

DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

August 1994



(INTERCEDE)

DIPLOMAT'S DOMESTIC WORKER SURVIVES HORROR; SEEKS YOUR SUPPORT TO STAY IN CANADA

In Canada, she would be able to support her three children and make a better life for them - that was the dream of Sauda Saman when she left the Philippines to work as a domestic worker.

It is the same dream that drives thousands of women to leave their home and family and to endure long years of isolation and anxiety in countries where demand for domestic workers is high.

Today, Saman faces the gloomy prospect of being deported from Canada and she needs your support to persuade Immigration authorities to allow her to stay based on humanitarian and compassionate considerations.

Sauda Saman was admitted to Canada as a diplomat's domestic worker in 1991, on the agreement that she would be paid \$1000 a month. After working sixteen months, she only received a total of \$3520. Her employer said he needed to deduct her airfare and room and board.

This meant that this employer would have already deducted a total of \$12,480 from Saman, according to a submission made by Toni Schweitzer, Saman's lawyer and a Board Director of INTERCEDE.

Saman was paid a salary of \$240 a month, but only when she asked for it because she needed to send money to her children, and not on a regular basis.

In addition, Saman never received overtime pay for the estimated 12-hour-day, seven days a week that she worked during the whole time she was employed and living-in at her employer's residence.

The "room and board" that was deducted exorbitantly from her pay consisted of leftovers for meals and a room used for storage of boxes and rolled up rugs, where she had no privacy and where, at times, she would be summoned from her sleep to cook something or clean the cat's mess.

Just before leaving the Philippines, Saman was scheduled for an eye operation that her employer asked her to cancel, assuring that she would receive better treatment in Canada. When her eye condition worsened and her vision began to blur, Saman asked her employer to take her to a doctor.

NOTICE TO ALL MEMBERS OF INTERCEDE ANNUAL GENERAL MEETING AND ELECTIONS

will take place on
Sunday, September 11, 1994
from 3 to 6 p.m., at
Cecil Community Centre,
58 Cecil Street cor. Spadina

2:30 - 3 p.m. Registration
3:00 - 4 p.m. Business Meeting and Election
4:00 - 6 p.m. Program and Refreshments

*All with valid membership at August 1994
have the right to vote.*

Come to INTERCEDE's monthly meeting on **Sunday, August 7, 1994**, 3-5 p.m. at Cecil Community Centre, 58 Cecil Street, South of College & Spadina

2-3 p.m. New member application and renewals. Members with ID numbers **93-0469 to 93-0504** must renew or be dropped from membership list.

3-5 p.m. FILLING THE APPLICATION FORM FOR PERMANENT RESIDENCE AND UPDATES FOR THE ANNUAL GENERAL MEETING with Coco Diaz, INTERCEDE Counsellor

CLASP Legal Clinic will be open.

But after finding out how much it would cost for an appointment, her employer told her it would be too expensive and that she should just wait until she returned to the Philippines to get treatment.

Finally, Saman could no longer tolerate her work situation and the indignities she suffered from her employer. She was not allowed to receive telephone calls and when one night her son made an emergency call, her employer kept shouting at her to hang up the phone immediately. This was the last straw. Saman asked for her passport which her employer was keeping and did not give to her.

Saman then went to a police station and asked to be escorted to her employer's house to help her get her passport. This made her employer very angry and they accused her of working for someone else without authorization. But, in fact, her employer had encouraged Saman to earn money for her eye treatment by working a few hours per day at a neighbor's house for a period of three weeks.

As a result, Sauda Saman was arrested and held at the Celebrity Inn. She was only released when the kindly neighbor put up a bond.

Meanwhile, Saman's employer has accused her of stealing, refused to return her personal belongings, and has been seeking to have her deported immediately.

The employer had also threatened to sue Saman for damages if she did not pay her airfare and accommodation when she stayed with the employer's family at a hotel-apartment for one month when they first arrived in Canada.

It would be "unduly harsh" to require Sauda Saman to return to the Philippines, according to lawyer Schweitzer's letter. Even if he is a diplomat, the employer's treatment of Saman and his use of the "threat of deportation as a means to intimidate" her is "com-

ORIENTATION MEETING
 Sunday, August 21, 1994 10 a.m. - to 5 p.m.
 Topics:

1. IMMIGRATION AND LABOUR RULES
2. HEALTH SERIES: DEALING WITH STRESS

Call 324-8751 to register - Fee \$5
 (Refunded if you are present on Aug 21)

pletely unacceptable for the Canadian government to sanction", Schweitzer states.

While the government may not be able to take action against the diplomat, "Ms. Saman should not be punished for attempting to make the best of a horrible situation..", said Schweitzer.

