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## REORGANIZATION OF TEMPORARY TRANSNATIONAL WORK IN TIMES OF GLOBAL PANDEMIC. THE IMPACT ON THE HEALTH OF MEXICAN WORKERS IN THE UNITED STATES AND CANADA

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*Ofelia Becerril Quintana*

The College of Michoacán, Center for Rural  
Studies

Zamora, Michoacan

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**Abstract:** The global pandemic of COVID-19 has upended a key pillar of global capitalism: the organization of work. This pandemic context made it necessary for the so-called “essential work” to require a theoretical and political debate. This article is developed from the argument that the public health crisis brought with it a labor crisis and an expansion of tensions between the reproduction of social life and the reproduction of labor exploitation relations. With this, not only is transnational labor tension transferred to the temporary employment market, but it also implies the reorganization of agricultural work in temporary programs (American and Canadian), reproducing class, gender, ethnicity, and generation inequalities in localities of origin and of settlement and gender. The impacts of COVID-19 on the reorganization processes of temporary transnational work, its labor tensions and implications for the health of Mexican day laborers, men and women, who migrate to the United States and Canada. Using a mixed methodology, the multiple effects of COVID-19 on the experiences of male and female workers were examined. The statistics of the institutions of the three countries (Mexico, USA and Canada) were also analyzed to explore the sociodemographic profile of migrants. The results show that, between 2020 and 2022, precarious working and health conditions of migrants persisted. Their situation of structural vulnerability and the prevailing gender inequality was more evident. Besides of The potential risks of contracting coronavirus were high as workers were permanently exposed by living in overcrowded housing, crowded transportation to farm fields, not having sufficient handwashing facilities, and not having full social security.

**Keywords:** COVID-19, Reorganization of temporary transnational work, Temporary

workers, H-2A visas, PTAT.

## INTRODUCTION

The global trend of organization of employment based on temporary workers -in the context of economic restructuring, flexibility and deregulation of work of global capitalism- has increased and been disrupted by the public health crisis caused by the COVID-19 pandemic. The sociocultural and economic impacts have been devastating, particularly in the employment and health of Mexican workers who are temporarily hired with US H-2A visas or from the Canadian Seasonal Agricultural Workers Program (PTAT). Since the first months of the pandemic, governments and agricultural businessmen promoted immigration policies of increasing mobility and employment of day laborers from Mexico, arguing that they were structurally necessary for the food security of the population of those countries of the North (Becerril, 2022).

A first review of the literature written, between 2020 and 2022, on the impact of COVID-19 on migrant agricultural workers in the United States and Canada, allows us to consider that a new epistemic turn is taking place. On the one hand, the literature focused on US H-2A visas has shown that by 2022 the 276,000 H-2A temporary workers from Mexico (OIM, 2022) were structurally essential for the US food agribusiness; find themselves without the protection of their health, with high potential and sources of risk of contagion of the coronavirus (Becerril, 2022; Lusk and Chandra, 2021). It also highlights the recent debate on the reform of the H-2A visa system (Martin, 2022nd) and the Farm Workforce Modernization Bill introduced in 2019 to get out of the economic recession and public health crisis generated by the pandemic.

On the other hand, in the Canadian case, the themes and theoretical debates have

revolved around essential workers, structural vulnerability and stigmatization (Becerril, 2022; Barron, 2021; Marsden, Tucker, and Vosko, 2021; Labrecque, 2020; Hennebry et al., 2020), lockdowns and restrictions for day laborers (Joffe, 2021), infections and deaths from coronavirus (Whitewashed, 2022), worker racialization (Alook, Block, & Galabuzi, 2021), transnational job tension and pandemic (Vosko, et al., 2022), crisis of social reproduction of migrant farmworkers (Vosko and Spring, 2021), and breach of rules by employers (Meza, 2020).

However, in the literature on both temporary programs there is still a gap in gender analysis and an absence of comparative research on the effects of the pandemic on the employment and health of Mexican agricultural workers, both in countries of employment and in places of origin.

