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WORK WITHOUT WORKERS: LEGAL GEOGRAPHIES OF FAMILY FARM EXCLUSIONS FROM LABOUR LAWS IN ALBERTA, CANADA

ABSTRACT

Under the Canadian labour laws that govern workplace safety, wage, and other work conditions, 'family' workers are not covered by the law under special rules for agriculture. Among other legal exclusions, the family farm exclusion contributes to a dearth of basic work, health, and safety standards in the sector, despite the commercialization and industrialization of family farming activities. Through a focus on Alberta, Canada-where farm labour rules have only applied to agriculture since 2016-this article explores the family exclusion in relation to family farming experiences with work and risk, based on interviews with farm operators, their family members, and farm employees in Alberta. While some participants continued to press for exemptions for farms from labour rules under the rationale that there is intrinsic safety within families, the findings also reveal how other participants have begun questioning this rationale, despite their overall support for the family farm exemption in Alberta. Using the lens of legal geography and critical perspectives on the family, we argue that the family is a significant but under-examined dynamic in the legal regimes governing farm labour and agricultural safety and health. Together, the law and dominant narratives about family farming treat farm operations as hyper-private domains, where operators have disproportionate power to dispose of their own work and the work of others how they wish. These legal geographies of hyper-privacy contribute to

the indecent work conditions that characterize farm labour systems in Alberta and other jurisdictions.

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