

DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

February 1990

Intercede's Recommendations To Change the FDM

GOOD ENOUGH TO WORK -- GOOD ENOUGH FOR EQUAL RIGHTS

INTERCEDE has submitted a report with recommendations to Immigration Minister Barbara McDougall seeking changes to the Foreign Domestic Movement program (FDM).

With this submission, INTERCEDE is hoping that the review of the FDM being conducted by Immigration will take into consideration these recommendations as well as those made by other groups concerned with domestic workers' rights such as the West Coast Domestic Workers' Association (Vancouver) and the Household Workers Association (Montreal).

INTERCEDE's recommendations are based on preliminary findings from a study that has so far involved the participation of about 774 foreign domestic workers in a written survey, personal interviews and workshop discussions. This study and recommendations are also based on problems and concerns expressed by client domestic workers who have been served at INTERCEDE's service unit.

From the information accumulated, INTERCEDE concludes that the FDM is discriminatory to a group of predominantly visible minority women, and discriminatory against workers involved in domestic work - work that has traditionally been accorded low status.

"In attempting to help solve the crisis of childcare and domestic work in Canadian society, this (FDM) program has created new problems and new victims," according to the study.

INTERCEDE considers the specific conditions of the FDM program (which require foreign domestic workers to live-in the home of the employer, restrict their movement to other employers and other jobs, and impose specially difficult requirements for landing) discriminatory in the sense that these conditions do not apply to any other group of immigrant workers.

Furthermore, the consistently high and increasing demand in Canada for the services of domestic workers does not justify the temporary worker status they are given, but rather supports an argument for permitting more relaxed admission criteria for them.

Members of INTERCEDE have consequently discussed and confirmed their commitment to the following recommendations.

RECOMMENDATION 1: That "living-in" be made an option and foreign domestic workers not be required to live in the home of the employer. Like any free adult person in Canadian society, a domestic worker should be given the right to choose her place to live.

The FDM program requires foreign domestic workers on temporary work authorization to live-in the home of the employer during the first two years of their stay in Canada. This requirement directly affects the private, personal and working lives of domestic workers. This requirement does not apply to any other group of workers or immigrants in Canada. §§

***Come to INTERCEDE's monthly meeting on Sunday, February 4, 1990
from 3 to 5 p.m. at the Cecil Community Centre, 58 Cecil Street.***

***We will continue discussion of our recommendations for the FDM. Guests at
the meeting will be Jane Armstrong, organizer of Canadian Auto Workers'
Union, and Carolyn Egan, member of the executive committee, Women Working
with Immigrant Women.***

CLASP legal clinic will be open and there will be INTERCEDE Counselling.

RECOMMENDATION 2: That Employment and Immigration lobby provincial governments to introduce measures that would treat the home of the employer as a regular workplace where health and safety and employment standards should apply. Where domestic workers live-in, there should be regulated standards of room and board and a clear definition of work and off hours.

Because of high costs of rent or transportation, some domestic workers said they might choose to live-in the homes of their employers, but specified that they would do so only if their hours of work were strictly defined and respected and if they were assured of privacy.

This means that all work during their off hours should be considered compensable overtime, including responsibilities that their employers often do not consider as work such as watching sleeping children when employers are out at night or watching the house when employers are on vacation. This means that a domestic worker can have a lock to her room and would not be disturbed during off hours. §§

RECOMMENDATION 3: That Employment and Immigration Canada stop requiring foreign domestic workers to obtain a release letter from their employer as a condition for issuing new work authorization.

RECOMMENDATION 4: That Employment and Immigration Canada not restrict domestic workers in their choice of employer or term of employment. Domestic workers should be as free as are other groups of immigrants in Canada to change their employers and not to have to account to any government body for the reasons for such change.

The work permit issued to foreign domestic workers restrict them to domestic work with a specific employer and is renewable every year. If the domestic worker wants to change employers before the year is up, Employment and Immigration requires that the worker obtain a release from the current employer before being allowed to look for another employer. This requirement creates a system of indentured service in which the worker is essentially bonded to the employer.

Also, the foreign domestic worker must meet the criteria of a "satisfactory" employment record when being assessed for landed status. This essentially forces workers to tolerate abuses for fear of jeopardizing their chance to become landed immigrants if they have had two or three employers too many within the period of two years.

