

DOMESTICS' CROSS-CULTURAL NEWS

INTERCEDE for the Rights of Domestic Workers, Caregivers, and Newcomers

Toll Free 1-877-483-4554

August 2003



CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) (Highlights of 7th INTERCEDE Domestic Workers' Conference (con't.))

The CEDAW is a United Nations treaty which requires countries that ratify it to be bound by its terms and to ensure that their laws and policies comply with those terms. Under CEDAW, state parties are committed to eliminate discrimination against women in all laws and policies, and to adopt all appropriate measures to ensure the "full development and advancement of women".

One hundred seventy-one (171) states, or 90 per cent of UN members, ratified CEDAW. They are required to report on their compliance once every four years. Canada, which ratified on December 10, 1981, is bound by the treaty at all levels of government, and submits a written report of its compliance to the CEDAW Committee, including a report from each province and territory. Non-governmental organizations are also permitted to make written submissions.

At its meeting early this year, the UN CEDAW Committee made its "Concluding Comments" in response to the official report submitted by Canada. The Committee found that Canada is not fully living up to its treaty obligations. Committee members were critical of government policy shifts and program cuts implemented since 1994 which have hit hardest on the most vulnerable and poorest women including Aboriginal women, women of colour, elderly women, disabled women, and single mothers, thus, increasing their social and economic vulnerability. The Committee was shocked to note that in a wealthy country like Canada, poverty rates of 54 % for single mothers, 43 % for Aboriginal women, 37 % for women of colour, and 48 % for women who are recent migrants, do exist.

For the first time, the Committee singled out the British Columbia (BC) government (and the only province targeted for specific criticism) for not meeting its obligations to women under international human rights law. Committee members noted that recent cuts to BC's social programs have harmed women and girls and expressed concern over such changes as funding cuts to legal aid and welfare assistance, elimination of the free standing Ministry of Women's Equality, abolition of the independent Human Rights Commission, closing of a number of court houses, and other measures which disproportionately affect women and girls.

The CEDAW Committee then presented its recommendations to Canada, including the following:

- make gender-based impact analysis of all laws and programs mandatory at the federal, provincial and territorial levels;
- assess the gender impact of anti-poverty measures and increase efforts to combat poverty among women in general and vulnerable groups of women in particular;
- implement fully the gender-based impact analysis and reporting requirements provided in the new Immigration and Refugee Protection Act with a view to eliminating remaining provisions and practices which still discriminate against immigrant women;
- take further measures to improve the current live-in caregiver programme by reconsidering the live-in requirement, ensuring adequate social security protection and accelerating the process by which such domestic workers may receive permanent residency;
- assist victims of trafficking through counselling and reintegration;
- step up efforts to combat violence against women and girls and increase funding for women's crisis centres and shelters in order to address the needs of women victims of violence under all governments;
- involve women's non-governmental organizations representing different groups of women from all jurisdictions in national discussion and dissemination of the next Country report;

*All Domestic/Caregiver workers,
Newcomers and those on Temporary Work
Permit are welcome to attend*

**INTERCEDE MEETING
Every First Sunday of the Month**

(if holiday, meeting is on the second Sunday)

Apply or renew your membership - \$10.

***Pot Luck Picnic
at Earl Bales Park***

(East of Bathurst/south of Sheppard)

Bathurst Bus #7

Sunday, August 3, 2002, 11:00 a.m.

See you there!

- disseminate widely the present Concluding Comments in order to make the people of Canada, and particularly government administrators and politicians, aware of the steps that have been taken to ensure genuine equality for women and the future steps required in that regard;
- And to the government of BC, analyse the negative impact on women of its recent legal and other measures and amend the measures, when necessary.

Cited for their work in writing alternative reports to the CEDAW Committee were the Feminist Alliance for International Action (FAFIA) with which INTERCEDE is involved, and the BC CEDAW Group, with which CDWCR is involved. According to Shelagh Day, who was heavily involved in writing the reports and coordinating the work of these groups, it is important now to follow up and "work with the BC government and the Canadian government to reverse the patterns of discrimination against women".

Consequently, it is very important in this conference to formulate specific strategies on how to work with the government to improve the Live-in Caregiver Program (LCP). After decades of working for landed immigrant status of domestic workers and for their right to choose to live-in or live out of their employers' household, no less than an international body, the United Nations CEDAW Committee, has echoed and validated these demands.

U.N. Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

Fely Villasin gave a background of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Member of Their Families, and the campaigns which were launched by migrant organizations to convince twenty countries to accede and put the agreement into effect. Past INTERCEDE conferences, for example, had launched a petition signing campaign to convince the Canadian Government to accede to the Treaty but to no avail. Among the reasons cited were that there are no migrants in the country and that some provisions would contradict Canadian laws.

