetes para otros trabajadores

Es importante tomar en cuenta que el Consulado no aceptará ningún paquete destinado para otro trabajador. Si usted se compromete a llevar algún paquete para trabajadores de otra finca que no es a la que usted va a trabajar **deberá responsabilizarse de hacerlo llegar por otro medio que no sea el Consulado.**

REGLAMENTO DE NORMAS Y CONDUCTAS EN ALBERTA, CANADA

Comportamiento

1. Debe cumplir con las reglas de la finca dentro y fuera del horario de trabajo y no debatir o cuestionar las órdenes que se le dan. La regla más importante: **Seguir las instrucciones del capataz.**
2. No consumir bebidas alcohólicas o drogas ningún día durante su estadía en Canadá.
3. Está prohibido tener relaciones sexuales durante su estadía en Canadá.
4. **Esta prohibido para los hombres visitar las casas de las mujeres; esta prohibido para las mujeres visitar las casas de los hombres ya que 2 guatemaltecos han sido deportados por esta razón**
5. Se prohíbe tomar las pertenencias de compañeros de trabajo.
6. Se prohíbe tomar las pertenencias de compañeros de trabajo, de las instalaciones de la finca y de supermercados o expendios de consumo.
7. Respetar a todas las personas y evitar el abuso de confianza con todos los compañeros de trabajo sin distinción de nacionalidad así como con el capataz y el patrón.
8. Evitar pleitos y malos entendidos con cualquier persona de la zona (finca, aldea). Si se presenta un caso de mal comportamiento la persona será retornada a Guatemala y tendrá que pagar el valor total de su boleto aéreo.
9. Si usted abandona su trabajo con la intención de quedarse en Canadá y/o emigrar a EEUU, las autoridades le detendrán y tendrá que regresar definitivamente a Guatemala en condición de deportado y por supuesto pagar el boleto aéreo.
10. No se puede usar los teléfonos de la finca. Usted puede comprar una tarjeta prepago y hacer llamadas de teléfonos indicados.
11. Ser honesto

Recuerde: Usted es uno de los pocos guatemaltecos que tiene la oportunidad de trabajar en Canadá y mejorar el ingreso para su familia. Es importante que cumpla con el periodo establecido en el contrato.

Aviso importante: al llegar a la finca el patrón se queda con su pasaporte durante su estadía en Canadá. Así esta asegurado que no se pierda.

Trabajo

1. Deberá realizar las tareas agrícolas que le sean asignadas. Hay una variedad de tareas, el patrón le indicará que hacer.
2. En muchas fincas hay capatazas, es decir su jefa es una mujer y deben tenerle el mismo respeto y responsabilidad.
3. **El trabajo puede ser pagado por hora o por destajo - el requisito mínimo para el trabajo a destajo es de 2.8 canastos por hora.**
4. Deberá cumplir con las condiciones del trabajo.
5. Deberá registrarse bien cada día que empiece y termine el trabajo. Esta prohibido estampar para otros compañeros.
6. Deberá cuidar las instalaciones, instrumentos y herramientas de trabajo.
7. Usted estará en la finca por unos meses, el trabajo es exigente y abundante. Es importante que mantenga una buena condición física para así poder desarrollar bien sus actividades (sin dolor de espalda, rodillas, cintura, etc.)

Appendix 5 (continued)

Trabajadores Agrícolas Temporales a Canadá

8. El esfuerzo es recompensado con un buen salario y condiciones laborales según la ley del país. Se exige mucho pero también se paga mucho.
9. En caso fuera necesario regresar a Guatemala antes de finalizar el contrato, deberá comprobarse si la razón es justificada, en tal caso dependerá del patrón si lo solicita para trabajar en la próxima temporada.
10. Es recomendable que por la temporada que está en Canadá se dedique solamente a las actividades que le asignen, sin distraerse en ningún tipo de grupo o asociación.
11. Está prohibido que hermanos trabajen en la misma finca.
12. **Usted debe dedicarse solamente a las actividades que le asignen. Está prohibido trabajar en otras fincas.**

Horario de trabajo

1. Tiene un tiempo garantizado de 40 horas por semana.
2. El horario y el promedio de horas de trabajo semanal pueden variar según las necesidades del patrón, clima, crecimiento del cultivo, el día, etc.
3. Usted tiene derecho a 30 min. de almuerzo al día (no pagados) y 2 pausas de 10 min., una en la mañana y otra en la tarde (pagadas). Es posible que durante unas semanas trabaje menos y en la temporada alta trabaje mucho más.
4. Usted tiene derecho a un día libre por semana, pero si el patrón lo solicita, deberá trabajar ese día y ponerse de acuerdo con el patrón para trasladar el día de descanso para una fecha posterior.

