

# ***DOMESTICS' CROSS-CULTURAL NEWS***

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

July 1990

## **MARRIAGE, CHILDREN: NO BASIS FOR EXCLUSION FROM FDM**

In 1982, Remedios Taaca came to Canada to work as a domestic worker under the Foreign Domestic Movement program (FDM). After working for a number of years and meeting the assessment criteria for immigrant status, Taaca earned her landed status as a permanent resident in Canada on January 19, 1986.

But four years later, within a matter of thirty minutes, Remedios Taaca's permanent residence was removed on October 4, 1989 at an Immigration Inquiry and she was ordered deported from Canada.

What caused this problem? Taaca failed to inform the Canadian authorities when she first applied under the FDM that she is married and has children. In addition, she again failed to report her marriage and her dependents when she applied for her landed status in 1986.

Taaca had been ill-advised about withholding the correct information regarding her marriage status and her children. She was under the impression that if she told the truth, she would not have a chance of being accepted into the FDM program and this would spoil her chances of going to Canada.

(INTERCEDE believes that this misinformation, that the FDM program is biased towards single women without dependents, is the reason that many foreign domestic workers find themselves lying about their real civil

status and dependents. The fact is that there is nothing in the selection criteria for the FDM that excludes married women or women with dependent children.)

Canadian Immigration authorities alleged that Taaca was granted landed status by reason of "misrepresentation of a material fact" when she withheld information that she is married and has children. Court decisions on the issue of misrepresentation have favoured Canada Immigration against persons who withhold a piece of information on their Application for Permanent Residence. Essentially, the Courts have stated that withholding information prevents Canada Immigration from completing a thorough search of a person's background and, therefore, it is agreed this could potentially jeopardize Canada security and integrity.

Taaca's last hope for being able to remain in Canada was to appeal before the Immigration and Appeal Board. The Appeal Board has the power to consider broad "Humanitarian and Compassionate" arguments on behalf of an appellant like Taaca.

Before members of the Immigration and Appeal Board, three of Taaca's former employers, a family friend, and Columbia Tarape Diaz of INTERCEDE, gave character testimonies in support of Taaca. Taaca herself explained why she had withheld the information about being married with children.

***Come to INTERCEDE's monthly meeting on Sunday, July 8, 1990  
from 3 p.m. to 5 p.m. at the Cecil Community Centre, 58 Cecil Street.***

***CLASP will lead discussions on Immigration requirements and Labour as  
well as Workers Compensation regulations.***

***There will be no INTERCEDE counselling at this meeting.***

She talked about what she had done over the years to improve her work and financial status in Canada, the support she had rendered to her family and what this meant to them.

What impressed the Appeal Board most was the high regard former employers and a family friend held for Taaca. They spoke of her contribution to their families and to Canadian society in general since she worked and related with them. These witnesses convinced the Board that Taaca should be given another chance and that it was in Canada's best interest to have a person like Taaca remain here.

The Board agreed to give Taaca a second chance. However, the Board also clearly stated that it did not agree with any form of misrepresentation Taaca or others have made in their applications for landing. The Board stated further that given Taaca's hard work over the years and the overwhelming show of support in her favour, its members felt her case was deserving of a second chance.

This was an example of a case in which the Immigration Appeal Board took full advantage of its wide Humanitarian and Compassionate powers in order to do the right thing.

Taaca will eventually be allowed to sponsor her family in order for them to join her and continue their life.

*(The above article was contributed by William A. Sullivan, a lawyer in private practice who is also a staff lawyer at the Parkdale Community Legal Services).*

**INTERCEDE Adds:**

Since former CIC North manager, Jim Campbell, spoke at its meeting on June 4, 1989, INTERCEDE has been advising domestic workers who misrepresented their family status when they applied to the FDM program, to write Immigration and declare their real family situation so that they will not have to go through the same problems as Taaca. Campbell had then urged domestic workers who lied about their marital status and dependents to reveal this misrepresentation to Immigration and he had assured that Immigration would deal "sympathetically" with misrepresentations that are not "exceptionally and truly serious".

**It is important that domestic workers under the FDM program reveal any misrepresentation before they apply for permanent residence so that they can avail of some leniency from Immigration. But what would also be more important would be that applicants be made aware by Canadian Immigration authorities abroad that the FDM program will not reject applicants just because they are married women with children.**

**ORIENTATION FOR NEWLY-ARRIVED DOMESTIC WORKERS**

Sunday, September 16, 1990

10 a.m. - 5 p.m.

St. Anne's Parish Church Hall  
corner of Gerrard and Degrassi  
(2 blocks east of Broadview)

Free admission - Lunch provided  
(Limited to 60 participants so please sign up at the July 8 meeting or call 324-8751)

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 financial support.

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: .....

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**YEARLY SUBSCRIPTION RATES:**

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



## INTERCEDE MEMBER APPEALS TO FILIPINO COMMUNITY

When I was new in Vienna, Austria, other Filipinos I met would ask: "You're new aren't you? What do you do?" and, although surprised by the question, I would answer: "Looking for better opportunities, how about you, what do you do?" Discreetly, they would respond: "Here we do 'yours-mine' (nag-iyo-akin), do you want to do the same?"

