

DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

December 1991

MINISTER BOB McKENZIE SAYS DOMESTIC WORKERS TO BENEFIT FROM PROPOSED LABOUR REFORMS

Ontario Labour Minister Bob McKenzie assured that domestic workers' rights will be included in current proposed reforms to the Labour Relations Act, as well as in any proposed review of the Employment Standards Act and the Occupational Health and Safety Act that are contemplated for next year.

Speaking before more than 350 INTERCEDE members last November 3, McKenzie acknowledged receiving petition letters sent by domestic workers and said he supports the goals of their petition.

In a giant petition signed during the October Annual General Meeting of INTERCEDE, domestic workers sought an end to discrimination under Ontario's labour laws, including their exclusion from the right to form unions or from the right to refuse harmful or dangerous work.

McKenzie recalled how he has spent the last 15 years in the government opposition speaking on behalf of workers', including domestic workers' rights. He described domestic workers as "a uniquely vulnerable sector in Canadian labour" that needs more attention when reforms are introduced to improve provincial labour legislations.

A discussion paper from McKenzie's ministry entitled "Proposed Reform of the Ontario Labour Relations Act" states that continuing to deny domestic workers the right to organize a union and to bargain collectively "cannot be justified".

Excluding domestic workers from the Labour Relations Act cannot be justified even if, because they work alone, they may not really be able to have "effective access to collective bargaining arrangements," according to the paper.

Come to INTERCEDE's MEETING AND CHRISTMAS PARTY on Sunday, December 1, from 3 to 8 p.m. at the Cecil Community Centre, 58 Cecil Street.

2-3 p.m. - Processing of applications for membership

3-4 p.m. - Meeting and announcements

4-6 p.m. - PROGRAM

6-8 p.m. - PARTY

Amy Go, President of the Ontario Advisory Council on Women's Issues has accepted to be a guest speaker. Also invited are Minister Elaine Ziemba of Citizenship and Commissioner Catherine Frazee of Ontario Human Rights Commission.

Health Mobile Unit will be open. There will be no legal clinic

Minister (cont'd)

McKenzie has asked INTERCEDE to join the consultations being held on his Ministry's proposed reforms. INTERCEDE feels that while removing domestic workers from the exclusion in the Labour Relations Act is a significant gesture, domestic workers should not be patronized with a "token right" that does not change their situation in a concrete way.

"After waiting for a long time to have domestic workers' right to organize recognized, it would be ironic if those rights are granted but cannot be exercised in any significant way," said Fely Villasin, INTERCEDE Coordinator, "therefore any proposed reform to the Labour Relations Act must already include measures that would give domestic workers effective power in collectively negotiating wages and conditions".

The Employment Standards Act will also be reviewed and the Labour Minister invited INTERCEDE's participation in this process. McKenzie heard domestic workers describe how both the Federal requirements of the FDM such as living-in and the weakness in his Ministry's enforcement of labour laws translate in their everyday lives.

In response, McKenzie mentioned the need to sit down with representatives of the Federal Government to look at the contradictions in the FDM. Domestic workers cited how labour discrimination arise from this program such as

lack of enforcement mechanisms to assure standards of room and board or inhibitions that prevent domestic workers from filing labour claims because of the forced live-in.

McKenzie asked the audience to support the labour reforms being pushed by his Ministry. When he warned that there's a long way to go because of confrontations between management and labour, McKenzie's audience showed their enthusiasm in supporting any effective proposals that would improve their lot as workers in Ontario. Enid Singh, INTERCEDE Board member, assured McKenzie: "We will do all we can so that labour laws are changed in our favour, and if the Minister needs our support to bring about those changes, we will be there."



RENEW YOUR MEMBERSHIP FOR 1992!

Members who applied in January 1991 whose Member ID Number is from 1 to 758 must renew their membership if they want to continue to be on INTERCEDE 1992 List of Members.

MEETING OF DOMESTIC WORKERS FROM THE CARIBBEAN

Sunday, January 19, 1991 3 - 5 p.m.

at INTERCEDE, 489 College St., Rm. 402
(take Bathurst Subway then Bus 511 to College & Bathurst)

Call 324-8751 for more information

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 Grants Review Board for their continuing support.

