

DOMESTICS' CROSS-CULTURAL NEWS

INTERCEDE for the Rights of Domestic Workers, Caregivers, and Newcomers

Toll Free 1-877-483-4554

July 2002



NEW IMMIGRATION & REFUGEE REGULATIONS IN EFFECT JUNE 28

Immigration Minister Denis Coderre announced recently that both the Immigration and Refugee Protection Act and the Regulations which will accompany it will be in force from June 28, 2002.

These new regulations will apply retroactively to all applications made before December 2001 but not preliminarily screened by March 31, 2003. All applications filed from January 2002 fall under the new regulations.

Need 5 more Points

To qualify for admission, new immigrants must get 75 out of 100 "points" for such criteria as education, language, experience, age, arranged employment, and adaptability. This is five more points than the past years' 70 to become a landed immigrant in Canada.

More points - up to 25 - will be given for a second university degree such as a PhD or Master's and at least 17 years of full-time study. A maximum 22 points can go to someone with a three-year trade certificate, diploma or apprenticeship and at least 15 years of full-time study.

Meanwhile, proficiency in both French and English can earn a maximum of 24 points. A maximum 21 points for Experience is lower than the previous years' 25. Applicants aged 21 to 49 can earn up to 10 points as will those who have a job waiting for them. Another 10 points maximum will be granted for "adaptability".

These changes to the number of allowable points are meant to attract a broader range of younger and higher educated skilled workers. But many doubt that they will make it easier for Canada to meet its self-imposed quota of 300 000 new immigrants annually.

Will bar skilled workers needed in Canada

Although the government states that changes to the proposed Regulations suggested by "stakeholders" and "the public" had been received positively and were reflected in the finalized version, a barrage of criticisms nevertheless followed the Minister's announcement.

Most of the criticisms relate to the retroactivity provision and the higher bar on education and language, which they say will keep out much-needed workers such as nurses, computer technicians and home caregivers.

A Toronto Star editorial dubbed the new rules "elitist" and "misguided", echoing critics who say that they will keep out most of the skilled immigrants needed by Canada. Critics ranged from opposition political parties to businesses and private sector organizations, from media to lawyers and NGOs.

173 000 applicants could be victims to retroactivity

Out of about 600 000 applications already in the pipeline before January this year, up to 173 000 could be affected by the new rules. Which means if they qualified before but cannot meet the higher language and education requirements of the new Regulations, they may have to abandon their application. This is unfair and no fault of their own if they got caught in the immigration backlog after March 2003.

Processing for immigration to Canada takes even up to 10 years for some of INTERCEDE's own clients. With this retroactivity provision, INTERCEDE members are worried that spouse and children they have sponsored and whose applications are nowhere near approval may never be reunited with them.

*All Domestic/Caregiver workers,
Newcomers and those on Temporary Work
Permit are welcome to attend*

INTERCEDE MEETING Every First Sunday of the Month

(if holiday, meeting is on the second Sunday)

Apply or renew your membership - \$10.

Sunday, July 7, 2002, 3-5 p.m.
At Cecil Community Centre, 58 Cecil St.
(one block south of College cor. Spadina)

EMPLOYMENT STANDARDS ACT
Guest Speaker, Karen Dick
TORONTO ORGANIZING FOR FAIR EMPLOYMENT (TOFFE)

Did you file before December 2001?

If you filed an application for immigration or for sponsorship of your family before the end of December 2001, contact INTERCEDE immediately so that we can ensure that your documentation is in order and if necessary, assist you to make the proper follow-up.

For more information, go to www.cic.gc.ca and to www.settlement.org.

A 'brush' with the Minister

(by Anita Fortuno)

On May 16, Coco Diaz and I had a chance to meet Minister Denis Coderre during his meeting with members of the Filipino community held at Scarborough Civic Centre.

Although the minister did not elaborate, he spoke of the impending changes to immigration regulations which would benefit skilled workers who aspire to be immigrants in Canada.

Stressing that his father was a carpenter who immigrated to Canada with his family, Minister Coderre said he can relate to the feelings of those aspiring to make their future in this country.

As we had prepared a written question about the Live-in Caregiver Program which was being anticipated by the audience but which forum moderators did not give us a chance to ask, we made sure the Minister received it.

As he left the hall, we were able to introduce ourselves and hand him a copy of our book, "Caregivers Break the Silence". We asked him to make the changes which will improve the lives and working conditions of LCP domestic and caregiver workers in Canada.

He responded with a smile, held up the book, and said: "Don't worry, I have a copy of your book." This pleasant response gave us hope that somehow, he would really read it, that he would believe the stories in it, and that he would find it in his heart to address our concerns.

Coco and I left with a smile on our face and a secret hope that, as the Minister had described himself a man of action, maybe we will soon hear some good news about the LCP!



Graduates of INTERCEDE's Advocacy and Leadership Training smile after delivering their speeches about the new things they learned: women's rights, the LCP, power and oppression, homophobia, and above all, critical thinking.

FREE JOB SEARCH WORKSHOP

FOR NEWCOMERS

When: Tuesdays and Thursdays
 July == 09, 11, 16 & 18, 2002
 Aug == 13, 15, 20 & 22, 2002
 Sep == 10, 12, 17 & 19, 2002

Time : 5:00 p.m. to 9:00 p.m.

Where: INTERCEDE
 234 Eglinton Ave. East, Suite 205
 (Eglinton & Mt. Pleasant)
 Toronto, On. M4P 1K5

FOR CAREGIVERS

WHEN: Sunday
 August 4, 11, 18, & 25
 September 8, 15, 22 & 29

TIME : 11:00 a.m. to 5:00 p.m.

WHERE: George Brown College
 St. James Campus
 200 King St. East,
 3rd Floor, Rm. 325-A

Please call (416)483-4554 ext. 21 to sign up.
 Seating is limited.