In the study by Stevano, Ali and Jamieson (2021: 178), the authors argue that “COVID-19 has shaken a fundamental pillar of global capitalism: the organization of work. a core dimension[...]It has been the classification of the work as essential or not”. From a global feminist social reproduction perspective, the researchers argue that this pandemic brought with it a labor crisis and that there are tensions between the reproduction of social life and the reproduction of exploitative relationships. It is just the reorganization of agricultural work in the temporary programs of the H-2A visas and the PTAT in the pandemic context that is the basis of my argument. The objective of this chapter is to analyze, from a transnational and gender perspective, the effects of COVID-19 both on the reorganization of temporary employment and on the health of Mexican workers in temporary programs in the United States and Canada. Using a mixed methodology, the multiple impacts of the pandemic on labor tensions experienced by day laborers.

In the first part of the article I expose the analytical framework of gender and the transnational perspective of migration. Then I analyze the problem of reorganization of employment and health experienced in pandemic conditions by Mexican workers with H-2A visas. In the third part I present an analysis of the reorganization of work and the health of the workers of the PTAT. In both cases I emphasize the sources of risk of contagion of the coronavirus that the day laborers have experienced. In the end, I propose a discussion about the crisis of agricultural work in temporary programs and the debates about the tensions recreated between the reproduction of social life and the reproduction of relations of exploitation in global capitalism in pandemic times.

## **ANALYTICAL FRAMEWORK**

It starts from a gender perspective, as proposed by Amy Wharton (2005, 53-80) in the sense that gender is a social construction and a multi-layered system of relationships and practices that operate at all levels of the social world. Thus, it is possible to understand that social practices produce people with gender but also shape patterns of interaction, social relations of power and symbolic constructions that operate in institutions and organizations. For example, the Mexican, US, and Canadian states operate gender inequalities and regimes in the management of work within temporary worker programs. It is also possible to understand the different gender logics promoted by different agents of the institutions that administer the PTAT in both Mexico and Canada. At the same time look at how gender is embedded in the social fabric of the US H-2A visa system. With the institutional and interactionist perspective of gender, it is possible to understand the practices, policies and symbolic dimensions of institutions and agro-industrial companies

that reproduce gender distinctions and inequalities in the organization of temporary work at a global level. The sexual division of labor is a key concept to understand the ways in which COVID-19 has disrupted the organization of temporary work and has created new tensions between the reproduction of social life and the reproduction of exploitative relations in capitalism. My argument is that the transnational organization of temporary employment, sociodemographic profiles,

Here I adopt the transnational approach to migration because it explains the structural ties, practices and experiences that connect places of origin and places of settlement of the migrant population, through comparative studies. The slope of transnational highlights the human agency, subjectivity and strategies put into play by migrants. Studies by Glick Schiller et al. (1992) were among the first to propose a new theoretical view of migration with the analysis of the construction of transnational communities. Subsequent research has shown how migrants simultaneously live aspects of their lives in the countries of origin and the countries of reception, thanks to the current ease of movement and communication. My argument is that with a transnational perspective it is possible to examine the way in which the COVID-19 pandemic has transformed the transnational organization of temporary employment and has generated new tensions between the reproduction of social life and the reproduction of exploitative relations both in places of origin and places of settlement, such as one process at a time. Said transnational reorganization of work cannot be explained without the practices, actions and subjectivity built daily by migrants.

However, there are two types of hiring temporary workers in Mexico. On the one hand, the private system of temporary H-2A visas for agriculture and H-2B for services that the United States government unilaterally

grants to North American companies. On the other hand, the Canadian PTAT is based on a binational and negotiation agreement operated by the Ministry of Labor and some private agencies in Mexico in coordination with the Canadian government and private agencies.