These restrictions on job mobility and on freedom to choose employers do not apply to any other group of immigrant workers. According to domestic workers, Immigration Canada assures the protection of employers at the expense of limiting the freedom and rights of domestic workers; and in a dispute between employer and domestic worker, the Immigration officer usually takes the word of the employer over that of the worker. §§

RECOMMENDATION 5: That Employment and Immigration Canada stop issuing temporary employment authorizations to foreign domestic workers, but instead provide domestic workers with permanent residency status upon landing.

RECOMMENDATION 6: That Employment and Immigration Canada give ten points out of ten, or the maximum points to domestic work in the occupational demand category during the assessment of domestic workers for landing. This way, these points would correspond to the actual demand for domestic workers in Canada.

RECOMMENDATION 7: That programs available to other immigrants such as language training, skills upgrading, etc. be available to domestic workers.

We wish to thank Employment & Immigration Canada (Immigrant Settlement & 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 financial support.

NEW SUBSCRIPTION:	<input type="checkbox"/>	CHANGE OF ADDRESS:	<input type="checkbox"/>
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	\$ 5.00
Non-Profit Organizations	FREE	Others	\$10.00

Special criteria used to evaluate domestic workers' qualification for landing within Canada do not apply to any other group of independent class immigrants whose occupations are in high demand. Foreign domestic workers are assessed on such criteria as "upgrading" (enrolment in various courses), demonstrating "social adaptation" through performance of volunteer work and membership in organizations, and proving "financial security" through their saving habits.

Requiring volunteer work and saving money when domestic workers have limited free time and income is expecting them to be "superwomen". Requiring them to enroll and pay for courses, besides being a drain on their income, leaves the impression that they must prepare for occupations other than domestic work if they want to qualify for landing. §§

RECOMMENDATION 8: That Employment and Immigration Canada ensure that there is no discrimination against domestic workers with spouses or dependent children during their assessment for permanent landing.

In the present implementation of the FDM, a bias exists against married women and women with dependent children that puts pressure on such applicants not to acknowledge their real marital status or dependents - this situation does not apply to any independent male immigrants. §§

RECOMMENDATION 9: That Employment and Immigration Canada institute a system of orientation which would inform foreign domestic workers, prior to their arrival in Canada, about the FDM or what replaces it, about their contracts, conditions of work, human and employment rights, and community services specifically related to women.

RECOMMENDATION 10: That Employment and Immigration Canada continue providing information to domestic workers about their rights, over the phone if needed, after their arrival in Canada. It should be made clear that such information is provided and addresses and telephone numbers of Employment and Immigration offices should be provided.

That Employment and Immigration Canada also ensure that employers of domestic workers are informed about the employment and human rights of their workers. §§

RECOMMENDATION 10: INTERCEDE urges Employment and Immigration Canada to fund non-profit community organizations that would do education and advocacy work for domestic workers in many localities.

In interviews with domestic workers, most of them revealed that they lacked orientation and had little information about the FDM, their contracts and their conditions of work and employment rights when they arrived. After arrival, they found difficulty obtaining information or clarifying issues. Given their isolation, this lack of access to information leaves domestic workers vulnerable to the abuses they now suffer. §§

Our conclusion is that the difficult requirements under the FDM program places the burden of the present crisis in childcare in Canada on the backs of a group of immigrants, majority of whom are visible minority women; and that the indentured status imposed on them contradicts with the twentieth century standards of human and working rights and with basic principles of justice and equality.

Appeal For Your Support

We must accord foreign domestic workers equal rights with other immigrant workers entering Canada. This is the essence of INTERCEDE's recommendations to Employment and Immigration Canada.

We are appealing for your support of INTERCEDE's recommendations to change the Foreign Domestic Movement program. Please read these recommendations and write a letter of support addressed to:

Hon. Barbara McDougall
Minister of Employment and Immigration
Ottawa, Ontario K1J 0J9

Please do not forget to send INTERCEDE a copy of your letter so that we can inform our members of your support. Thank you.