In short, it was in Vienna that I began to do "yours-mine" (iyo-akin) - a job that I have come to love and respect. Do you know "yours-mine"(iyo-akin)? Take a floor map or a vacuum cleaner, then go "yours...mine, yours....mine, yours...mine."

There are many foreign domestic workers in Vienna but they are unorganized and so are exploited. No one thought of organizing something like INTERCEDE and I think we are so lucky to have a progressive organization of domestic workers, and an equally progressive Filipino community that are sensitive to our needs.

Abroad, we are nurses, doctors, nannies or caregivers...our jobs define our status, income level and our roles in society. People are usually surprised when they learn that I am a "dom-sat" ("domestic satellite"), a DH or "tsimay", labels that don't enhance our well-being.

Since I've become a domestic worker, I've realized that we as nannies, housekeepers and caregivers, have a lot at stake: our self-esteem and self-worth, an identity acceptable to society, and a belief that the work we are doing is justifiable and even desirable.

On behalf of INTERCEDE, I would like to acknowledge and thank you for your help in past struggles and concerns. With your support, we have gained grounds in claiming some of the democratic promises Canada stands for. But the struggle is still on to raise the status of domestic work as an indispensable contributor to the Canadian economy, as a work that deserves respect and should be compensated and protected, just like other types of work by Canadian labour laws.

We would like you to support the recommendations made by INTERCEDE to eliminate

the discrimination against us. In the Foreign Domestic Movement program requirements that do not apply to any other group of women, workers, or immigrants.

We, foreign domestic workers, whose services are in great demand, have no right to determine where we should live, we are required to "live-in" with our employers. This absence of choice causes us many problems such as long working hours, uncompensated overtime, lack of privacy and worst of all, vulnerability to sexual abuse. Unlike other workers in Canada, we are not free to change employers without the required release paper from our previous employer.

To restrict us to stay in a job that is unjustly compensated and has low status is a blatant transgression of our basic human rights. The requirements to get landed such as satisfactory employment record, volunteer work, upgrading and financial security are burdensome and unrealistic. And the consistently high demand for our services justifies letting us into this country as landed immigrants.

If we are good enough to work and pay taxes, then we are good enough to demand for equal rights in this country. Today's celebration theme: "Living in Racial Harmony", is a thought-provoking theme for all of us, specially for us, domestics. For how can we learn to assimilate ourselves harmoniously in this country when our very existence here is not recognized and we feel that we are outside the mainstream of Canadian society?

We would like to challenge you to help us again in our present concern for changes in the FDM that would allow us to live in dignity and equality with all the other workers in Canada. Let the sense of belonging to the Filipino community elevate us all. For a community that does not care about its roots has lost its memory. The farther one looks into the past, the farther one will be able to look into the future.

*(Translated in some parts and excerpted from the speech by Pura Velasco, member of INTERCEDE, at the Philippine National Day celebration at Seton Park on June 9, 1990)*



## TRIP TO NIAGARA FALLS ALL DAY SUNDAY, August 12, 1990

Assembly:  
At Cecil Street Corner Spadina 9:30 a.m.

**BUSES WILL LEAVE AT  
10:00 A.M. SHARP**

**Bus seats reserved only  
for those who have paid.**

**PLEASE BE ON TIME.**

## *all members invited to join* **THE CARIBANA FESTIVAL**

**Saturday, August 4, 1990**

Parade starts at 11 a.m. from Wellington St.  
and ends at Queen's Park

Assembly for INTERCEDE members will  
be at corner Bay and Wellington.

**Look for INTERCEDE banner**

**Join the festival tradition, wear a costume  
that you made or your national costume.**

## CARIBBEAN DOMESTIC WORKERS IN INFORMATION MEETING

Domestic workers from countries of the Caribbean such as Trinidad & Tobago, Jamaica, and Guyana participated in an orientation and information meeting on Sunday, June 24, 1990 at the Boardroom of the Ontario Coalition of Visible Minority Women at 579 St. Clair Avenue West.

Discussion and questions centered mainly on the criteria for landed status and employment rights. Participants raised concerns about the high expectations from them in the immigration requirements especially the financial stability criteria. They said that because most of them send money to their families back home, they find it difficult to be able to save a lot of money to show the Immigration officer during assessment time.

Member and volunteer, Andrea Timoll, gave valuable assistance to INTERCEDE staffers, Coco Tarape Diaz and Karen Serwonka.

Apart from orientation meetings for newly-arrived domestic workers and facilitators workshops for volunteers and members, INTERCEDE has initiated outreach meetings for domestic workers coming from specific regions or speaking the same language such as this information meeting for Caribbean domestic workers and outreach to Spanish-speaking and Chinese-speaking domestic workers.

INTERCEDE's counselling staff speak English, French, Spanish, Pilipino and Chinese (Cantonese and Mandarin). This is appreciated by clients who prefer to be served in these languages. This has also made it possible for INTERCEDE to conduct a series of language-specific outreach to domestic workers.

## IMPORTANT PHONE NUMBERS

Canada Immigration Centre	973-4444
Employment Standards Enforcement	326-7160
Revenue Canada (Taxation)	869-1500
Immigrant Women's Job Placement Centre	656-8933
Educ & Skills Training Ctr, Labour Council	971-5893
<u>Legal Services</u>	
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
<u>Emergency Housing</u>	
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

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