This UN Convention is the very first international treaty that deals specifically with the issues of migrants and the protection of their human rights as well as those of their families. When finally twenty UN members had acceded to the treaty at the end of last year, the Convention could now "enter into force". Originally it was Timor Leste which was considered the twentieth accession, but an irregularity with the process was found. However with the accession of Guatemala and El Salvador, the Convention's entry into force is confirmed. On July 1st, 2003 the implementation of the Convention will formally start including establishment of an office to monitor compliance and formation of an international committee to review state parties' adherence.

As the deadline to change its immigration laws has been set in 2004, it is considered timely to get accession by the European Union. Resuming a campaign for Canada's accession might also be in order as more countries sign on the Convention.

The migrant rights convention is very comprehensive,

covering the obligations and responsibilities of sending and receiving countries, protecting not only documented but also undocumented migrant workers, extending the concept of equality of treatment between nationals and non-nationals, between women and men migrant workers and ensuring protection to migrants' family members. The Convention is aimed at reducing or eliminating exploitation of migrant workers throughout the process and places of migration. It seeks an end to illegal recruitment, trafficking and irregular employment of migrant workers.

Additional information was offered about the proclamation of International Migrants Day to be observed every 18th of December and the value of celebrating this day in order to raise the profile of migrant workers and continue the campaign for the ratification of the Convention on migrant rights.



STATUS COALITION

Salma Saadi, INTERCEDE Counsellor and Volunteer Bernice Small represent INTERCEDE in a group called the Status Coalition. The group was formed to educate the Canadian public about people who lost or are without legal status in Canada and the barriers and hardships they face as a result. A main priority of the group is to advocate to the Canadian government to give such people permanent status.

The group is made up of lawyers, community activists, university professors, settlement workers, community health workers, students, policy and research analysts, non-status people, etc. The Status Coalition is working on various issues and has many sub-committees. Salma and Bernice are on the Community Mobilization Committee. This committee is outreaching to get more people and be part of Status.

At the last meeting for the Caribbean Connection, INTERCEDE's Black Women's Support Group held on July 12, Chantal Sundaram, a member of the Status Coalition, came to speak about its work. She discussed an important poster campaign popularizing the slogan: "Good Enough to Work. Good Enough to Stay".

If you are interested in finding out about the Status Coalition or becoming a member please e-mail statuscoalition@yahoo.com.

The Caribbean Connection INTERCEDE Black Women's Support Group

Next Meeting: **Saturday, September 20, 2003**
at the INTERCEDE Office, 234 Eglinton Ave. East
To register, please call Salma Saadi at (416) 483-4554 x 22



INTERCEDE ANNUAL GENERAL MEETING**Saturday, October 4, 2003****5:00 p.m. sharp****Ramada Hotel, 300 Jarvis St., Toronto, On**

Main Agenda: Ratification of By-Laws

Coco's corner:

We have been receiving disturbing and alarming reports from caregivers and others regarding the practices of some Employment Agency or Immigration Consultants. Here are some of their modus operandi:

- ◆ Mila made a partial payment of US\$1,827 but of a total of US\$3,500 to an Immigration Consultant, so her sister could come in Canada under the Live-in Caregiver Program (LCP). Receipts from March 2001 were issued by the consultant as proof of receiving the money from Mila but no services were rendered. All she got were assurance that an employer was already found and had filed Offer of Employment at Human Resources Development Centre (HRDC). Mila followed up this consultant several times, who assured her that soon the Offer of Employment would be validated.

After waiting for more than two years Mila wanted to stop dealing with the Immigration Consultant and asked the full refund of her money. The consultant refused to give it back. Instead Mila got another promise and assurance that an employer is available and again in the process of Validating an Offer of Employment from HRDC.

- ◆ Delia was one of the Filipino nurses recruited from Libya by an Immigration Consultant/Agency. She arrived in Canada with an Employment Authorization to work in one of the Nursing Homes outside Toronto. As soon as she arrived, she was advised that she could only work if she passed the Ontario Registered Nurses Examination.

Delia failed the exams and tried a second time. While waiting for the exam result, her Immigration status was about to expire and she needed a Validated Offer of Employment or a letter from the Nursing Home which hired her. She contacted the Consultant who became very evasive and, to her surprise, could not give any assistance nor do anything for her.

Even with the amount of US\$4,500 which she paid to the consultant, Delia was left uncertain if she could still renew the unused Employment Authorization issued to her. In order to survive she accepted temporary employment as elderly, child-care worker, factory worker and building cleaner.

