

DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

June 1993



(INTERCEDE)

IMMIGRATION LAWYER SAYS LCP STILL DISCRIMINATORY

Toni Schweitzer, Immigration Lawyer and INTERCEDE Board member told members at the May monthly meeting that the Live-in Caregiver Program (LCP) is discriminatory and that it has failed to make some of the much needed changes to the degrading and unfair treatment of domestic workers here in Canada.

The new Live-In Caregiver Program (LCP) announced on April 27, 1992 entrenched a policy more restrictive than the Foreign Domestic Program (FDM) it replaced. Domestic workers wishing to enter Canada under the program must now have a grade 12 education or its equivalent, a six month full-time training related to caregiving, and be able to speak either English or French.

In the LCP, caregiving has become a required part of domestic work. No one can be admitted if she is coming in only as a housekeeper.

Ironically, said Ms. Schweitzer, these changes were in part prompted by the Pinto court case. In the Pinto case, a Canadian visa officer argued that his decision to refuse to issue a visa with employment authorization under the FDM was mainly because he felt an applicant's experience as a teacher and a single mother were not relevant as she had no experience as a paid domestic worker. The Federal Court of Canada, trial division, rejected this argument and said work in the home is relevant experience.

However, instead of recognizing the underlying principles of that decision in the LCP, the government enacted regulations that rejected work experience in the home and required specific educa-

tion qualifications.

The LCP admission criteria fail to recognize the validity and contribution of women's work in the home.

Members were reminded that other kinds of workers seeking to immigrate to Canada are assessed according to skill and experience no matter how they acquired these. If they qualify in a job that is in demand in Canada, they can come here as landed immigrants. The different treatment given to domestic workers, despite the need for their work in Canada is discriminatory to them as immigrant women and as workers, asserted Ms. Schweitzer.

Furthermore, one of the biggest changes in the LCP as a result of the new Immigration Act is that landed status of domestic workers is now by regulation and not by policy. This means that decisions can no longer be discretionary.

Landing under the LCP could be granted if there is no misrepresentation of education requirements whether made by the domestic worker or any other person; if both self and dependents are criminally and medically admissible; if no removal orders have been issued and if two years of employment as a domestic worker has been completed in three years from entry to Canada and an application for landing submitted to an immigration office.

Ms. Schweitzer said that the LCP continues to perpetuate inherent inequalities in the selection and treatment of domestic workers.

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The monthly meeting will be on Sunday, June 6, 1993 at Cecil Community Centre, 58 Cecil Street from 3-5 p.m.

2:00-3:00 pm New Member Applications and Renewals. Members with ID numbers 92-1207 to 92-1345 must renew or be dropped from membership list.

3:00-4:30 pm **CHANGES IN LABOUR LAW**
Speaker: Jan Borovy, ILGWU

4:30-5:00 pm **Compose our Song**

CLASP Legal Clinic will be open during the meeting.

In failing to take away some of the most offensive conditions which require domestic workers to enter under temporary status and to live-in the home of their employer, the LCP results in the continued exploitation and vulnerability of these workers, she said.

ROOM LOCK NEEDED FOR PRIVACY AND SAFETY

How private is a "private room" that has no lock on the door? And how safe?

Any worker who is in Canada under the Live-In Caregiver Program (LCP) must live-in the home of an employer as a condition of her stay in this country.

However, INTERCEDE members say that not all of them have locks on their doors. Some have had to insist that their employer install one before they could enjoy any privacy inside the room that their salaries are deducted for.

Live-in domestic/caregivers pay a standard amount for room and board that their employers automatically deduct from their salaries.

Currently, the Ministry of Labour fixes this payment at a weekly rate of \$49.35 (\$2.35 per meal) for board and \$29.40 for a private room. But except for regulating the maximum deductible, the Ministry of Labour has not been able to ensure or enforce any standards to regulate the conditions of room and board.

LCP participants shared their ideas for ensuring some privacy and safety in their live-in work at INTERCEDE's May 2 meeting.

For example, they would want to be able to lock their doors from the inside when they are in the room, and from the outside when they leave it. They would definitely want to be able to lock the bathroom door! And certainly, they would feel safer knowing exactly how many duplicate keys their employer(landlord) has to their room lock, and who have access to this duplicate.

It seemed a matter of common courtesy, if not sense, but the LCP workers said they would appreciate being given prior notice, with justification, for any entrance into their room.

INTERCEDE passed on the women's suggestions to the Toronto Safe City Committee for their deliberations on safety concerns of domestic workers living in the City.

Sunday, June 20, 1993
ALL-DAY ORIENTATION
FOR DOMESTIC WORKERS

George Brown College Rm 514
 200 King Street W.
 10:00 A.M. - 4:00 P.M.
 Call 324-8751 for registration

Immigration Officers will answer questions
 in the morning session

We wish to thank the Employment and Immigration Canada (Immigration Settlement and Adaptation Program); Secretary of State; Multiculturalism and Citizenship; 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 JUNE, 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 :

NAME : _____

ADDRESS : _____

CITY/PROVINCE : _____

POSTAL CODE : _____ TELEPHONE : _____

YEARLY SUBSCRIPTION RATES :

INTERCEDE Members :	FREE	Non-member Domestic :	\$20.00
Non-Profit Organizations:	FREE	Others	\$25.00

QUESTION AND ANSWER

Sexual Assault is a Crime!

