

DOMESTICS' CROSS-CULTURAL NEWS

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

July/August 1998



RESPONSE TO IMMIGRATION REPORT

GENERAL COMMENTS

The Immigration Legislative Review report, "Not Just Numbers: A Canadian Framework for Future Immigration" claims to uphold the fundamental values and principles entrenched in the Canadian Charter of Rights and Freedoms. The recommendations of the report, however, would inevitably have a differential and negative impact on women, particularly poor women and women of colour. NAC (National Action Committee on the Status of Women) therefore, views the report as a document which contravenes the equality principles of the charter. It is also concerned with the recommendations of the report which would no longer provide Charter protections to those affected by immigration and refugee policies. In addition to its contradictions with the principles of the Charter, NAC sees the report as also departing from the spirit of multiculturalism policy in effect in Canada since the early 1970s.

One of the key commitments made by the Canadian government in the Beijing Platform for Action was to conduct gender analysis of all its policies. The Immigration Legislative Review report not only lacks even a preliminary analysis of the gender implications of its recommendations, but also fails to acknowledge and address existing bias and discrimination against women in the immigration and refugee systems. NAC strongly

urges the government to have a gender analysis of the recommendations done and prioritize gender equity among its principles, before considering and adopting any of the recommendations for actual policy and legislation.

Our observation is that the immigration Legislative Review report paints a rather specific and unidimensional picture of who a desirable immigrant would be. NAC is concerned that this picture is of male immigrant from traditional source countries and/or somebody who may be able to make up for the "inferiority" of his race or source country by a privileged class status.

NAC is concerned about the tone of the immigration Legislative Review, which generally treats immigrants as persons with responsibilities (e.g. to be self-sufficient, to successfully integrate) but not necessarily rights. It does not address or deal with problems of racism and discrimination that have prevailed and grown stronger in Canada in the recent period, but rather legitimates and reinforces racist, anti-immigrant, anti-refugee sentiments.

TEMPORARY ECONOMIC IMMIGRANTS

The category of "temporary economic immigrants" which has existed since the early 1970s represents a departure from the historical tradition in Canadian immigration policy to treat immigrants as permanent residents. Given our knowledge about which groups of immigrants have been categorized as "temporary economic immigrants" to Canada,

Attention: Members and Friends

INTERCEDE'S NEXT MONTHLY MEETING

**IT'S A PICNIC POT LUCK!
AT CENTER ISLAND**

Assembly Time: 11-11:30 a.m. at Ferry Dock Terminal or look for us at the picnic area 6

For more information Call 483-4554

**Come to Next INTERCEDE monthly meeting on Sunday, September 13, 1998 3-5 pm
at Cecil Community Center, 58 Cecil St.**

NAC is concerned that there is not sufficient clarity in the definition and satisfactory justification for the distinctions made between "temporary" and "permanent" immigrant categories. The definition used for the temporary system, "persons who will consume and/or produce Canadian goods and services over a specific period of time" is too vague to be useful and insulting to the contributions many people in this category make to Canadian economy and society. Since many people born and raised in Canada move to other countries to work and live, and many people who may originally arrive as "temporary" immigrants end up staying permanently (as a result of continuing high demand for their occupations and their individual preferences to make Canada home), we are concerned that the categories are arbitrary and may be used and abused to disadvantage those categorized as "temporary". Recommendation 71, for example, which assigns responsibility of health coverage to the employer but does not recommend measures to enforce this) contradicts the principle of universality in health care, and leaves the "temporary" immigrant in a dependent and vulnerable position.

FOREIGN DOMESTIC WORKERS

Given the inequalities that prevail globally in terms of women's access to formal education and the labour market; and the sexism which prevails in the interpretations of what counts as "skill" and "economic contribution" under the point-system, the vast majority of women immigrants come to Canada under some sort of sponsorship. Historically, as well as in the recent period, domestic work has been one of the few occupations through which women have gained entry to Canada as independent immigrants.

However, since the 1970s, domestic workers have been accepted to Canada only as temporary workers. Research has shown a significant relationship between the temporary status imposed over domestic workers and the vulnerability of foreign domestic workers to abuse. Given the high demand that has always existed for domestic workers, and the valuable skills domestic workers offer in their occupation, there has been no justification for the obstacles created to prevent domestic workers from achieving independent status under the point-system.

NAC considers domestic work as essential type of work which makes a very valuable contribution to society, it demands that domestic work be accorded its value under the point system and domestic workers be treated equally with other workers and immigrants who meet a labour market need in Canada. NAC, INTERCEDE and other domestic workers organizations have over the years insisted that an equal and fair treatment of domestic

workers would involve the elimination of the live-in requirement which is reminiscent of historical forms of indenture, and the acceptance of domestic workers to Canada as landed immigrants.