In the last decade, the temporary employment of Mexicans in the United States and Canada has expanded. It is in this new era of temporary migration characterized by predominantly male migratory flows that the analysis of the impact of COVID-19 on the reorganization of transnational work and the health of temporary day laborers makes sense.

## **US ECONOMIC CRISIS AND TEMPORARY WORK REORGANIZATION WITH H-2A VISAS FOR MEXICANS**

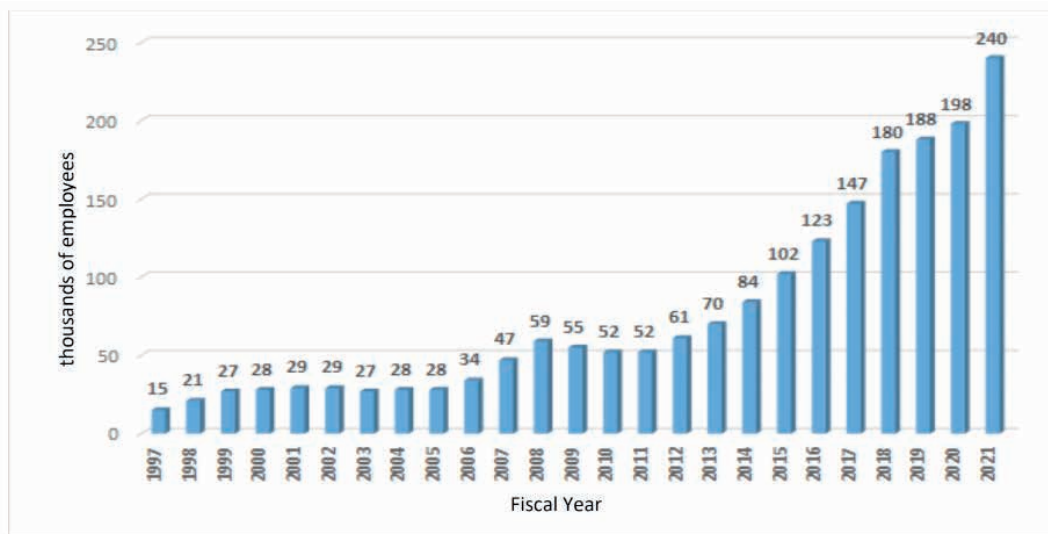
The H-2A temporary visa system was created by the Immigration Reform and Control Act (IRCA) in 1986. Today and the private system is regulated by companies, recruiters and US consulates. The worker is subject to the control and conditions of the employer. Jobs last an average of 6 months. Employers are obliged to pay workers for round trip transportation to their homes and provide housing, however, in practice these regulations are rarely complied with, overexploitation, abusive practices and control, constant violations of the employment contract and labor rights irregularities.

According to data from the United States Department of Labor, for fiscal year 2022 the number of H-2A visas issued to Mexican workers was 276,114, for 2021 of 239,940 and for 2020 of 197,908, compared to 188,758 2019 visas (Graph 1).

The number of H-2A visas issued to farmworkers from Mexico has increased by an average of 14% between fiscal years 2019 and 2022 despite the COVID-19 pandemic (OIM, 2022: 8). 93% of all H-2A visas issued

in 2022 (298,336) were granted to Mexican day laborers. So, in the last three years, more than 87,000 H-2A workers from Mexico

have been employed. Unfortunately, gender-differentiated data is not available.



Graph 1. Number of H-2A visas for Mexican workers (1997-2021)

Sources: Department of State, United States; Martin, 2022b.

This process of reorganization of temporary work with H-2A visas for Mexicans has already been taking place since 2015 with the US economic crisis, which began in 2008, but it is in the pandemic context that the US government legitimized the increasing employment of H-2A workers. It is clear that, and between 2008 and 2022, US agribusinesses have not only continued to require Mexican agricultural workers, but have steadily increased their hiring, which has led to almost tripling, since from 102,000 H-2A visas in 2015 they reached 276,000 in 2022 (Department of State, 2020; Martin, 2022b; IOM, 2022).

