

# DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

December 1992



(INTERCEDE)

## YOUR RIGHTS AS A TENANT

The tenant-landlord relationship is one of unequal power. For domestic workers this power imbalance is even worse because the landlord is usually also the employer. There are laws to protect you.

In Ontario the amount of rent the landlord charges is strictly controlled by the Ministry of Housing through its Rent Control Laws. The landlord can only increase the rent once a year. Tenants must be given 90 days notice in writing of any increase in rent. Thereby giving the tenant the opportunity to find another place to live if the increase is too high. The tenant is required to give 60 days notice in writing.

If your landlord is charging "illegal rent" the Ministry of Housing can help you get back the money without having to go to Court. Damage deposits, key deposits and other charges are strictly prohibited. Your landlord can only charge you first and last rent when you move in. A landlord cannot force you to provide 12 post-dated cheques and must pay you 6% of your last month's rent deposit each year.

The landlord is responsible for keeping your home in a good state of repair including cockroaches, heat, water and security. If your landlord is not living up to their responsibilities contact City Hall. An inspector will be sent to look at the problem and order the landlord to make the necessary repairs.

Ontario has a special Court that deals only with landlord and tenant issues. You do not need a lawyer and this Court is fairly cheap and fast. A legal clinic can provide you with the required forms, give advice about what you should expect and say to the judge if you decide to take your landlord to court. Going to court may be faster than going to the Ministry of Housing.

Tenants have the right to privacy. A landlord must give a tenant 24 hours written notice before they enter your room, house or apartment unless it is an emergency.

A landlord can require that you sign a lease when you begin your tenancy. You should contact a legal clinic before you sign. Once your first lease has expired you do not have to sign another or move out. You can stay indefinitely unless you do something wrong, do not pay the rent or if your landlord truly needs the space for themselves or their immediate family. Contact your legal clinic for advice.

The landlord can only attempt to evict a tenant if a specific provision of the Landlord & Tenant Act has been violated. These provisions include overcrowding, not paying rent, damaging property and not paying for it, disturbing other tenants, engaging in "illegal acts" etc.

The landlord cannot evict a tenant unless there is an Order from the Court and only the Sheriff can carry out that Order. The main idea behind this is that housing is a basic right which can only be taken away after careful consideration from an unbiased body; the court.

If you cannot pay the rent a legal clinic can help you delay the eviction for a period of time until an alternative accommodation is found. The landlord must follow the step by step procedure as required by the law to evict a tenant.

As domestic workers in Canada you are not only vulnerable to abuse as women and as immigrants but also because you are required to live in the home of your employer. If you share the bathroom or kitchen with your employer/landlord then you may not be

Let's party at the monthly meeting on **Sunday, December 6, 1992** at 58 Cecil Street (just south of College near Spadina), 3-6 p.m.

2-3 pm New Member Applications and Renewals. Members with ID numbers 2176 - 92-15 must renew or be dropped from members list.

3-6 pm **CHRISTMAS PARTY**  
Program and Exchange Gifts (not less than \$5)  
Evaluation of INTERCEDE's activities  
Refreshments

CLASP Legal Clinic open during the meeting.

*MERRY CHRISTMAS AND HAPPY NEW YEAR TO ALL!*



protected by some of the laws mentioned above.

The recent amendments to the Labour Relations Act making it possible for domestic workers to form a union and the alternative collective bargaining model to follow will help your voices to be stronger and louder thereby making it much more difficult to ignore by those writing the housing laws.

Legal clinics, like Metro Tenants legal Services must recognize their responsibility to advocate on behalf of domestic workers to help expose your present situation. We must work harder to change the laws in order to reflect the needs of domestic workers.

*Thank you to Sam Kuhn, Community Legal Worker at Metro Tenants Legal Services for speaking at INTERCEDE's November monthly meeting.*

## NEWSBITS - PAST AND FUTURE

OLRA Amendment will allow domestic workers to unionize. Bill C-40 passed in the Ontario provincial parliament giving impetus to INTERCEDE members' efforts to create effective mechanisms for enforcing their employment rights and negotiating improved conditions and benefits.