Even though Recommendation 55 suggests that there should be no excluded occupations under the point-system (which might remove one of the obstacles in the way of permanent status for domestic workers), we are concerned that the report (Recommendation 55) automatically categorizes domestic workers as belonging in the Foreign Worker program, once again reinstating the temporary status of domestic workers in Canada, in ways very similar to the infamous policies of the 1970s. Recommendation 75 suggests that domestic workers ("live-in caregivers" since 1992) would come to Canada as temporary workers, but could apply for landed immigrant status if they could get a valid, permanent job offer. We are not clear as to what would constitute a permanent job offer in the caregiving occupations. We are concerned that the dependency of the caregiver upon a specific employer to obtain a permanent job offer could potentially lead to abusive employer/employee relationships. We welcome the recommendation to eliminate living-in as a government requirement. We are concerned, however, that the wording of the report leaves the issue to "the arrangement they make with their employer". In a relationship where the employee is made dependent on the employer for the possibility of permanent status in Canada, we are concerned that domestic workers would be especially restrained and disempowered in their negotiations with employers.

(Excerpt from a presentation made by INTERCEDE and NAC on March 11, 1998 during consultations held by the Ministry of Immigration regarding "Not Just Numbers: A Canadian Framework for Future Immigration")

CHILD CARE TRAINING SESSION I

(workshop will focus on infants to children five years of age)

September 26-November 7 (1-4 pm every Saturday)

CHILD CARE TRAINING SESSION II

(workshop will focus on children six to twelve years of age)

January 16 to Feb. 27, 1999 (1-4 pm every Saturday)

Fee: \$70.00 for each seven week session
arranged by **INTERCEDE** with **Seneca College**
Register with **INTERCEDE** before **Sept. 15, 1998**

CHANGING THE MIGRATION POLICY FOR FILIPINO MIGRANTS

(continued from May/June 1998 newsletter)

The KAKAMMPI Position Paper on Overseas Migration outlines the results of consultations with its members and partner organizations to address the steady increase of overseas Filipino workers (OFW) and the dramatic rise of mysterious deaths and abuses of these workers.

KAKAMMPI Policy Statement recommends the scrapping of the current Philippine labor export program in favor of a people-oriented migration policy. The following is a summary of some of the specific proposals dealing with the critical issues facing Migrants:

- * Effective implementation of pertinent laws to stop sex trafficking and illegal recruitment and increased penalties for persons and agencies involved in such crimes especially where the perpetrator is a government official or the victim is a minor.
- * Prompt and mandatory investigation/report and adequate assistance for all cases especially those involving mysterious deaths, sexual abuse, detention, slavery and mental illness.
- * Increased liability of recruitment agencies for claims, damages and civil suits that shall be filed by migrant workers against foreign employers in Philippine courts.
- * Forging of Bilateral Labor Agreement with countries of major destination of Filipino workers.
- * One-Stop Center for filing and processing OFW complaints, claims and benefits.
- * Voluntary repatriation program to progressively reduce

(by at least 10% annually) the number of Filipino migrants in countries categorized as high and medium-risk areas through a system of repatriation incentives.

- * An end to double taxation on overseas Filipinos and a drastic reduction in travel, employment, passport and related fees.
- * Recognition of dual citizenship for qualified OFW, including second generation Filipinos, with corresponding rights and privileges that are consistent with the Philippine Constitution.
- * To work for the International recognition of educational institutions and professional regulatory agencies. Allowing returning migrants and family members access to employment/livelihood assistance, educational grants, health services, business incentives/tax holidays, credit access and unemployment benefits.
- * Clear funding schemes to finance such programs.

MEMBER CROWNED MS. INTERCEDE 1998!

The night of June 20, 1998 was an affair to remember. With over 200 fun seekers in attendance at INTERCEDE's Summer Dance, an unsuspecting and long time member of INTERCEDE, Salve Realubit was crowned the first ever, Ms. INTERCEDE 1998!

The ballroom at the Primrose Hotel was packed and hot but the music by DJ Playhouse was good and guests danced up to 1 am. Some were even lucky enough to win door prizes.

By the end of the night, guests were complaining about sore heels, being tired and thirsty but with no regrets for they all had a good time.

Thanks to everyone who contributed to the success of INTERCEDE's fundraising dance through your donations, gifts, attendance and help.

What's Up?

Are you a New Filipino Immigrant?

