

DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

July 1992



(INTERCEDE)

No more upgrading, volunteer work other requirements

ONLY ONE CRITERIA FOR PERMANENT RESIDENCE COMPLETE 2 YEARS LIVE-IN WORK

Participants in the old Foreign Domestic Movement (FDM) program as well as those entering Canada under the new Live-In Caregiver (LCP) program will be eligible for permanent resident status based on only one criteria: if they have completed a total of two years of full-time live-in domestic work.

In other words, all foreign domestic workers who apply for permanent resident status from April 27, 1992 have to meet only one single criteria instead of the past seven. The single criteria is that they worked a total of two years as live-in domestic workers. This information is contained in an Operations Memorandum from Employment and Immigration Canada.

From April 27, 1992, all foreign domestic workers:

- are not obliged to do volunteer work;
- are not obliged to enrol in any school course to do upgrading;
- are not obliged to show Immigration their bank book to prove financial security;
- are not obliged to be members of any organization;

Cont'd Page 2 - Live-in Work

NAC RESOLUTION: PERMANENT RESIDENT STATUS, NO MANDATORY LIVE-IN FOR FOREIGN "CAREGIVERS"

The broadest Canada-wide coalition of about 550 women's groups passed a resolution in support of INTERCEDE's proposal that women from outside Canada who accept to perform domestic labour and care-giving work must be admitted as permanent residents and must have the choice to live-in or live-out of their employer's home.

In passing this resolution, the National Action Committee on the Status of Women (NAC) acknowledged the discriminatory and racist aspects of the admission and work requirements of the Federal Immigration's new "Live-in Caregiver program" that took effect on April 27, 1992.

The resolution was among several passed at the 20th anniversary annual meeting of NAC that directly affected immigrant and racial minority women, and was the subject of questions posed to members of the three political parties during a lobby held on Parliament hill at the end of the meeting.

Pura Velasco, INTERCEDE president, said she was inspired by the overwhelming support given by the more than 400 women at the NAC annual reunion. "Also, for the first time I was able to ask a question that I have always felt in my heart; during the lobby with the Progressive Conservative Party, I asked Mary Collins

Cont'd Pg 2 - NAC Resolution

Come to INTERCEDE's Monthly Meeting on Sunday, July 5, 1992, from 3-5 pm at Cecil Community Centre, 58 Cecil Street (south of College, east of Spadina).

2-3 pm New Member applications and renewals

*3-5 pm WHAT YOU SHOULD KNOW ABOUT THE NEW LIVE-IN
CAREGIVER PROGRAM*

*by Ingrid Gonsalves, Immigration Officer
North York Canada Immigration Centre*

Members with ID nos. 1794-1826 must renew or lose their membership.

From Pg 1 - Live-in Work

Domestic workers in the old FDM performed all of the above to be able to meet the criteria for permanent resident status such as upgrading, social adaptation, financial security and personal suitability.

Now, all they need to prove is that they have worked as a live-in domestic worker for a total of two years by showing any of the following: a Statement of Earnings from employer(s); or T4 forms; or Record of Employment; or a "statutory declaration" of employment.

However, Immigration officers are instructed that the two years of employment does not include time taken for vacation, sick leave, or any period spent outside of Canada or any period of unemployment. For example, if a domestic worker spent one month on vacation in her home country or if she were sick for that period, that month will not be counted as part of the two years employment period required.

INTERCEDE has been critical of the past criteria because they were specially difficult and they conflicted with the pressures of the live-in requirement and live-in work conditions. In addition, such criteria as upgrading, for example, gave the signal that it was not acceptable for domestic workers to remain in domestic work and that they must upgrade to get out of it. Worse yet, domestic workers spent thousands of dollars out of their minimum wage to enrol in expensive courses thinking that doing so assured they were meeting the upgrading criteria.

FACILITATORS WORKSHOP
 Sunday, July 19, 1992
 10 am - 5 pm

Centre for Christian Studies
 77 Charles Street
 (Bay Subway, south of Bloor, west of Bay)

From Pg 1 - NAC Resolution

(Minister Responsible for Women's Issues): 'How would you feel if you or any member of your family were forced to work as a domestic worker under the terms and conditions imposed by your government?' " Velasco said.

"Our issues were addressed in many of NAC's work," Velasco added, "whether it was the Women's Agenda, the future of women's work, the No means No Law campaign, the fight to revive the court challenges program, global strategies in the face of economic restructuring... we were included." Velasco also noted the increased number of racial and visible minority women in the meeting as compared to last year's.

INTERCEDE's coordinator, Fely Villasin, has been a member of NAC's Executive since last year. She is one of five racial minority women on the 23-member executive and co-chaired the 52% Solution Campaign that produced the "Women's Agenda", an evolving document of principles meant to serve as a guide to a women's movement for change.

ANTI-RACISM WORKSHOP
 Sunday, July 19, 1992
 1 pm - 5 pm

Centre for Christian Studies, 77 Charles Street
 (Bay Subway, south of Bloor, west of Bay)
 Register now Tel. 324-8751

We wish to thank the Employment and Immigration Canada (Immigration 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.

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 JULY, 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 :

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	\$20.00

RIGHT OF DOMESTIC WORKERS TO UNIONIZE IS PART OF OLRA AMENDMENTS TABLED

On June 4, the Ontario Minister of Labour introduced amendments to the Ontario Labour Relations Act (OLRA) that include giving domestic workers the right to organize a union.