Salario y Pago de Vacaciones

1. El patrón le proporcionará un anticipo de CAN 200.00 y por eso no debe llevar dinero de Guatemala, éste le será descontado durante el primer mes.
2. El patrón le pagará \$ 9.50 (Dólares Canadienses) por hora, en pagos quincenales.

Deducciones y Beneficios

1. **Vivienda/alojamiento**
 - \$ 240 mensuales
2. **Utensilios para el dormitorio (almohada, cubrecama, mullición)**
 - \$ 45 (una vez)
3. **Seguro de Empleo (AE)**
4. **Seguro Parental (RQAP)**
 - Beneficio
Si tiene un hijo que nació mientras usted esta trabajando en Canadá o nacerá dentro de un año después de su regreso a Guatemala, y acumuló más de 600 horas de trabajo al final de su temporada, puede recibir una ayuda económica por parte del Gobierno canadiense.
 - **Usted tiene que devolver el dinero si lo recibió injustificadamente; en este caso tiene que pagar una multa al regresar a Canadá.**
5. **Seguro Médico (RBC)**
 - Beneficio
Tiene Seguro Medico durante su estadía en Canadá

Appendix 5 (continued)

Trabajadores Agrícolas Temporales a Canadá

6. Impuesto Sobre la Renta (ISR)

- Si gana más que \$ 20,200 (Dólares Canadienses) en una temporada se le descuenta el 16% de lo ganado. Si es menos que dicha cantidad no paga Impuestos Sobre la Renta siempre y cuando presente a su patrón el formulario federal TD-1 2009 con la declaración de impuestos.
- Si usted es soltero puede ganar hasta \$ 10,100 (Dólares Canadienses) sin pagar Impuestos Sobre la Renta siempre y cuando presente a su patrón el formulario federal TD-1 2009 con la declaración de impuestos.

7. Declaración de Impuesto Sobre la Renta (ISR)

- \$ 40 para la preparación de la declaración de impuestos sobre la renta TD1-2009. Usted lo pagará al finalizar su contrato de trabajo.

Para mayor información sobre sus beneficios comuníquese al Consulado General de Guatemala en Montreal.

Recuerde: Usted no se puede comparar con los trabajadores mexicanos, ellos tienen otro tipo de descuentos.

Usted debe tener en cuenta que los impuestos sobre el sueldo en Canadá son diferentes a los de Guatemala. Todos los trabajadores los pagan.

Despido del trabajador

1. En caso que el patrón lo despida, éste le avisará por lo menos 1 semana anticipadamente.
2. Cuando usted tenga varios días de no trabajar, el patrón puede tomar la decisión de despedirlo e inmediatamente tiene que retornar a Guatemala y deberá pagar su boleto aéreo.

Recuerde: No cumplir con las condiciones de trabajo, significa que usted quita la oportunidad a otro guatemalteco que sí quiere trabajar. Y al mismo tiempo afecta a su comunidad debido a que no se tomará en cuenta para ingresar al Programa.

Alojamiento/Habitación

1. El patrón le proporcione alojamiento adecuado, así como utensilios de cocina e instalaciones para preparar sus alimentos. Nadie le prepara la comida, usted mismo lo hace.
2. Usted es el responsable de mantener limpia su habitación, baño, cocina, refrigerador, útiles y enseres, etc. Si no limpia su habitación alguien más lo hará y le cobrará 15 Dólares la hora. Trate la casa como si fuera la suya.
3. Esta prohibido escupir en el suelo, esta prohibido dejar comida en la habitación. La cocina es el único lugar para guardar la comida.
4. Usted debe cuidar su higiene personal, bañarse y usar desodorante todos los días, cepillarse los dientes, afeitarse, cortarse las uñas de las manos y los pies, mantener el pelo corto para evitar piojos u otras enfermedades en la cabeza.
5. Ponerse todos los días ropa limpia. Usted mismo lava su ropa.

Trabajadores Agrícolas Temporales a Canadá

Alimentación

1. Es muy importante comer bien tres veces al día, sobre todo mucha carne. El trabajo es exigente y lo requiere, además el clima puede ser extremo (mucho frío) y uno gasta más energía.
2. Sin una alimentación adecuada, es probable que su salud desmejore y no podrá seguir trabajando.
3. **La comida se guarda en la refrigeradora y NO en las habitaciones**

Razones de exclusión del Programa y pago del boleto aéreo

1. El abandono de empleo y problemas de conducta como el alcoholismo, robo o falta de respeto a los demás y relaciones sexuales.
2. Si usted es enviado de regreso por su baja productividad, incumplimiento de las condiciones del trabajo o mal comportamiento.
3. Si usted se regresa a Guatemala antes de terminar el periodo establecido en el contrato.