More than half of H-2A jobs are in five states: Florida, Georgia, California, Washington, and North Carolina (OFLC-DOL, 2021). The proportion of H-2A jobs in these five states increased from 34% in 2007 to 52% in 2021, especially in California and Washington (Martin, 2022a). Of the total certifications passed, 11,000 went to North Carolina Grower's Assoc., 6,000 to Fresh

Harvest Incorporated, 4,000 to Foothill Packing, 3,000 to Wafla, 3,000 to Farm-Op Kuzzens H2A, and 3,000 to Rancho New Harvesting (OFLC-DOL, 2021).

### **STRUCTURALLY ESSENTIAL BUT WITHOUT PROTECTION OF YOUR HEALTH**

It has become clear that during the public health crisis caused by the COVID-19 pandemic, an increasing employment of H-2A workers, especially from Mexico, was promoted in those agribusiness sectors that depend on this workforce. In March 2020, the United States government notified that "The H-2 program is essential to the economy and food security of the United States and is a national security priority." It must be noted that since 1990, H-2A workers in Mexico have been structurally essential for US agribusiness, but it was not until the pandemic context that they were so recognized.



## SOURCES OF CONTAGION RISK OF PRECARIOUS H-2A WORKERS

The 240,000 Mexican H-2A workers hired in 2021 and the 198,000 day laborers employed in 2020 were working in the crop fields of the United States despite the infections and deaths from COVID-19. Before the pandemic, the working and living conditions of H-2A workers were already characterized by high job insecurity and they lived in a permanent situation of vulnerability. With the pandemic, this situation was exacerbated because they formed a vulnerable and precarious sector due to six sources of occupational risk:

1) The high mobility of H-2A migrants and the conditions in which they travel constitute a source of risk and spread of contagion as workers travel by bus from multiple rural sites in Mexico to various rural locations in the United States. Few migrants were quarantined at places of employment. According to reports from the day laborers themselves, on some farms prevention protocols were not implemented to avoid contagion.

2) They work in crowded spaces, in isolation and without health insurance. Unlike local workers, they are not covered by the Law for the Protection of Agricultural and Seasonal Workers, which regulates labor standards and conditions in agriculture. Sometimes they do not have personal protective equipment or where to wash their hands. Employers are not required to provide them with health insurance, so if they got sick with COVID-19 they had little chance of paying for medical care. Most worked with masks, however, there were employers who did not provide them with masks or gloves to work.

3) Housing conditions are characterized by being deficient, overcrowded and unsanitary. Most H-2A workers share bedrooms, kitchens and bathrooms in shacks, former farmhouses and trailers provided by growers.

4) They are especially vulnerable to

infections because they are transported to the fields in trucks with up to 40 people without complying with social distancing.

5) face structural racism, discrimination, barriers to medical care and language barriers to access information, communicate symptoms and receive a timely diagnosis in case of infection from covid-19. Health care can be more difficult to access due to geographic distance and the rural characteristics where they work.

6) The experiences of uncertainty, fear, stress and anxiety were daily, especially due to the fear of deportation or losing their job if they went for medical attention. In addition, those who were infected experienced social stigma.

Given these high-risk working conditions of contracting coronavirus, there were H-2A workers infected and killed by COVID-19. The first case of contagion was a migrant who worked in the fields of North Carolina. Subsequently, major outbreaks were reported on vegetable and fruit farms in Florida and California, as well as in meat and produce packing plants in South Dakota and Washington.

Despite widespread infections, as of October 2020, the United States government had not yet established enforceable safety measures to contain the spread of the virus in agricultural operations. Only 11 states stepped in to require growers to test workers, sanitize workplaces, enforce social distancing, and provide protective gear; about 20 states issued unenforceable guidance and the rest did nothing (Jordan, 2020).