Do you need assistance and support in:

- * Job Search
- * Career Upgrading
- * Resume Writing
- * Preparing for Job Interviews
- * Comparative Evaluation of Education
- * Housing Settlement
- * Transportation and Route Access

Come and Join!

Sabay Tayong Mag-Umpisa sa Canada

Job Search Support Group Information Sessions on:
August 5 & 12, 1998 - Wednesdays @ 4:00 p.m.
August 19 & 26, 1998 - Wednesdays @ 4:00 p.m.
Call INTERCEDE: (416) 483-4554 or (416) 486-0548

EMERGENCY FIRST AID WITH CHILD CPR

(discounted rate for INTERCEDE members)

Saturday, August 29, 1998 10 am to 6 pm
at St. John Ambulance

Register early and pay \$50 to INTERCEDE, space is limited. For more info call 483-4554

VANCOUVER CDWCR

Committee for Domestic Workers' & Caregivers' Rights
(an INTERCEDE Affiliante)

Contact Julie or Lorina (604) 874-0649

QUESTION & ANSWER

Q. I need to renew my Employment Authorization under the Live-in Caregiver Program. Is there a new way of submitting my fees to pay for this Immigration service?

A. Yes, all Immigration fees must now be paid directly to Canada Immigration through the National Bank of Canada. This new system of payment applies to those who are renewing their work permit, student authorization, visitor's visa, permanent residence, etc.

You will have to check the telephone book to determine the location of the National Bank nearest to you. Prior to submitting your application you must bring to the Bank the receipt form enclosed in your kit that has three parts, one for the bank, a copy for your records and one for CIC. Make sure to write your name, address and telephone number on the back of the receipt. Once stamped, the Copy for CIC should be attached to your application and mailed to Immigration.

Q. Can application kits for work permits, visitors, permanent residence or Humanitarian and Compassionate cases be picked up at 443 University Avenue still?

A. No, the office at 443 University is closed. Applications can be obtained through the mail by calling 973-4444 or may be picked up at the Immigration Office located at 25 St. Clair Avenue East.

Q. I would like to sponsor my parents together with my younger brothers ages 15 and 19. Who will sign the Sponsorship Agreement?

A. Before you submit your Sponsorship Application to Immigration make sure that the Agreement (19.) is signed by the sponsor, the co-signer if applicable and the principal applicant/immigrant you are sponsoring overseas. The principal applicant in your case would be your mother or father.

To ensure that your Sponsorship forms are properly filled up, call INTERCEDE for assistance at 483-4554.

Q. I filed a claim for unpaid wages, overtime and

termination pay from my last employer at the Employment Standards Branch (ESB) of the Ministry of Labour. I received a notice to attend a Fact Finding Meeting and that my former employer has to be present too. Can you give me advice on what to expect?

A. A representative from the ESB will meet with both you and your ex-employer to gather more information or to confirm the information already reported. Make sure to bring the following if relevant to your claim:

- record of pay, copies of paychecks
- work schedule, calendar of work days
- work agreement/contract, employment authorization
- diary of activities/duties
- arrange to bring an interpreter if needed

You may also wish to put in writing any additional information you would like to share in case you get nervous and may not be able to talk clearly.

It is expected that your ex-employer will have his/her own records and version of the situation. The ESB officer will then determine what action is to be done. For assistance and escort to this meeting, contact INTERCEDE at 483-4554.

Are you a New Filipino Immigrant?

Did you finish a university or post secondary course in the Philippines like Nutrition, Bachelor of Arts, Engineering, Nursing etc.?

Do you need Evaluation of Education Documents For Employment Purposes?

Have your education documents be assessed at:

COMPARATIVE EDUCATION SERVICE

University of Toronto
315 Bloor St. West Toronto M5S 1A3

For further assistance
Call INTERCEDE

(416) 483-4554 or (416) 486-0548

We wish to thank the Citizenship and Immigration Canada (Immigration Settlement and Adaptation Program); Canadian Heritage; Multiculturalism Program; Ministry of Citizenship, Culture & Recreation (NSP); Women's Program, Status of Women; the Municipality of Metropolitan Toronto (Community and Social Services); the City of Toronto Grants Review Board, Canadian Auto Workers (CAW) for their financial support.

INTERCEDE SERVICE UNIT

Place: 234 Eglinton Ave. E., Suite 208
Toronto, Ont. M4P 1K5

Time: Monday-Friday, 9 am - 4 pm

Tel: (416) 483-4554 Fax: (416) 483-9781

INTERCEDE STAFF

Coordinator/Editor: Fely Villasin
Counsellors: Columbia Diaz
Carol Salmon
Grace Lanceta
Intake Worker: Eva Jacob