

Domestics' Cross-Cultural News

monthly newsletter of the International Coalition to End Domestics' Exploitation

JUNE 1987

OVERTIME FIGHT CONTINUES!

On June 9, 1987 Labour Minister William Wrye made his long-awaited announcement on overtime protection for Ontario's 65,000 domestic workers. Speaking in the Legislature at Queen's Park he said that domestics would now be entitled to "standard overtime protection" along with all other workers. It sounded good. Time and a half after 44 hours a week is what INTERCEDE has been fighting for, but, unfortunately, it is not what domestics got on June 9.

The new regulations give the employers the option of granting time off in lieu of paying time and a half. Other employers are required to pay the extra money, but domestic's employers have a special deal which gets them off the hook. Domestics can only get time and a half if lieu time has not been granted by the employer. Far from getting "standard" overtime protection, domestics still have inferior and unequal protection under the labour laws.

In a press release issued the same day as Bill Wrye's announcement, INTERCEDE said:

This (regulation) ghettoizes domestic workers yet again by giving them less protection than is afforded other workers... 'The message to employers is that it's still acceptable to treat domestics like second-class citizens', said Judith Ramirez, INTERCEDE Co-ordinator.

The opposition parties also took aim against the new "enhanced protection". In a statement issued by

the New Democratic Party, Evelyn Gignantes, critic for women's issues and Bob MacKenzie, critic for labour said:

After two years of delay all the government has managed to come up with is another double standard for domestic workers on the issue of overtime.

Susan Fish, MPP with the Progressive Conservative Party, released a statement which said:

(The) new regulations...do little to provide monetary compensation for overtime hours worked by domestics... the Minister of Labour has chosen to treat domestic workers as an inferior class by ghettoizing them with regulations which are inferior...

INTERCEDE and the Women's Legal Education and Action Fund (LEAF) will continue with the court challenge under the Charter of Rights. Launched in April, it charges the Ontario government with discriminating against domestic workers by not providing them with standard overtime protection under the Employment Standards Act.

INTERCEDE applauds the fact that the principle of overtime has finally been extended to domestic workers in the Ontario labour laws. We have fought long and hard for the recognition of domestic's labour as "real work". And we intend to assist domestic workers in seeking redress under the new regulations from exploitative working conditions. But the fight for overtime pay will continue until every domestic worker in Ontario has a right to time and a half without any strings attached!

COCO'S CALENDAR

Recent happenings...

- * on May 29 INTERCEDE appeared before the provincial Task Force on Overtime to discuss equal rights for domestic workers
- * on May 31 we held a successful theatre workshop with the acclaimed Jamaican cultural group SISTREN
- * on June 8 Judith Ramirez was the guest on CBC's radio noon phone-in hour with David Schatzsky
- * on June 13 INTERCEDE attended a Philippine Independence Day celebration organized by the Pax Christi group of Toronto

Coming up soon...

- * INTERCEDE's next monthly meeting is set for SUNDAY, JULY 5, 3PM, at the Cecil Community Centre. For information call 591-1625!
- * the SERVICE UNIT will be open on Saturday, July 4, 10am - 2pm. Please call 591-1625 for an app't

...AND CONGRATULATIONS!

- * to our new landed immigrants LOLITA SILVA, CONNIE URBINA, MELITA SISON, from the Philippines, and LUCIA CHEUNG from Hong Kong
- * happy birthday to SALVE CORTEZ, ZENAIDA ESCOBAR, & to Board member CATHY GILBERT...many happy returns!
- * best wishes to CORNELIA SOBERANO & YOLA GRANT who graduated from Osgoode Hall Law School
- * and all the best to GINA ATUTUBO for her engagement and forthcoming marriage

Tune in again next month!

- Columbia Diaz

KNOW YOUR RIGHTS

Summer is here again (finally!) and everyone is thinking about their yearly vacation. If you are a foreign domestic worker you have the same rights as any permanent resident or citizen. If you have been working for one year with your employer you are entitled to two week's paid vacation.

Your employer has the right to decide when you can take your vacation. You are entitled to take it in one two-week period or two one-week periods. You must receive your vacation within ten months of having earned it.

If your employer takes a vacation away from home and you are left in charge of the house and the pets you are not on vacation. You are entitled to additional time off.

If your employer goes to Florida for a holiday and you agree to go with the family, that can only be considered your vacation if you are not working!

You should avoid working on your holiday unless your employer agrees to give you additional time off in writing. Your vacation is time off work that you have earned which is protected by law. It is your right to use that time in whatever way you choose.