For April 2021, Lusk and Chandra (2021) estimated the cumulative number of agricultural workers infected with COVID-19 at 401,000 (contracted, unpaid and migrant) and 7,240 dead day laborers; the incidence rate being significantly higher in counties with more farmworkers, such as California

and Washington; they also estimated that the decrease in labor availability due to COVID-19 would reduce US agricultural production by US\$309 million. The crisis of social reproduction of migrant agricultural workers and the reorganization of transnational work was evident in the rural world of the United States

A more recent study of the *National Center for Farmworker Health* (2022) estimated that as of December 20, 2021, 1 million cases of COVID-19 had been confirmed in farmworkers, not including contract and temporary laborers; in addition to a total of 7.8 million cases of COVID-19 and 138,060 deaths from COVID-19 in rural counties, with prevalence in Hispanic farmworkers.

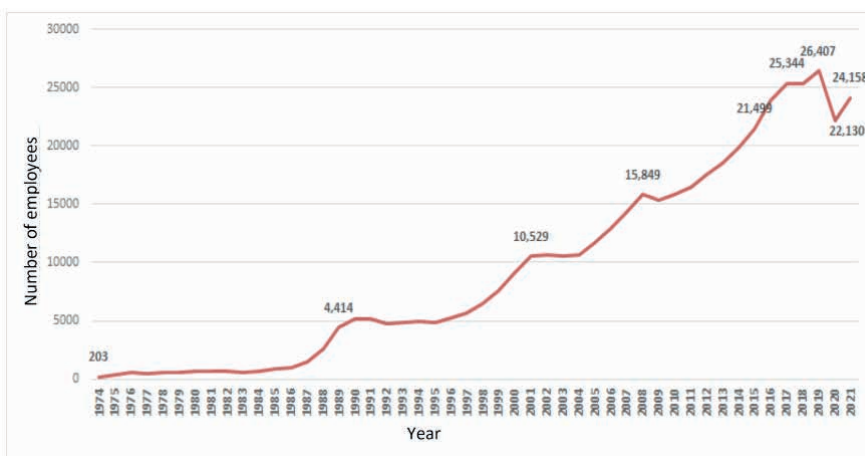
### **CANADIAN JOBS CRISIS, PLUNCH IN TAWP EMPLOYMENT AND TEMPORARY WORK REORGANIZATION**

Transnational labor reorganization under the Canadian Seasonal Agricultural Workers Program PTAT has also been disrupted by COVID-19. It is a structurally precarious labor market made up of precarious agricultural labor, with less than full legal status, who have lived in deficient living conditions. The literature has shown that, in almost five decades

of the Program, the agricultural labor force in Mexico has been overexploited, allowing the “increase in profit margins[of businessmen] by paying wages below the national average for Canadian workers” (Barrón, 2020: 190), and has contributed to the local economies of Canada and Mexico (Becerril, 2011) through income, remittances and consumption.

In the last three work seasons, the pandemic has affected the operation of the Program, which was canceled twice in 2020 when some Mexican workers were infected and died from coronavirus, in addition there has been a decrease in the number of workers hired between 2020 and 2022 (Becerril, 2022). According to data from the Mexican Ministry of Labor, 25,669 agricultural workers were employed in 2022, 24,158 in 2021, and 22,130 day laborers in 2020, unlike the 26,407 workers hired in 2019 (Graph 2); that is, 4,000 PTAT day laborers were unemployed in the first year of the pandemic and 2,000 unemployed in the second year of the pandemic, compared to 2019. In the case of female workers, The decrease in female employment had already started before the pandemic, since in 2018 751 migrants were employed, as opposed to 803 hired in 2017.

In the pandemic context, by 2020, 510 day laborers were hired (33.7% less than in 2019).