Recently, Delia passed the Ontario Nurses Examination and received an Offer of Employment in one of the Hospitals in Toronto. She came to INTERCEDE for assistance to restore her Immigration status. She is currently employed as a Registered Nurse.

- ◆ Catherine was impressed with the assurances made to her by a recruiting agency which facilitated her arrival in Canada as a tourist. For the first month she was accommodated in a two-bedroom apartment where other people with Visitor's Visa were staying while waiting for their Immigration Papers to be regularized. She was asked to pay for her room and board. On the second month her funds started to be depleted and she needed to find work. As promised by the recruiting agency, her visitor's visa would be converted to a Work Permit and eventually could apply for Permanent Residence. Six months later, she has no work permit, no job where she could apply her skill, and she is still waiting for the extension of her visitor's visa.

Catherine realized that she was conned by this recruiting agency, so she demanded a refund of US\$5,000 which she had paid. As soon as she got the refund in signed personal cheques, she moved out from the apartment. But later she found out the cheques could not be cashed because the account had been closed.

When Catherine telephoned the recruiting agency, she found that it was no longer in service and eventually discovered that the owner left the country. Catherine is afraid that the same person is again recruiting another batch of people whom she can take advantage of and victimize.

- ◆ Maria arrived in Canada with an expectation to work with the employer who offered her a job as live-in caregiver for an elderly lady. At the airport, Maria was met by the representative of the Employment Agency who informed that her employer was no longer interested to hire her. Maria was accommodated by the agency's representative since she did not have any place to stay. The following day she went to the employer's house and discovered that the employer did not know her and never had any dealings with the Employment agency that helped her get here. The employer complained at the HRDC and later found that an Offer of Employment was filed on her behalf by the agency without her authority.

Six months after Maria's arrival in Canada she received her Employment Authorization for another employer. The employment agency which is under investigation, has threatened the caregiver with deportation, prompting the caregiver to seek help from INTERCEDE.

INTERCEDE is encouraging caregivers to contact us if they have experiences similar to the above. It is about time we act and stop these unscrupulous agencies from victimizing you and cheating you of your hard earn money.

**ATTENTION**

INTERCEDE office will be moving to, the 4th Floor, Suite 405, of our same address, on September 1, 2003.

WIN CASH LOTTERY

1st Prize : CAD\$1,500 Cash
 2nd Prize : CAD\$1,000 Cash
 3rd Prize : CAD\$ 500 Cash

Raffle Ticket \$10

Raffle Draw: Saturday, October 4, 2003, 7:00 p.m.
 Ramada Hotel, 300 Jarvis, Toronto

Lottery License No.: M210735

DANCE DANCE DANCE

Saturday, October 4, 2003, 7:30 p.m.
 Ramada Hotel, 300 Jarvis St, Toronto

Hot Buffet and Cash Bar
 Semi-Formal **\$35.00 Ticket**

INTERCEDE

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 M4P 1K5

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 Genie Policarpio - Intake & Administrative Assis

We wish to thank: Citizenship and Immigration Canada - ISAP Program and Job Search Program with COSTI-OCASI; Ontario Status of Women; the City of Toronto CSGP, grant programs, for their financial support.



Voice Mail Etiquette Tips

Nowadays, it seems like no one is ever in the office to answer their telephone, and voice mail has become the norm of voice communication.

Before you make a call, be prepared with what you want to say clearly and succinctly. Here are some tips on proper voice mail usage.

- When recording your message, always let the caller know within the first few seconds how to bypass the message and go straight to an operator or a beep.
- Keep your message short and simple. Leave your name and/or company name. Request a detailed message and ask the caller the best time to call back.
- Refrain from recording excessive background noise or using music.
- Don't make a commitment you can't or don't intend on keeping. (Ex. "Anyone who knows me realizes what a fanatic I am about people who don't return calls").
- Speak clearly and slowly when leaving a message. Leave your phone number at the beginning of the message and again at the end.

To reduce call congestion, try to leave a message that does not require a response.

Source: Metro Today



FREE JOB SEARCH WORKSHOP

FOR NEWCOMERS AND CAREGIVERS

When: September 7, 14, 21 and 28, 2003
 October 5, 12, 19 and 26, 2003
 November 2, 9, 16 and 23, 2003

Time : 11:00 a.m. to 5:00 p.m.

Where: INTERCEDE
 234 Eglinton Ave. E., Ste. 405
 Toronto, ON., M4P 1K5

Please call (416)483-4554 ext. 21 or 30 to sign up or e-mail jsw@intercedetoronto.org

Seating is limited.

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