RENEWAL SUBSCRIPTION: (only until Dec. 1992)

NEW SUBSCRIPTION: **CHANGE OF ADDRESS:**

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

Please send DOMESTICS' CROSS-CULTURAL NEWS to:

MEMBER ID NUMBER: NAME:

ADDRESS:

CITY/PROVINCE:

POSTAL CODE: TELEPHONE:

YEARLY SUBSCRIPTION RATES:

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

QUESTION AND ANSWER

Q. *My employer lets me work only 40 hours instead of the legal minimum 44 hour week. Can I ask my employer to increase my hours to 44 hours a week?*

A. If you are working at minimum wages, your income will be lower if you work only 40 hours a week and since the FDM prohibits domestic workers from working part-time with any employer other than the one mentioned in their employment authorization, you can't add to your income by taking part-time work. Explain this to your employer when you negotiate to work a 44-hour week.

Q. *I arrived in Canada on Sept. 23, 1990 but the Visitor's Visa stamped on my passport before I left Singapore is dated July 19, 1990. What date should I consider my second year anniversary for the purpose of my application for permanent residence?*

A. Your second year anniversary from your entry to the FDM is Sept. 23, 1992 and that is the day on which you will file your application for permanent residence.

Q. *I have been in Canada one year and three months under the FDM. I have bought a house since. Can I apply for permanent residence now?*

A. It's obvious that you have already fulfilled one of the seven criteria in the FDM to become landed which is financial security. However, you still have to complete two years in the FDM before you can apply for permanent residence. In addition, you will have to meet the other criteria such as a satisfactory employment record, social adaptation, personal suitability, and skills upgrading. You also continue to be subject to FDM requirements such as working as a live-in domestic worker until you get an open employment authorization.

Q. *Must I continue to stay with my current employer during the four to eight week-period before I receive my open employment authorization? Can I move on and work other than as a domestic worker with a new employer at this time?*

A. This is a very awkward period when you have not yet received your open employment authorization but you already want to leave your current employer and to accept work that is not domestic work.

We are trying to get a clear position by Immigration on this type of situations. Usually an employer is not willing to renew the work contract of a domestic worker who has finished her second year in the FDM because the worker will begin processing her permanent residence and she will get a work permit that is not specific to domestic work. Meanwhile though, the worker can't work anywhere until she receives her open employment authorization.

In this situation, some domestic workers leave the employer and wait, without work and wages, before looking for another job. They will be lucky if an open employment authorization arrives early. But there are those who have waited up to three months!

What therefore happens usually is that domestic workers are forced to renew their contracts for another year, and if they leave when their open permit comes, ill feelings and other problems are generated with their employers.

Q. *My second year anniversary is Dec. 17, 1991 but my current employment authorization expires Jan. 25, 1992. Apart from paying \$350 for my application for permanent residence, plus \$75 for an open employment authorization, should I be paying an additional \$75 for an employment authorization before Jan. 25?*

A. This is another awkward situation when we are not sure when the open employment authorization will arrive in the mail. If you don't get your open employment authorization by Jan. 25, 1992, that means you will technically not be legally authorized to work in Canada from Jan. 26.

Therefore, you would want to be on the safe side and apply to renew your employment authorization two weeks before Jan. 25 - and this means paying the additional \$75.



STAFF NOTES

Receiving thanks...

from Network Coordinator Vina Bugayong of Kanlungan Center Foundation in Manila who wrote to thank INTERCEDE for contacting Demma and getting her in touch with her family.

Giving thanks...

for their help in organizing INTERCEDE outreach, thanks to Linda Mckerr's efforts in Peterborough, to Beth Telleche of London's Cross-Cultural Learner Centre and Josie Aranque of Fil-Can Association of London, and Carol Avertich, ESL teacher at Thornlea Secondary School. Coco And Eva thank specially Leah Guion, INTERCEDE facilitator who assisted in the out-of-town meetings.

to the facilitators at the Nov. 24 newcomer orientation: Zeny Reyes, Magda Ibe, Pura Velasco, Winnie Caber, Merilyn Santos, Eva Alcantara, Ma. Sherry Lacson and Vilma Mora. Special mention to Zeny's group who arranged lunch with Mayette's Restaurant.

to Rene Santiago and Consolidated Parcels for storing our orientation kits and assisting us in sending these kits to domestic workers in the Philippines.

Reminding you...

that Christmas Day, Boxing Day and New Year's Day are statutory holidays all domestic workers are entitled to. You can take those days off with pay if you have been employed at least three months.

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
Workers' Compensation	927-9555
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, Ont
Time:	Monday - Friday, 9 a.m. - 4 p.m.
Telephone:	(416) 324-8751

INTERCEDE STAFF

Coordinator/Editor:	
Counsellor:	
Admin. Asst.:	

DOMESTICS' CROSS-CULTURAL NEWS

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

FIRST CLASS