Join Intercede At Women's Day March

Saturday
March 3, 1990
10 a.m. assembly at
Convocation Hall, University of Toronto
(Look for INTERCEDE banner)

MARCH to Jorgensen Hall
Ryerson Institute, Gould Street

This is a day to show women power. All members of INTERCEDE are enjoined to march with their sisters on this day and call attention to the struggle of foreign domestic workers for equality as women and as workers. **BE THERE.**

Life On The Line - at An Immigration Office

Anyone who wants to get a bird's-eye view of what domestic workers go through while waiting at an Immigration office would do very well to be exposed to the situation, specially at the Toronto North CIC at Yonge and Sheppard where the most number of these contract workers go.

They are there - very early in the morning, sometimes by the hundreds. Having left their employer's house as early as 4:00 a.m. to be able to get a "number", some of them are crouched on a bench or slouching on a chair, softly snoring.

A good number of them are Filipino female domestic workers who may meet up with some provincemates and there start a lively round of storytelling, laughing and hitting each other playfully just like they would back home.

Then, from somewhere in the room, a man, also a Filipino, joins the group. He tries to join the fun but before long he is already selling his wares: the beautiful pots and pans with a lifelong guarantee and a gift dinnerware set for four.

He's good at it, so convincing: "Not even your amo (employer) owns one, but imagine if you had this lifetime investment!".... "And by the way, what's your address? I'd like to visit you, just for a chat, like real friends."

He is so interesting to watch, like the proverbial hawk hunting its prey, he views each group of women around with a trained eye, waiting for the proper moment to plunge for the kill.

Across the room, one notices a clean shaven, handsome young man (another Filipino), looking very professional in suit and tie. He is talking intently with a group of newly-arrived domestic workers from the Philippines. If one were to sit beside them, pretending to be asleep, one will learn soon enough that the man is an insurance agent, trying his best to convince the newcomers how important it is to protect themselves from the vicissitudes of fate.

He is very suave, not too insistent, just demonstrating the advantages of an insurance policy. "If you don't mind, and if I am not going to disturb your schedule, may I drop by your place so we can talk some more?", he asks. The women giggle and fidget, they don't know whether their employer will think that's a good idea. "So may I call you instead?", he asks.

And so it goes - for up to 5 - 6 hours for some who are unlucky enough to get a "high number".

But now one of them gets called - and oh thank God, the Immigration officer at the counter turns out to be a female compatriot, a "kababayan" now a Canadian citizen.

Domestic worker: "Hi! I would like to ask for a student permit".

With a severe look, the officer curtly adds for the worker's benefit: "Please, ma'am."

Worker repeats, "Oh I would like to ask for a student permit, Please Ma'am", and hands in her document.

Former compatriot Immigration officer looks at the paper and instructs: "Please put that document facing me."

Worker complies. When asked what she intended to study, worker says "Nursing Aide".

Filipino-looking female officer admonishes: "You should take ESL (English as a Second Language). You have to improve your English."

Needless to say, most of the workers leaving this officer's counter have a sour look.

But, as the woman from the Philippines, now a Canadian citizen and an Immigration officer at that, was heard saying: "You should treat me with respect!"

And so it goes, not just the long line, not just going back sometimes three days in a row, but as well the smooth sales pitch and the severe old-timer's demand for respect - just to get that "paper from the CIC".

Ah, but domestic workers must be strong and determined to fight all the battles of life that are fought - yes, even on the line at the Immigration office - just to stay alive in this cold, cold paradise.

by Sister Chit Bautista

IMPORTANT PHONE NUMBERS

Canada Immigration Centre	973-4444
Employment Standards Enforcement	325-7150
Revenue Canada (Taxation)	869-1500
Immigrant Women's Job Placement Centre	656-8933
Educ & Skills Training Ctr, Labour Council	971-5893
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
Emergency Housing	
Nellie's Hostel	461-1084
Evangeline's	762-9636

Unemployment Insurance	730-1211
Ontario Human Rights Commission	326-9511
OHIP	965-1000
Immigrant Women's Health Centre	367-1388

INTERCEDE SERVICE UNIT

Place: 489 College St., Suite 402, Toronto, Ontario
 Time: Monday - Friday, 9 a.m. - 4 p.m.
 Telephone: (416) 324-8751

INTERCEDE STAFF

Coordinator/Editor: Fely Villasin
 Counsellors: Columbia Diaz
 Teresa Mak

DOMESTICS' CROSS-CULTURAL NEWS

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

FIRST CLASS