Despite much opposition from groups working with immigrants and refugees, amendments to the Immigration Act were passed. Canada's image as a country that cares for immigrants and refugees will change with the passing of Bill C-86. With these amendments,

### REUNION HISPANA ORIENTACION EN LA PROGRAMA DE "LIVE-IN CAREGIVER"

INTERCEDE invita a las trabajadoras hispanas a una reunion sobre sus derechos en el trabajo y sobre los requisitos de inmigracion

el dia de 24 Enero 1993 desde 10:00 am a 5:00 pm  
Cecil Community Centre, 58 Cecil Street (cerca de College y Spadina)

**CALLING ALL FACILITATORS**  
**MEETING ON SUNDAY, DECEMBER 13, 1992**  
**10 am - 4 pm**  
**489 College Street, Room 402**  
**Please call 324-8751**

terms and conditions will be imposed on immigrants to determine where they can live in Canada, something like the conditions imposed on foreign domestic caregiver workers now under the LCP; refugees can be turned away at the border without being given the chance to prove they are genuine.

Pieces from "Racism Hurts Us All" presented by INTERCEDE members (Sherry Lacson, Elisa Bisenio, Nieves Andogan, Emilie Ellone) met rave reviews from participants of the Moment Project Anti-Racism Workshop. "Great"... "illustrated points about racism"... "revealing"... "play was excellent"... these were some of the comments received from the audience.

INTERCEDE workshop at CRIAW conference elicited lively discussions and active participation. Participants talked about difficulties with the live-in requirement and delays in processing of permanent resident applications up to four years. Raquel Edralin Tiglaio, a Filipina representative from the Women's Crisis Centre in Manila appealed for concrete actions of solidarity to improve the condition of migrant women selling their labour overseas.

We wish to thank the Employment and Immigration Canada (Immigration Settlement and Adaptation Program); Secretary of State; Multiculturalism and Citizenship; 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.

### TO ALL SUBSCRIBERS (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 DECEMBER, 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 : \_\_\_\_\_  
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YEARLY SUBSCRIPTION RATES :  
INTERCEDE Members : FREE Non-member Domestic : \$20.00  
Non-Profit Organizations: FREE Others : \$25.00



The Caribbean Group of INTERCEDE crowded the office space at 489 College during their potluck party on November 15. LCP participants launched a "Reunion Hispana" on November 22 with 14 women and one man coming from Chile, Colombia, Mexico, Venezuela, Peru...

INTERCEDE's new Board will be joined by Staff members in an all-day orientation on Sunday November 29. On the same day, Jacinta Johnson will lead a Financial Planning workshop for domestic workers at Times Change.

INTERCEDE office will be closed from December 25, 1992 to January 1, 1993. It will reopen on Monday January 4, 1993. The INTERCEDE monthly meeting in the new year will be on Sunday, January 10, 1993.

### INTERCEDE'S BOWLING DAYS

DEC 5 & 12

1 pm - 4 pm

Thorncliffe Bowlerama  
Thorncliffe Park Drive  
(Pape Subway, Thorncliffe bus)

\$7 per 3 games

For info, call 324-8751

## WARNING AGAINST ADS OFFERING FAST LOANS

Beware of advertisements in ethnic newspapers offering easy or fast loans!

A number of domestic workers needing to borrow money urgently have been making complaints that they are not able to recover service fees up to \$300 for loan applications that have not been granted.

Enticed by advertisements of easy or fast loans, domestic workers pay the service fees up front, then are told they don't qualify after being asked to meet what they say are unreasonable requirements including finding loan co-signers.

But when they decide to withdraw their loan applications they don't get a refund for the service fee and are told they had signed to this effect.

So we have domestic workers who thought they would be able to borrow money quickly then found themselves up to \$300 shorter than when they started.

Our advice:

- READ and UNDERSTAND before signing anything and keep a copy.
- ASK, ASK, and ASK AGAIN and know what agreements you are getting into
- Call INTERCEDE and report any questionable practices.

Advertisements for special offers and discounted prices for memberships to book, tape, and health clubs, etc. can spell trouble for workers who are unable to send

Dance the night away at

### INTERCEDE CHRISTMAS DANCE PARTY

Saturday, December 19, 1992

7 pm - 1 am

PRIMROSE HOTEL

Pearson Ballroom

111 Carlton Street

(corner Jarvis, east of College Subway)

Music by DJ PLAYHOUSE

Sandwich buffet included in \$15 TICKET

attire - semiformal

**GET YOUR TICKETS NOW!**

back order cards and are therefore charged for goods they did not order.

Misunderstanding the undertaking you make when filling membership forms and ordering discounted goods leads to credit problems and credit collection hassles.