It is now four years since Sauda Saman first arrived in Canada. She is the only breadearner for her three children. She has no job waiting in the Philippines. She deserves better than what she got during her first sixteen months in Canada.

No one has the right to inflict unjust and cruel treatment on another human being, not even if he has diplomatic immunity.

Write a letter in support of Sauda Saman's bid to stay in Canada and address it to Toni Schweitzer, Jackman & Associates, Barristers and Solicitors, 196 Adelaide St. West, Ste. 200, Toronto M5H 1W7.

DID YOU CHANGE ADDRESS?
 Please inform us by phone or mail so that you can continue getting your newsletter and we don't waste postage expenses for returned mail!

We wish to thank the Citizenship and Immigration Canada (Immigration Settlement and Adaptation Program); Canadian Heritage; Multiculturalism and Citizenship; Ontario Ministry of Citizenship; Ontario Ministry of Health; Ontario Ministry of the Environment; Ontario Women's Directorate; the Municipality of Metropolitan Toronto (Community and Social Services); and the City of Toronto Grants Review Board for their continuing support.

PILIPINAS MEETING
 Saturday, September 3, 1994 2 p.m. to 5 p.m.
 "CONFIDENCE BUILDING AND LEADERSHIP"
 Call 324-8751 for info

TO ALL SUBSCRIBERS since August 1993 (Does not apply to current members)
 INTERESTED TO CONTINUE RECEIVING THIS NEWSLETTER? SEND THE FORM BELOW WITH PAYMENT.
 IF NO RENEWAL SUBSCRIPTION BY END OF AUGUST, WE'LL REMOVE YOUR NAME FROM OUR MAILING LIST.

RENEWAL SUBSCRIPTION NEW SUBSCRIPTION CHANGE OF ADDRESS

MAIL TO : INTERCEDE, 489 College St., Suite 402, Toronto, Ontario M6G 1A5

Please send *DOMESTICS' CROSS-CULTURAL NEWS* to:

NAME : _____

ADDRESS : _____

CITY/PROVINCE : _____

POSTAL CODE : _____ TELEPHONE : _____

YEARLY SUBSCRIPTION RATES :

INTERCEDE Members :	FREE	Non-member Domestic :	\$20.00
Non-Profit Organizations:	FREE	Others	\$25.00

STOP SEXUAL HARASSMENT !

"I used to think it was my fault...the way that I dressed, wore my hair, my perfume, the way I walked, talked and laughed...I never gave any indication that I liked his suggestive stare, the teasing or insults, the subtle and sometimes obvious sexual hints or that I wanted any physical or sexual contact...his gestures were an attack on my self-esteem, my sense of security, my economic well-being...I wanted it to stop."

Some people say that it is impossible to tell the difference between sexual harassment and flattery or sexual harassment and romance. I disagree. Flattery and romance when it's mutually agreeable between two people we want to continue. Sexual harassment is unwelcome and we want this behaviour to stop.

Being a foreign domestic worker makes one even more vulnerable to various forms of harassment, not just sexual. You can be harassed racially as a woman of colour or because of your place of origin, age, class or marital status, etc.

Immigration bonds you to your employer(s) for at least two years and forces you to live-in their home on temporary status as a condition of eligibility for Permanent Residence. Your employers won't always agree to put a lock on your door and often enter without knocking. There is no lock on the bathroom.

It's understandable that you may feel trapped by Immigration's new rule to complete two years of domestic work within a three year period. No one wants to finish these forced two years of bonded labour more than the domestic worker herself, in most cases. Unfortunately, it seems like Immigration wants you to stay in situations that leave you vulnerable to be abused sexually, physically, racially, economically, mentally, etc. as a condition of Permanent Residence.

It is important that you continue to fight with INTERCEDE to improve the rights of all domestic workers to have full enforcement of their employment rights, be able to choose where they live and be able to enter Canada as a Permanent Resident so that they will no longer be so vulnerable to these abuses.

Sexual Harassment in the workplace is against the law and is addressed in Human Rights legislation and other laws as well.

*Calling members of Reunion Hispana,
Caribbean Group, Pilipinas Group and
Chinese Group*

INTERCEDE DAY AT THE BEACH

Sunday, August 28 Assembly at 10 am
Register by paying \$10 for partial fare to Cobourg.

PLAY GAMES, EXERCISE FOR YOUR HEALTH!
Bring your own food. INTERCEDE will subsidize part of Bus fare. Call Eva for further info 324-8751

The Ontario Human Rights code states that every person has the right to freedom from harassment in employment. Under the Code sexual harassment includes unwelcome sexual remarks or physical contact that are degrading, sexual advances or invitations made by a person who is in a position to grant or deny a benefit to another and threats or reprisals against the person who rejected the sexual advance. Every person who is an employee has a right to freedom from harassment because of race, place of origin, colour, ethnic origin, citizenship, age, record of offences, marital status, etc.