Funded by Citizenship and Immigration Canada &
 sponsored by COSTI & OCASI

Job Search Learning Experiences

Do you know where you're going?

Scene at Eglinton Subway Station where two job seekers meet:

Jenny: Wow Nitz, you're dressed to kill! You look so "corporate". You look like you've found a great job.

Nitz: No, not yet. I'm supposed to go for an interview at ten today.

Jenny: But it's five to ten... shouldn't you be in your prospective employer's office by now? Why are you still here then?

Nitz: Oh, I know. But I missed the direction for going there. I was supposed to go to 2107 Eglinton East which is the address of the company. I hurriedly hopped onto a bus an hour ago, but I didn't realize the bus was heading for the opposite direction. I found myself at the right number, 2107, but on Eglinton West! I should have been more careful in noting the correct address on the job advertisement.

This is a learning experience for me. I should have filled the Work Search Log which I got from the INTERCEDE Job Search Workshop. Then I would not have missed the information which are key to my job search.

Live cool mints straight from Juan

Fifteen minutes before the time set for his interview, Juan Antonio Perez arrived at his prospective employer's office at Yonge Engineers Consulting firm.

When Juan was finally called and before he entered the interview room, he popped two medium-sized solid mint candy into his mouth to freshen his breath.

Confidently he entered the boardroom, introduced himself, then firmly shook the hands of the panel of interviewers. (*Great start, eh! ...Gleng-gleng ano!!*)

Towards the middle of the interview, there's a disaster he never expected. The two (still) solid mints flew from his mouth straight to the polished shoes of the panel chairperson.

Awfully embarrassed and blushing red, he fumbled through the subsequent barrage of questions from the panel.

Sadly, he didn't get the job.



Coco's Corner

Victory for one Caregiver

Florida was not able to sleep for almost a week before her scheduled fact-finding meeting with an Employment Standards officer of the Ministry of Labour and her previous employer. The meeting was about unpaid salary, termination and vacation pay owed to her. The employer failed to attend in person so they ended up in a three-way telephone meeting.

The Employment Standards officer took note of the sequence of events: how the caregiver was terminated without notice, the reason why she was refused vacation pay and why the employer stopped payment on her last pay cheque.

Fortunately, Florida had a written record of everything like: her work schedule, a list of children's activities, a calendar of their out-of-town holidays, a certification from a teacher with whom she shared the story of her unexpected termination, copy of returned cheques, etc. In addition, Florida furnished copy of her letter requesting a replacement of her salary cheque and copy of Record of Employment as well as T4 slip. There was no acknowledgement by the employer even after several follow ups made.

The Employment Standards officer asked the employer to produce proof of her claim that the caregiver had already been paid her vacation when Florida was left alone in her house to care for the dog, polish the silver and do general cleaning. The employer also claimed that Florida was paid for her vacation when she went with them to the Bahamas where she continued her service as the caregiver of their two children.

After analyzing her records and counting the number of hours Florida had worked, the ESB officer confirmed that she was paid below the minimum wage and was owed a substantial amount of overtime pay, on top of what the caregiver had claimed. The employer was then ordered to pay more than \$10,000!

The employer has moved to appeal the decision but despite that, Florida is already feeling victorious even if she has not yet received a single cent!

A note on the ESA...

Under the Employment Standards Act, all wages due and owed to an employee shall be paid by the employer on the regular payday.

The employee is entitled to payment of all wages and vacation as well as a Record of Employment no later than seven days after termination date.





Smiling faces compete with the colourful blooms of the Flower Clock in Niagara-on-the-Lake, during a day trip in May.

COUNSELLOR
for Caregivers/Domestic Workers in the
Live-in Caregiver Program
focus on the Afro-Caribbean Community

1 year Full-Time Contract

Write Resume to:
INTERCEDE Personnel Committee
234 Eglinto Ave. East, Ste. 205
Toronto, Ontario, M4P 1K5
Deadline: July 05, 2002
No Phone or Fax please

Summer office hours until end of August 2002

Monday to Thursday
9:00 a.m. - 5:00 p.m.

INTERCEDE

Address: 234 Eglinton Avenue East, Suite 205
 Toronto Ontario
 M4P 1K5

Regular Hours: Mon-Fri 9 am - 4 p.m.
Telephone: (416) 483-4554
Fax: (416) 483-9781
Toll-Free: 1-877-483-4554
E-mail: info@intercedetoronto.org

INTERCEDE STAFF:

- Fely Villasin - Coordinator
- Des Balce - JSW Facilitator
- Columbia Diaz - Settlement Counsellor
- Anita Fortuno - Settlement Counsellor
- Genie Policarpio - Intake & Administrative Assistant

EMERGENCY FIRST AID + HEARTSAVER - \$59.00
 Sunday, August 25, 2002, - 9:30 - 5:30 p.m.
 Saturday, September 21, 2002 - 9:00 - 6:00 p.m.

EMERGENCY FIRST AID+INFANT/CHILD CPR - \$65.00
 Saturday, August 31, 2002 - 9:00 - 6:00 p.m.
 Sunday, September 15, 2002 - 9:30 - 6:30 p.m.

Please register at least one month before the start of training date by mailing a cheque payable to:

INTERCEDE
 234 Eglinton Ave. East, Ste. 205, Toronto, Ontario
 M4P 1K5

Classes at **ST. JOHN AMBULANCE**, 46 Wellesley St. East

For registration call Genie at 416-483-4554 x 21

We wish to thank: Citizenship and Immigration Canada - ISAP Program and Job Search Program with COSTI-OCASI; Ontario Status of Women; the Municipality of Toronto CSGP, Access & Equity and "Breaking the Cycle of Violence" grant programs, for their financial support.

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