Appendix 6: Photos of Guatemala-based Trainings for Working in Canada



-1-



-2-

Appendix 6 (continued)



-3-



-4-

Appendix 6 (continued)



-5-



-6-

Cuestionario: agencias de contratación

1. ¿Cuándo y por qué se formó la empresa?
2. ¿Qué es su misión como organización/empresa? ¿Siempre han tenido la misma misión? ¿Cómo ha cambiado? [¿Es para la ganancia o no-lucrativo?]
3. ¿Que servicios proporcionan ustedes? [¿Si proporcionan algo más que un servicio de contratación a Canadá?]
4. ¿Cuántos empleados hay en la organización? ¿Todos tiene papeles distintos? ¿Cómo es la estructura de la organización? ¿Cómo cambia por temporada?
5. ¿Tuvieron alguna relación con el proyecto anterior de la OIM-Guatemala? Si sí, ¿cuál?
6. Para formar la empresa, ¿tuvieron el apoyo de organizaciones gubernamentales o no-gubernamentales (sea en Guatemala, Canadá, u otro lugar)? Si sí, ¿cuáles? ¿Qué tipo de ayuda? ¿Siguen trabajando con esas mismas organizaciones?
7. ¿Su organización está registrada como empresa guatemalteca o canadiense? ¿Tiene licencia para trabajar en Guatemala? ¿En Canadá? [¿Cómo qué tipo de empresa, pueden legalmente reclutar a personas aquí en Guatemala?]
8. ¿Cómo es su relación con el Ministerio de Trabajo, el Ministerio de Relaciones Exteriores, y/o la Embajada Canadiense?
9. ¿Envían los contratos de trabajo/o avisen las fechas de salida al Ministerio de Trabajo o al MRE aquí en Guatemala? O ¿tienen algún tipo de contacto habitual? ¿Por qué?
10. ¿Su organización tiene contactos con empleadores o agencias canadienses? ¿Cuáles? ¿Donde están? ¿Cuántos contratos tienen? ¿Prefieren trabajar con agencias o directamente con empleadores? ¿Por qué?
11. ¿A dónde mandan gente a Canadá? [provincia, una sola empresa/agencia, solo en agricultura u en otros sectores]
12. ¿Me puedes describir qué es el proceso de contratación, a partir de la demanda de finqueros en Canadá hasta que se envía trabajadores allá? ¿Esperan hasta que reciben una demanda de Canadá para contratar a alguien aquí, o tienen una 'reserva' de trabajadores listos para irse?
13. ¿Qué son los pasos que hay que cumplir acá en Guatemala para mandar a gente a Canadá? (Reclutamiento, evaluación, contratación, el viaje, el retorno, etc.)
14. ¿De las solicitudes totales de visas que solicitan a la embajada canadiense, cuántos son aceptados? ¿Sabes por qué?

Appendix 7 (continued)

15. ¿Ha cambiado los requisitos de visa [desde 2003, o desde que comenzaron sus operaciones]? ¿Cómo?
16. ¿Cuánta gente ha mandado a Canadá desde su inicio hasta ahora? ¿Cuánta en 2013? ¿Cuánto este año [2014]?
17. ¿Su organización hace visitas a comunidades? Si sí, donde? ¿Cómo escogen a que comunidades van a visitar? ¿Solo llegan de una vez para establecer contactos, o vuelven a visitar? ¿En qué regiones está concentrado el trabajo que hacen ustedes?
18. ¿Qué son los requisitos para ir a trabajar a Canadá? (Conocimientos, características específicas, preferencia por hombres o mujeres, etc.) ¿Quién decide sobre esos requisitos?
19. ¿Cuántos clientes/trabajadores tienen en este momento? De estos clientes, ¿cuántos están aquí en Guatemala esperando una llamada, cuantos están en una lista de espera, y cuantos ya están en Canadá?
20. ¿De donde vienen la mayoría de sus clientes? (Departamentos, municipios, el Occidente o el Oriente) ¿Por qué vienen de esos lugares?
21. ¿Que son los tramites que hay que cumplir un trabajador para poder viajar a Canadá? [Si tiene que llegar a la oficina, ¿cuantas veces hay que volver para hacer transmites antes de irse a Canadá?]
22. ¿Qué costos tiene que pagar el trabajador? (exámenes médicos, visa, seguro, depósitos, curso de capacitación, uniformes, etc.)
23. ¿Cuánto se cobra a trabajadores para el 'servicio de asistencia' para llegar a Canadá? ¿Cuánto a empleadores o agencias [por trabajador]?
24. Si el trabajador tiene que pagar un seguro médico, ¿en qué consiste este seguro, como funciona, porque lo tiene, y con que compañía de seguro trabajan ustedes?
25. ¿Los trabajadores tienen que participar en algún curso de capacitación? ¿Si sí, en qué consiste esta formación/capacitación? ¿Cuesta algo?
26. ¿Cuánto tiempo se da como advertencia/aviso a trabajadores antes de que se van a Canadá?
27. ¿La mayoría de los que van a trabajar a Canadá vuelven para trabajar muchos temporadas, o solo van de una vez? ¿Por qué?
28. ¿Cómo se contrata de nuevo a un trabajador? ¿Si un empleador no decide hacer volver a su trabajador, como informan ustedes al trabajador de esa decisión? ¿Los trabajadores quienes no han estado llamados se quedan en un listado para más tarde en la temporada, o el próximo año, o son permanentemente excluidos del programa?