If you have been employed for less than one year and your job is terminated for whatever reason, you are entitled to 4% of your total wages from the first day of employment.

For example, if you have only worked two weeks at the minimum pay rate of \$827.50 per month, you would be entitled to an extra \$16.55 (before deductions), or 4% of \$413.75.

If you have questions or you would like to speak to a counsellor contact

INTERCEDE SERVICE UNIT (416) 591-1625

- Joan Ann Gravesande

NEW LABOUR RIGHTS FOR DOMESTICS

Effective October 1, 1987, domestic workers in Ontario will have more protection under the Employment Standards Act than ever before.

Although INTERCEDE is still fighting for equal protection under the law, the changes just announced by the Minister of Labour will provide the following new rights:

- * overtime compensation - in the form of lieu time or time and a half - after 44 hours of work in a week for all full-time domestic workers (those employed more than 24 hours per week)
- * the minimum wage of \$4.55 per hour, and the abolition of the daily, weekly and monthly rates of pay
- * the requirement that employers keep records of daily and weekly hours worked
- * the requirement that employers provide written particulars of employment, setting out the hours of work and the hourly rate of pay
- * the protection of full-time live-in sitters who were previously excluded from the minimum wage, overtime pay, etc.

There are some areas where absolutely no progress has been made to date. These include:

- * maximum hours - the Employment Standards Act sets a limit of 48 hours per week, but domestic workers are excluded from this protection
- * companions attending to the needs of the aged or the ill in a family are still not entitled to legal protection

The Peterson government has also chosen to leave untouched the Labour Relations Act which explicitly bars domestic workers from unionizing.

It is still against the law for domestic workers in Ontario to band together to form a union - a historic right that most workers take for granted.

INTERCEDE has called on the provincial Task Force on Overtime, headed by economist Arthur Donner, to take up the cause of equal and just treatment of domestic workers under the labour laws. The Task Force's report on 'exclusions' is expected in the fall.

NO ACTION ON IMMIGRATION FEES

At a meeting attended by approximately 175 domestic workers on June 3, INTERCEDE launched a second letter-writing campaign to Gerry Weiner, Minister of State for Immigration. The issue is the delay in taking action on the immigration processing fees which require foreign domestics to pay \$50 for each new work permit and \$125 for a landing application.

Last January when Mr. Weiner met with INTERCEDE he assured us that our first letter-writing campaign urging a rollback of fees for foreign domestics had not fallen on deaf ears.

The Minister pledged to look into ways of "providing relief" and said that he would ask his officials to start work on it immediately.

Five full months have now passed since that meeting and there is still no word about the fate of the proposed changes. The Minister's policy advisor Yvette Souque recently told us that "progress is slow".

Our new open-letter challenges Mr. Weiner to take action:

Thousands of visible-minority

IMMIGRATION FEES con't

women in this country are depending on you to take action. There is growing support across the country for the fight for domestic workers' rights and I urge you, in the name of justice, to roll back the immigration fees without further delay.

Hundreds of copies of INTERCEDE's open-letter are circulating in the community. If you have already signed one, we thank you for helping us in our efforts. If not, please call our office at (416) 591-1625 and we will mail you as many copies as you can use.

DOWN WITH THE IMMIGRATION FEES!

A NOTE TO OUR READERS

Copies of Domestics' Cross-Cultural News are sent out to hundreds of domestic workers and community people free of charge. Because it is an expensive proposition, we want to make sure that we are not sending it to anyone who is not interested in receiving it.

For that reason we are enclosing a special notice in this issue of the newsletter. We are asking all our readers to indicate whether or not you wish to keep getting our newsletter every month.

Please take a minute to mark the appropriate box and mail the form back to us before the end of July.

If you would like to make a donation please make your cheque payable to INTERCEDE. We need your support!

INTERCEDE SERVICE UNIT

Place: Cecil Community Centre
58 Cecil Street
Toronto, Ontario

Time: Monday - Friday
9:00am - 4:00pm

Telephone: (416) 591-1625

Free and confidential counselling to all domestic workers on immigration, employment, human rights, emergency social services, etc.

A free and confidential legal clinic is also available the first Sunday of the month at our monthly meeting.

DOMESTICS' CROSS-CULTURAL NEWS
c/o INTERCEDE
58 Cecil Street
Toronto, Ontario
M5T 1N6

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First Class

NEXT MONTHLY MEETING ON JULY 5!