Graph 2. Employment of Mexican workers of the PTAT (1974-2021)

Source: Ministry of Labor and Social Welfare, Mexico

One of the impacts of COVID-19 was the 16.1% drop in temporary employment in the PTAT in 2020; for 2021 and 2022 there was a slight recovery of Mexican workers but a reduction persisted in relation to 2019. The drop in the operation of the Program, in which 2,300 Canadian farms participate, was historic and has had implications for the reorganization of the temporary employment of Mexican day laborers in Canada, in terms of changes in the profile of workers by gender, decrease in the duration of the contract, reduction of income obtained in each season and decrease in the amounts of remittances sent to the homes of origin.

### **ESSENTIAL WORKERS OF THE PTAT WITHOUT PROTECTION OF THEIR HEALTH**

After almost five decades of the PTAT, in March 2020 and in the midst of the pandemic, the Canadian government considered that temporary agricultural workers from Mexico were structurally essential for food production and to guarantee the food supply in Canadian homes. However, the coronavirus pandemic once again highlighted the lack of job protection and structural vulnerability at work and the health of Mexican workers in the Program (Labrecque, 2020). In addition, essential day laborers do not enjoy full legal status to guarantee their health rights and safety when they have been infected with COVID-19 while working in that country. Similar to H-2A workers in the United States, PTAT farmworkers are not protected by adequate working conditions and face backlogs in the Canadian healthcare system.

The employment contract establishes that the agricultural worker must work between six weeks and eight months, mainly in the harvesting of crops; be provided with clean, safe and adequate accommodation; of adequate meals or a kitchen; receive the agricultural

minimum wage equal to what Canadians earn; cover payments and deductions for Occupational Health Insurance, Employment Insurance, the Canada Pension Plan and federal and provincial taxes; be entitled to insurance for sickness and accidents at work; Receive protective clothing and training if you work with pesticides. However, for example, in Ontario are not covered by the Occupational Safety and Health Act; In practice, there is misinformation and non-compliance in the payment of compensation to workers for illness or work accidents and in occupational health insurance, even when migrants arrive in Canada, some employers take away their health card. For the 2022 season, modifications to the employment contract were established, but in the clause related to Safety and health of workers, there were no changes (Government of Canada, 2022).

In March 2020, a first Mexican worker was infected with COVID-19 on a farm in British Columbia. days later and the Consulate of Mexico in Vancouver reported that 19 of 65 workers at that farm had tested positive for the coronavirus. The Program was suspended for a few days and was reactivated after an agreement with the government and Canadian agricultural employers to guarantee the health, labor and safety rights of migrants; a health examination was established, the protocol of sanitary measures for travel in Mexico and upon arrival in Canada, the mandatory 14-day quarantine receiving salary (they did not apply it in all provinces) and the guarantee of access to medical services. However, the COVID-19 sick leave was not paid by most employers (Labrecque, 2020) and the health rights of migrants were not guaranteed in most cases.

In June 2020, for the second time, Mexico canceled the Program because three PTAT farm workers had died after contracting SARS-CoV-2 on farms in Ontario; in addition,



there were another 302 infected workers and there were outbreaks on 17 farms in Ontario. Between March and June, 496 Mexican workers had already been infected. The program was reactivated after the creation of a binational group made up of the ministries of Health, Immigration, Agriculture and Employment of Canada, and by the Ministry of Labor and the Ministry of Foreign Affairs of Mexico. However, until March 2023 there are no published reports of the actions of this binational group.

It is in this context of negotiations that the Health Protection and Promotion Act is issued on July 1, 2020, which requires Canadian employers to request Mexican workers with symptoms of COVID-19 to self-isolate and self-isolate. prohibit them from working until approved by local public health. Despite the new agreements, on July 30, 2020, a PTAT worker was fired for having reported that the farm where he worked -where another worker had died and other workers had been infected- did not comply with the minimum sanitary protocols. In 2021, the outbreaks continued on the farms where the Mexican migrants worked, despite being vaccinated.