Be cautious about mail-dependent transactions; you must inform about your change of address or write a letter to discontinue whatever undertaking you made.

### COCO'S NOTES

by Columbia Tarape-Diaz

#### Carolyn fights odds..

Little did Carolyn Sacro suspect when she arrived in April 1989 that she would find herself fighting a serious illness today. She has been diagnosed with Lymphoma (non-Hodgkins).

Carolyn underwent chemotherapy and other treatments that have often left her weak. But despite these odds, Carolyn thinks positively and has these reminders to LCP participants:

- seek out information, know where to get assistance
- keep in touch with friends for moral and emotional support
- take care of your health and know about maintaining good health
- save money for your own needs as well as emergencies.

Carolyn is aware that majority of the workers in the LCP support families. But she cautions, don't send all your earnings, save enough for yourself.

She is no longer able to work at this stage of her illness and she receives UI and assistance from the Ontario Cancer Society.

INTERCEDE asks readers to include Carolyn Sacro in their prayers so that she may be blessed with recovery.

MEETING FOR

### CARIBBEAN DOMESTIC WORKERS

SUNDAY, Jan 24, 1993 3 pm - 5 pm

INTERCEDE, 489 College St., Rm 402

CALL 324-8751 for information



## GOING CHRISTMAS SHOPPING ? BE CAREFUL . . . .

At this time of year, we are all busy Christmas shopping for friends and family. It is important to remember to pay for every item selected from a store before passing the cashiers' counters.

It is standard policy of stores to prosecute in the criminal court any person who leaves the store without paying for an item.

Even if that person is able to pay for the item after being caught, the store security will press charges.

It is also a criminal offence - fraud - to change or put a different price tag on an item purchased.

If convicted for shoplifting or fraud, a person will have a criminal record. A criminal record will make it difficult for anyone to find new employment, leave and enter Canada, or become a Canadian citizen. If someone in the LCP is charged for the above crimes, her status can be affected and she may not be able to look for work until after her case is settled.

Persons who have been convicted of a crime can apply to have their names cleared of a criminal record five years after the conviction.

## QUESTION AND ANSWER

**After working three years with an employer, I was not paid holiday pay and my last two weeks pay even after I had given two weeks notice. Now the employers are asking me to return gifts of jewelry they gave me for my birthday and Christmas. Am I obliged to return them?**

**Answer:** You have the right to claim for unpaid holiday and the two weeks that you last worked. You don't have to return the gifts given you as they were not in payment for anything but were gestures of appreciation for your work performance or your presence in the household.

**My contract is expiring together with my employment authorization. Meanwhile I have applied for an extension of this authorization. Since I have no employer yet, I would like to visit my sister in the U.S.**

**Answer:** You have three months extension of your employment authorization to look for work - NOT to travel outside Canada. Under the LCP, if a worker has to travel, it is usually best to have a letter from the employer saying she is employed and is expected back at work. Since you have no employer now, it is best to wait before going outside Canada. If after three months you still have not found a new employer, you can apply for another three months extension.

**Do I need to apply for a new employment authorization even if my new husband who is a Canadian citizen has already filed to sponsor me and I have already filed an application for permanent resident under his sponsorship?**

**Answer:** It is important that you have valid documents to stay in Canada. If you no longer want to renew your employment authorization under the LCP because you are no longer intending to work as a live-in caregiver, you should still apply for a visitor's visa. This is the document that allows you to remain in Canada while awaiting processing of your landed status.

**What holidays am I entitled to this Christmas?**

**Answer:** If you have been employed for at least three months, you have right to the following holidays with pay: Christmas Day, Boxing Day and New Year's Day. If you are made to work during any of those days, call INTERCEDE about how you should be compensated or consult your Newcomers Orientation Kit if you have one.

## APPEAL FOR DONATIONS

We request Members and Friends to send a New Year donation towards INTERCEDE's programs and activities, including the production of this newsletter.

Your contribution will demonstrate your commitment to INTERCEDE's mandate to improve the immigration status and employment condition of women who do caregiving and domestic work in Canada.

### INTERCEDE SERVICE UNIT

Place : 489 College St., Suite 402, Toronto, Ont.  
Time : Monday - Friday, 9 am - 4 pm  
Telephone : (416) 324-8751 Fax No. 324-8790

### INTERCEDE STAFF

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