Appendix 7 (continued)

29. ¿Existe alguna “lista negra” de trabajadores que ya no pueden volver a Canadá? Si sí, ¿cómo funciona eso o en qué consiste?
30. Como agencia de contratación, ¿cómo ve su papel frente a los derechos laborales de los trabajadores? ¿Es su tarea informar a los trabajadores de sus derechos en Canadá? ¿Por qué o por qué no?
31. Como agencia, ¿apoyan a trabajadores mientras que están en Canadá? ¿Cómo?
32. ¿Cuándo los trabajadores vuelen a Guatemala después de que terminen su contrato, siguen estar en contacto con ellos? ¿Cómo?
33. ¿Cómo crees que sería mejor el proceso de mandar trabajadores a Canadá? [Algún convenio, el papel de la embajada, el gobierno guatemalteco, algún tipo de apoyo, etc.]
34. ¿Algo más que le gustaría añadir?

Cuestionario: trabajadoras y trabajadores

1. ¿De donde vienes/eres?
2. ¿Porque decidiste ir a trabajar en Canadá?
3. ¿Cómo conseguiste el trabajo o cómo te enteraste de la posibilidad de ir a trabajar a Canadá?
4. ¿Que eran los requisitos para entrar? ¿Qué conocimientos te pidieron para el trabajo? ¿Hay preferencia por hombres o mujeres, o características específicas (sea física, experiencia, etc.)?
5. ¿Cuanto tiempo tuviste que esperar aquí en Guatemala antes de irte para trabajar allá? [¿Cuántas temporadas tienes allá?]
6. ¿Tuviste algún contacto o relación con funcionarios o representantes de organizaciones canadienses antes de irte a Canadá? Si sí, ¿quienes/cuales? (el gobierno, algún ONG, etc.)
7. ¿Qué gastos tuviste que pagar y a quien? (exámenes médicos, visa, seguro médico familiar, etc.) ¿No te pidieron dinero por otra cosa?
8. ¿Cuándo fuiste a la OIM, Amigo Laboral, etc. o a la embajada canadiense, como te trataron?
9. ¿Había otra gente de tu comunidad que fue a Canadá contigo? ¿Hombres o mujeres?
10. ¿Antes de viajar, te han dado información sobre las instituciones laborales y de apoyo que hay y puedes tener aquí en Guatemala y en Canadá?
11. ¿En dónde trabajaste en Canadá? ¿Qué tenías que hacer en tu trabajo?
12. ¿Cómo te pagan? ¿Por hora o por libra/cantidad de producto? ¿Quincenal, mensual?
13. ¿En general, como ha sido la experiencia de trabajo?
14. ¿Has tenido algún problema o conflicto mientras trabajabas en Canadá? ¿Cómo se resolvió?
15. ¿Tuviste relaciones con gente fuera del trabajo? ¿Era algo prohibido? (¿Alguien te dijo de no relacionarte con ciertos grupos o personas en Canadá?)
16. ¿Siempre viajas con la misma agencia, al mismo trabajo?
17. ¿Sabes si vas a volver? Si sí, ¿quien se comunica contigo para decirte si o cuando vuelves? ¿Cuanto tiempo te dan como advertencia/aviso?

Appendix 8 (continued)

18. ¿Amigo Laboral u otras agencias han vuelto a visitar a tu comunidad o solo llegaron de una vez?
19. ¿Como te identificas? ¿Como Maya, mestizo, ladino? ¿Qué idioma hablas o cuál es tu idioma Materno?
20. ¿Como crees que sería mejor ir a trabajar a Canadá?
21. ¿Algo más que te gustaría añadir? ¿Preguntas, comentarios?