Q. My boyfriend beats me up when we quarrel or when he is drunk. I'm afraid to break up with him because he has threatened to kill me if I do. Can INTERCEDE help me?

A. Your boyfriend has no right to punch or hit you or beat you up - these are acts of violence against you and they are considered assault. Assault by your husband or boyfriend is a crime.

If you need help at once, call the Assaulted Women's Helpline (AHL), telephone 863-0511. You don't have to give your name if you prefer and all information will be kept confidential.

Drinking is not a cause of violence but is used to justify it. Drinking is not an excuse and only takes away blame from the man who assaults you.

The threats made to you can be serious. More than half of women who are murdered are killed by their male partners - husband, common-law spouse, boyfriend. In 1991, 120 women were killed by their male partners.

INTERCEDE counsellors will listen to you and be able link you to the appropriate resources that are sensitive to your needs. They can put you in touch with groups of women who you can talk to and will support you.

Q. I have a friend who was recently raped by her employer. How can I help her?

A. First of all, listen and believe her. Give her information about where to get assistance such as the Toronto Rape Crisis Centre, tel. 597-8808. Also, have her contact INTERCEDE for assistance and information about her work and immigration status. In both agencies, any information given will be kept strictly confidential and if she wants to stay anonymous, that decision will be respected.

Questions about LCP

Q. Can you give me some tips about filling my application for permanent resident status?

A. Fill the application form as completely as possible and make sure to answer question numbers 24 and 27 accurately and completely. Be sure to indicate the countries where you have worked in the past 10 years and leave no gaps.

Be sure to enclose the correct amount of processing fees required in money order.

JOIN INTERCEDE TRIP TO NIAGARA FALLS Saturday, August 14, 1993

Register and Pay at Sunday Monthly Meetings
For more information call 324-8751
INTERCEDE Members only \$10

Double check that you have placed your signature in all the spaces that require it.

Q. My employers are bringing me to Florida for two months, and I expect to complete two years live-in work on November 1993. Will these two months outside Canada be counted as part of my two years?

A. Yes, your two months in Florida should be counted because you are employed with the same employer and you are temporarily locating your work in Florida.

Q. I am on Open Employment Authorization and I would like to attend school full time while working part-time. Also, I would like to know if I can apply for a student loan from the government. Will this affect my application for Permanent Residence?

A. Since you are already a holder of OEA, you can work at any job other than domestic or caregiving work. To take credit courses, make sure to secure a student authorization. Student loans from the government are only granted to those who are permanent residents or Canadian citizens.

Q. My employer terminated my employment as live-in housekeeper when he was laid off from work. It has been three months that I am unemployed because of my lack of experience in child care or elderly care. How can I get a job as housekeeper if under the LCP only child care or elderly care is available?

A. You can apply for a job as a live-in housekeeper if you are originally under the FDM Program. You can be granted an Employment Authorization under the Immigration Exemption Code E-92. Please make an appointment with INTERCEDE.

Q. I am presently unemployed because I underwent surgery and needed to recover for two months. My doctor advised me that it will take longer before I can go back to work. Can I apply for welfare or UI?

A. Under the circumstances, you can apply for unemployment insurance. You will need to have a Record of Employment and Doctor's Certificate. But contact INTERCEDE for assistance.

MARK YOUR INTERCEDE CALENDAR

DOMESTIC WORKERS IN CANADA'S ECONOMY WORKSHOPS

(NAC-INTERCEDE Project)

Sunday, June 20, 1993

CARIBBEAN GROUP

**1:00 - 5:00 p.m. CAW/TCA Worker's Centre
527 College St.**

Please register with Carol or Victoria 3248751

Sunday, June 27, 1993

HAMILTON GROUP

**1:00-5:00 p.m. Immigrant Women's
Advocacy and Resource Centre
20 Wentworth St. S., Hamilton**

Please register with
Mel Madamba (416) 522-5851

Sunday, July 11, 1993

PETERBOROUGH GROUP

**1:00 - 5:00 p.m. New Canadian Centre
205 Sherbrook St., Unit D. Peterborough**

Please register with
Lynda McKerr (705) 743-0882

Sunday, July 18, 1993

LONDON GROUP

**1:00 - 5:00 p.m. St. Peter's Parish Room
London, Ont.**

Please register with
Josie Arenque (519) 287-3175
Normita Marron (519) 438-3747

Sunday, July 25, 1993

REUNION HISPANA

**12:00 - 5:00 p.m. CAW/TCA Workers' Centre
527 College St.**

Please register with Coco or Victoria 324-8751

INTERCEDE BOWLING SUNDAYS

Thorncliffe Park Bowlerama
from 2:00 - 4:00 pm

For more information, call 324-8751

WELCOME SUMMER DANCE

Saturday, June 19, 1993

7:00 p.m. to 1:00 a.m.

Pearson Ballroom, Primrose Hotel
111 Carlton Street at Jarvis (East of College Subway)

Sandwich Buffet included in \$15 ticket
Attire: Semi Formal

Music by: Playhouse D.J. Services
GET YOUR TICKETS NOW!

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

INTERCEDE SERVICE UNIT

Place: 489 College St., Suite 402, Toronto, Ont.
Time: Monday-Friday, 9 am - 4 pm
Tel: (416) 324-8751 Fax: (416) 324-8790

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c/o INTERCEDE

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FIRST CLASS