The reaction from a coalition of women and groups including INTERCEDE was that the amendments were modest and long overdue. Unless there are effective mechanisms in place, for example, domestic workers and home workers in the garment industry, may not see terribly dramatic changes in their work conditions.

That is why the coalition feels the proposed amendments should be passed quickly and more reforms introduced such as: reforming the Employment Standards Act (ESA); rigorous enforcement of the ESA and OLRA; and constituting a task force on broader-based bargaining.

In an INTERCEDE meeting where the OLRA changes were discussed, members favoured the idea of a "central registry" that had the legal right to contact domestic workers, to bargain for them and represent them in disputes with employers.

"What's the use of having a legal right to unionize if in reality we can't act because we work alone in a home and have no means to bargain collectively?" they asked.

Jane Bertrand, president of the Ontario Coalition for Better Child Care, said: "While the government has taken a step in the right direction with the current reform, there are other steps needed to improve the organizing situation for the most exploited women in Ontario's workforce."

INTERCEDE SUMMER DANCE

Saturday, August 8, 1992
7 pm - 1 am

Pearson Ballroom, Primrose Hotel
111 Carlton St. corner Jarvis
(East of College Subway)
DJ: Playhouse

Tickets : \$15

SUPPORT INTERCEDE'S FUNDRAISING

QUESTION & ANSWER

Q. Will someone who is a nursing graduate qualify under the new Live-In Caregiver program (LCP)?

A. We think that a nursing graduate should qualify to come under the LCP if she is accepting a job to take care of children, an elderly person, or someone who is disabled, because a nursing course may be considered as formal training related to live-in care. Under the LCP, no amount of experience alone, without the equivalent 6-month formal training in live-in care, will qualify someone.

Q. Is it true that we can only apply for permanent resident status after two years of live-in domestic work and not on the second year anniversary of our arrival in Canada?

A. Yes, from April 27, 1992, all participants in the Foreign Domestic Movement (FDM) program and the Live-in Caregiver Program (LCP) should send their application for permanent residence after completing two years of live-in work, not just after the two years of arrival in Canada.

Q. Is it true that an employer will have to advertise for a live-in caregiver and try to find someone in Canada first before he can offer employment to someone from outside Canada?

A. An employer must first show he advertised for a live-in caregiver and performed a search in Canada before being allowed to offer employment to someone from outside Canada. Other requirements are that the employer must explain why he needs to hire a live-in caregiver; he must complete an application for a foreign live-in caregiver and provide a Revenue Canada Taxation number; and prove he has a combined income of \$65,000.

Q. My employer lost his job but wants me to continue working under an arrangement where he will give me my net salary without submitting the amount of my tax payment to Revenue Canada.

A. Your employer is legally obliged to pay you minimum wage of \$6 an hour. He is obliged to deduct taxes, UIC and CPP from your gross salary, and remit these deductions to Revenue Canada together with his own contributions to your UIC and CPP.

You are losing in this arrangement because what used to be your net salary will now be your gross salary, meaning you are now being paid less

than minimum wage. At the same time you still have to pay taxes and contribution to UIC and CPP out of your lower salary or else you will have a problem when time comes to file your tax return. Contact INTERCEDE for more information.

Q. How do I know my employer is remitting the taxes he is deducting from my salary?

A. You can find this out by calling Revenue Canada Taxation and if you know your employer's taxation number, refer to this number or give your employer's name.

Your employer is legally obliged to supply you with a Statement of Earnings every payday. This statement should contain your gross salary, the period for which it is paid, add overtime payments, show deductions made for your tax, UIC and CPP, as well as for room and board, and show the net pay-

ment to you. This Statement of Earnings is your proof that taxes have been deducted from your salary.

INTERCEDE also advises that you keep a record of your work hours and all payments you receive as wages.

Q. After I submitted my application for permanent resident and for an open employment authorization, my employer terminated me. Should I wait for my open permit before I look for a job?

A. You can start looking for a new employer even if you have not yet received a new work authorization. But we would advise you not to start working without it. Unfortunately, this work authorization may be delayed up to six months. This is why we usually advise that if you know you are leaving your employer, you should indicate "New Contract" on your application to renew your work authorization.

IMPORTANT PHONE NUMBERS

Canada Immigration Centre	973-4444
Educ & Skills Training Ctr, Labour Council	345-9312
Employment Standards Enforcement	326-7160
Immigrant Women's Health Centre	323-9986
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
Unemployment Insurance	730-1211
Workers' Compensation	927-9555
Revenue Canada (taxation)	869-1500

Toronto Rape Crisis Center (24 Hr line) 597-8808
 Assaulted Help Line 863-0511

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

JOIN INTERCEDE'S TRIP TO NIAGARA FALLS

Sunday, July 12, 1992

Assembly: 9:30 SHARP
 at Cecil St. Corner Spadina
 (Please bring your payment receipt)

BRING YOUR OWN LUNCH

Seats reserved ONLY for Members
 who have paid \$10.

Last chance to Register and pay
 at Sunday Meeting, July 5
 or for more information call 324-8751

INTERCEDE SERVICE UNIT

Place : 489 College St., Suite 402, Toronto, Ont
 Time :
 Telephone :

INTERCEDE STAFF

Coordinator/
 Counsellors
 Intake Work

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c/o INTERCEDE
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