Complaints to the Human Rights Commission may be made while you are still employed or after you have left your job. An officer will investigate your complaint by interviewing you, any witnesses and the harasser. If a decision is made to your favour, the commission will try to achieve a settlement which may include letters of apology, assurances that the harassment will stop, job reinstatement or financial compensation. The biggest disadvantage in dealing with the commission is that it could take months to years before your case is settled.

A complainant may choose to bring charges under the Canadian Criminal Code in the event they are threatened, physically assaulted or raped. Victims may choose this option as a way of showing the abuser that they are not afraid to face him and also to deter him from hurting someone else. One of the problems in dealing with the Courts is that it is often emotionally traumatic to the victim. Should you choose this option it is important that you receive preparation and support. There are support service agencies available.

If you feel your character was slandered for not agreeing to the harasser's demands you should contact a legal service for advice in filing a civil action for damages.

For those women who decide that they do not want to take formal action you may want to choose a more informal procedure to resolve the situation. You can talk to the harasser in person, with a witness present, stating his behaviour is unwelcome and that you want it to stop. You can write a letter to this person detailing your perception of what happened, how it made you feel and that you want it to stop. Make sure to keep a copy of the letter. You may also want to join a support group or to see a counsellor to deal with what happened.

INTERCEDE WORKERS' CO-OP? YOU CAN MAKE IT HAPPEN!

Do you want to have more control over your employment? Are you interested in improving your working conditions? Let's talk about your ideas!

Learn & Plan with Jean, Eli, Sherry, Nena and others. Call 324-8751 for next meeting.

Whether you choose to have your complaint handled formally or informally make sure that you have kept a record of all the incidents relating to the harassment such as the time, place and a detailed explanation of what happened. All forms of sexual harassment should be taken seriously as it is often the most subtle forms of harassment such as offensive language or jokes, gestures, derogatory remarks, etc. that may form the basis of your complaint. Remember, ignoring sexual harassment usually only makes you feel worse and can result in long term damage to your self-esteem, mental and physical health, economic well-being, etc.

Thank you to the Ontario's Women's Directorate Guide on Sexual Harassment in the Workplace and to Leslie King and Joanne Pigeon of CLASP legal clinic for their presentation on this topic at INTERCEDE's Monthly Meeting in July.

QUESTION & ANSWER

Q. I filed my application for permanent resident in 1992 and have been on open employment authorization. Recently, I was advised to wait for a form that would require me to have another medical examination. Why?

A. Those applying for permanent resident whose medical examinations have expired are now required to undergo medical exams. This is an additional \$100 to \$150 to the high cost of applying for landed status. INTERCEDE has learned that you can get free or low-fee medical examinations at a Community Health Centre nearest you. Call INTERCEDE if you need a referral.

Q. After I received my open employment authorization last year, I got married to a refugee claimant and corrected my marital status in my Immigration file accordingly. Will my application be refused because my husband is a refugee claimant?

A. The status of your husband and results of his refugee claim may complicate the processing of your own application for permanent resident.

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c/o INTERCEDE

489 College Street, Suite 402
Toronto, Ontario
M6G 1A5

FIRST CLASS

VANCOUVER CDWCR

**Committee for Domestic Workers'
& Caregivers' Rights
(an INTERCEDE Affiliate)
Contact Julie or Lorina (604) 222-1897**

You will need legal assistance and we would advise you to come to INTERCEDE.

Q. My children whom I am sponsoring from the Philippines need a certification that they are my dependents before they can get their passports. To my dismay, the Philippine consulate requires that I use the name of their father, from whom I have been separated for 14 years. I have been using my single name and it is what appears on all my documents in Canada. What should I do?

A. We will try to verify this information from the Philippine Consulate. Meanwhile, have your documents ready such as your marriage certificate and any document proving you are separated from your husband, passport and employment authorizations, landing documents etc. and contact INTERCEDE.

INTERCEDE THEATRE GOERS

If you want to join other members to see a play, a musical, or any other entertainment,

FOR FREE OR AT A DISCOUNT

then put your name on our Theatre-Goer List. Please register by calling 324-8751

We already had free tickets to the musicals "Miss Saigon" and "Heart of Mine" and to the Du Maurier Musical series at Harbourfront.

INTERCEDE SERVICE UNIT

Place: 489 College St., Suite 402, Toronto, Ont.
Time: Monday-Friday, 9 am - 4 pm
Tel: (416) 324-8751 Fax: (416) 324-8790

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FIRST CLASS