

DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

December 1990

Minister of Immigration Visits INTERCEDE Talks About FDM Program

The Minister of Employment and Immigration, Barbara McDougall held a meeting with domestic workers in Toronto on October 28. In the meeting attended by around 600 domestic workers at the Cecil Community Centre, the minister announced that she was now personally reviewing a preliminary report prepared by her ministry on the Foreign Domestic Movement program and that possible changes on the program would soon be announced.

In her speech that preceded a question period, McDougall stressed the important role home-care workers play in Canadian society. INTERCEDE submitted its recommendations on changes to the FDM program in December 1989. The minister said that they would not be able to meet all the demands by domestic workers but that they would try to find ways to prevent abuse by employers and to increase the status of home-care work. She also tried to assure the crowd of anxious domestics that whatever the new policy is, it would not affect those presently on the FDM negatively.

During the question period, domestic workers from the floor raised concerns about the "indentured slave" status the FDM program places foreign domestics in; the live-in requirement; the difficult requirements for landing; and the ambiguities about the continuing requirement of release letters.

In response to the comment that the status of foreign domestics in Canada was one of "indentured slavery" and the question whether this would continue, McDougall said that more could be done to improve provincial labour standards and to inform employers and domestics about their rights and responsibilities. As to a change in the temporary work permit system that creates the conditions of "indentured slavery", the minister said she did not yet know what the new policy would be but that she could not promise there would be an end to conditional visas.

Some domestic workers complained about the problems (lack of privacy, lack of social life, long hours of work without compensation, increased possibility of sexual harassment...) the live-in requirement creates for domestic workers. The minister responded by saying that the abuse by employers needed to be eliminated, but that she could not guarantee any changes in the new policy which would do away with the live-in requirement.

A domestic worker asked for a clarification of the official stand on release letters. Despite an announcement by the manager of Toronto North Canada Immigration Centre, Jim Campbell during an INTERCEDE meeting over a year ago that the practice of release letters was to be ended, domestics going to immigration offices to

INTERCEDE CHRISTMAS PARTY

Sunday, Dec. 2, 1990, 3:00-6:30 pm at Cecil Community Centre, 58 Cecil St.

Guest Speaker: ANNE SWARBRICK, Minister Responsible for Women's Issues

CLASP Legal Clinic will open but no INTERCEDE counselling.

Bring a gift (not less than \$5) and join the gift giving! Come & join the fun!

Minister of Immigration, cont'd.

get new work permits are still being asked to bring release letters. The minister's response to the question was confused. She first said that she thought this requirement was already done away with, and then argued upon correction by an immigration officer on the floor, that there was yet no decision, no change of policy on this issue.

More than one person asked why domestic workers were not given permanent resident status upon their arrival in Canada as any other immigrant, but had to fulfill a number of additional difficult requirement to qualify for such status. McDougall argued that independent immigrants also had to demonstrate skills and savings when they applied for immigration. She said that the FDM program gave the domestics, who could not meet these requirements up front, the "opportunity" in two years, to upgrade and bring themselves to the same level as independent immigrants.

Non-Immigrant Status, Root Cause of Exploitation

A lawyer from LEAF (Women's Legal Education and Action Fund) pointed out that the root cause for the exploitation of foreign domestic workers was their legal (non-immigrant) status in Canada and that therefore if the government was looking for ways of ending such exploitation, the solution would be to give domestics landed status upon their arrival in Canada. When McDougall repeated her point that the FDM program was in fact giving an "opportunity" to domestics to bring

them to the same level as independent immigrants, the LEAF representative commented that there was an inherent inconsistency in the immigration policy which acknowledged a demand for domestic work but did not recognize domestics as skilled workers (therefore giving them enough points to qualify as independent immigrants). There was no reply to this comment from the minister.

Finally the minister was asked whether she would be ready to recognize domestic and home-care work as skilled work. The minister's response to this question contradicted her earlier remarks about the domestics not having the skills when they first came to Canada. McDougall announced that for her, domestic work was skilled work.

Her response to whether government policies would recognize it as skilled work was evasive. She emphasized the need for the provinces to develop better labour legislation to that effect, but said nothing about how her own ministry could deal with this issue by changing the discrimination against domestic work in the point system.

INTERCEDE members' reaction was that of disappointment. Many expected to hear some good news, or something more concrete. "We did not really hear anything that we did not know before."

"Now we have to do more waiting, we're back at square one."

We wish to thank the Employment and Immigration Canada (Immigrant Settlement and Adaptation Program); Secretary of State (Multiculturalism and Women's Program); Ontario Ministry of Citizenship; Ontario Women's Directorate; the Municipality of Metropolitan Toronto (Community and Social Services); and the City of Toronto for their continuing support.

NEW SUBSCRIPTION: **CHANGE OF ADDRESS:**

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Intercede Members:	FREE	Non-member Domestic	\$ 5.00
Non-Profit Organizations	FREE	Others	\$10.00

Career/Upgrading Counselling Service For Domestic Workers Announced

Nora Angeles-Richardson, an INTERCEDE volunteer who helped coordinate two orientation sessions for newly arrived domestic workers was the guest speaker at the November 4 Monthly Educational Meeting of the Toronto Organization for Domestic Workers' Rights.

She started by taking an inventory of the domestic workers present who were taking upgrading courses.

What courses were they taking?

Courses mentioned were: aesthetics, health care, ESL upgrading, data entry, keyboarding, Early Childhood Education, basic computer course, correspondence courses, etc.

Where were they taking these courses?

Courses were being taken in mostly privately owned and operated training schools, some were taking their courses at community colleges.