### **SOURCES OF RISK OF CONTAGION FOR PTAT WORKERS**

Despite the pandemic context, PTAT workers did not stop migrating and working between 2020 and 2022. The more than 24,000 Mexican workers who worked in Canadian fields in 2021 constituted a highly vulnerable population due to seven sources of risk to your health:

1) The structural conditions of the Program manage high mobility and transfer of migrants, from multiple rural locations in all states of the Mexican Republic to various rural sites in ten Canadian provinces. Most travel by bus to the Mexico City Airport and then by plane to different airports in Canada, traveling without

keeping the physical distance required to control the speed of contagion.

2) The precarious working conditions on farms. After 48 years of operation of the PTAT, unsafe working conditions, uncertainty and exploitation of the Mexican workforce prevail.

The vulnerable working and living conditions of migrant day laborers, as well as the limited exercise of their rights, has been widely documented (Becerril 2011). During the pandemic context, a large number of workers worked long hours, from 8 to 12 hours, in generally crowded spaces without keeping the proper distance to avoid getting infected.

3) Housing conditions characterized by overcrowding and unsanitary conditions. Many companies house workers in cramped quarters or broken-down trailers where stoves, refrigerators, and eating and sleeping areas are inadequate. In some cases there are no bathrooms inside the accommodation or they have problems with the water supply, drainage and heating. There are workers who share the house between 15 and 20 people. There are also rooms with bunk beds that sleep up to 60 workers. Government inspections of accommodation conditions are not carried out regularly, despite the contingency and sanitary measures that the Canadian government imposed on employers.

4) Forms and conditions of transfer from homes to stores to stock up on food. Because migrants work and live on the same property as their employer, some companies have regulated the hours for working, eating, buying food, resting, washing, and cooking. The workers travel on bicycles, taxis or trucks rented by the company (expenses that are later discounted) to make the weekly purchase of their food. In these transfers, distance is not always kept to avoid the spread of COVID-19.

5) Language barriers to access the Canadian health system. Workers are not provided with

translators or basic English or French training. Most are unaware of their labor rights. The language barrier is a limitation for them to fully access the health system. The language barrier is the most important challenge for the communication of symptoms, timely diagnosis and forms of transmission of COVID-19 among Mexican workers.

6) Stigma and systemic racism in hospitals and health clinics by medical personnel.

7) Self-care barriers and experiences of uncertainty, fear, stress, and anxiety about contracting the coronavirus, being deported, and losing their job in the Program. There were workers and workers who tested positive for COVID-19 while in Mexico and were left unemployed in the Program.

### **FINAL THOUGHTS: THE ORGANIZATION OF TRANSNATIONAL TEMPORARY WORK DISTURBED**

Until now, it has been shown that the health of Mexican agricultural workers -employees in the US H-2A temporary programs and the Canadian PTAT- has been affected in a differentiated and disproportionate way by COVID-19 due to precarious working conditions, lack of personal protective equipment, overcrowded housing, poor working conditions, structural racism and stigmatization, confinement due to the pandemic, discrimination and barriers to medical care, non-full legal status, language barriers, lack of protection in health systems, and temporary migration policies aimed at the reorganization of transnational work. The situation of structural vulnerability of essential Mexican day laborers in the pandemic context was more evident. Gender inequality has also remained in the employment of temporary programs; We still do not know the situation of Mexican workers infected or killed by COVID-19 while working in those countries

of the North.

Certainly COVID-19 has shaken a fundamental pillar of global capitalism: the transnational organization of temporary work. Although this pillar has been disrupted by the pandemic, the US and Canadian temporary programs have also been changing to face an economic crisis or a labor crisis before and after the global pandemic times. Temporary employment reorganization processes have had different histories. While in the US context different social actors are betting on the reform of the H-2A visa system and the Agricultural Workforce Modernization Act, In the Canadian context, activists propose permanent residence to resolve the structural conditions of vulnerability and power deficit in which PTAT farmworkers find themselves. The underlying discussion is the labor crisis and the existence of tensions between the reproduction of social life and the reproduction of labor exploitation relations, as Stevano, Ali and Jamieson (2021) have rightly stated.

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