Why were they taking these courses?

Some of the reasons given were: they were interested in these courses; they want to upgrade and improve their livelihood; these were the courses available.

Although no one said they were taking the course because their friends were, there was a lot of laughter when Nora said this was a common reason. **Many domestic workers do not get any advise on what upgrading is appropriate, and where best to get this.** She said that after about two weeks of searching for resources that domestic workers can access, the conclusion is that **there are not very many places to go to.** For counselling and placement there's the Bickford Centre which will help in career counselling and placement. For information on non traditional technical courses, George Brown and Seneca Colleges can help.

Even if domestic workers really need advice, their time constraints plus the lack of service lead them to take dead-end or unwanted courses. Due to this lack, INTERCEDE, will start a resume clinic, and career/upgrading counselling service. Nora will be available on Fridays at INTERCEDE office (3:00-7:00pm) for those who need career counselling and advise on preparation of resumes. Information on upgrading will be made available. Please call for appointment.

COCO's CALENDAR

by Columbia Tarape-Diaz

Conferences ...

Fely Villasin, INTERCEDE Coordinator, is away for the Sixth International Women and Health conference (including Physical and Mental Health of Migrant Women; Violence against trafficked women and mail-order brides; Environmental and Occupational Health Hazards; and Mental Health and Women's Living and Working Conditions. We hope Fely will get a bit of a rest from her busy schedule and have some time to see family and friends.

and in Ottawa...

I attended the National Biennial Conference of National Organization of Immigrants and Visible Minority Women of Canada in Ottawa. I had a wonderful and fruitful time interacting with other women from various organizations.

Congratulations...

to the new Board Members who successfully completed a 'One-day Training for Board Members' conducted by Maureen Edgar. To Pura, Herminia, Amelia and Eugenia, we're

looking forward to your active participation in putting forward domestic workers' concerns. Good luck!

Announcement...

A Discussion of the Needs of Domestic Workers and Information Meeting will be held on Sunday, December 9, 1990. For information, call: Ottawa Multicultural Homemakers Association (613) 238-4256, or call INTERCEDE.

Going Christmas shopping? Be careful... to pay for every item selected from the store before passing the cashiers' counters. If convicted for shoplifting, a person will have a criminal record, which will make it difficult for anyone to find new employment, leave or enter Canada, or become a Canadian citizen. If someone is charged for the above crimes her status can be affected and may not be able to find work until after her case is settled. Persons convicted of a crime can apply to have their names cleared of a criminal record only five years after the conviction.

What To Know About The Coming Holidays

There are three public or statutory holidays during the season December 25, Christmas Day; December 26, Boxing Day; and January 1, New Year's Day. To qualify for these public holidays off with pay, you must:

- be employed for at least 3 months before the holiday, and
- earn wages on at least 12 days during 4 work weeks just before the holiday; and
- work your regularly scheduled work days both just before the holiday and just after the holiday.

If your employer requests your services during these public holidays and you agree to work, make sure that your employer is aware of the following:

1. If you qualify for the paid public holiday, you must receive your regular rate for all hours worked plus a substitute holiday (another day off with pay) in the future.
2. If you qualify for the holiday but you agree not to take the substitute holiday, you receive a

regular day's pay plus time and one-half for all hours worked on the holiday.

3. If you do not qualify for a paid holiday, you must receive at least time and one-half your regular wages for all hours worked on the public holidays.

If your employers leave town for the holiday, you must clarify if you are considered on vacation with pay or if during the time they are out of town, you are considered on temporary layoff (therefore without pay). If you are on vacation with pay, the three statutory holidays must be added as three extra days to your vacation. If, however, your employers go out of town and you are asked to watch their home, you are considered to be working.

If you go out of town with your employers but you are working and serving their needs, you are not on vacation entitlement.

We would advise domestic workers to keep a record of all hours worked so that whenever you have to make claims for overtime or any underpayment of salary, you have something to refer to.

Remember that as of October 1, 1990 the legal minimum wage in Ontario was increased to **\$5.40 per hour**. So even if your contract specified an amount less than that, your employers must abide by the new minimum wage rate of **\$5.40 per hour**.

IMPORTANT PHONE NUMBERS

Canada Immigration Centre	973-4444
Educ & Skills Training Ctr, Labour Council	971-5893
Employment Standards Enforcement	326-7160
Immigrant Women's Health Centre	367-1388
Immigrant Women's Job Placement Centre	656-8933
OHIP	
Toronto	482-1111
Scarborough	1-800-263-3814
Mississauga	275-2730
Ontario Human Rights Commission	326-9511
Revenue Canada (Taxation)	869-1500
Toronto Rape Crisis Centre (24-hour line)	597-8808
Unemployment Insurance	730-1211

EMERGENCY HOUSING

Nellie's Hostel	461-1084
Evangeline's	762-9636

LEGAL SERVICES

Parkdale Community Legal Services	531-2411
CLASP (Osgoode Law School) Legal Clinic	736-5029
Kensington-Bellwoods Community Legal Serv.	363-0304
Metro Tor. Chinese & SE Asian Legal Clinic	971-9674
Toronto Workers' Health & Safety Legal Clinic	971-8832

INTERCEDE SERVICE UNIT

Place: 489 College St., Suite 402, Toronto, Ontario
 Time: Monday - Friday, 9 a.m. - 4 p.m.
 Telephone: (416) 324-8

INTERCEDE STAFF

Coordinator/Editor: Fe
 Counsellors: C
 Te

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c/o INTERCEDE
 489 College St., Suite 402
 Toronto, Ontario
 M6G 1A5

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