

DOMESTICS' CROSS-CULTURAL NEWS

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

June 2007

Toll Free 1-877-483-4554



FINISHING 24 IN 36

Part One: The "Humanitarian and Compassionate" Application for Landing

(Excerpt from West Coast Domestic Workers Association (WCDWA) Newsletter May issue by: Deanna Okun-Norhoff)

As you all know the objective for a caregiver in the Live-in Caregiver Program. (LCP) is to complete 24 months of authorized work within three years of arriving in Canada. You are no doubt aware that many caregivers are unable to meet this target because they are forced to change jobs on numerous occasions and lose valuable time while Service Canada and Citizenship and Immigration Canada (CIC) process their work permit applications.

When a caregiver tells me that she cannot complete 24 months of full-time work within three years of her arrival in Canada, I always give her two options. The first is the Humanitarian and Compassionate ("H&C") application for landing, which I will describe briefly in this article. The second alternative is to re-enter the Live-in Caregiver Program (LCP). This option is discussed on Part Two on the next issue in July.

Can I get an extension of the time if I am unable to complete 24 months of authorized work within three years of my arrival in Canada?

Caregivers are given only three years to complete 24 months of authorized work in the LCP. Caregivers who are unable to complete 24 months of full-time authorized work before the conclusion of their three years are not able to apply for permanent residence in the LCP. There is no "extension of time".

It is possible for a caregiver who is unable to complete the LCP to apply for Permanent Residence on "Humanitarian and Compassionate (H&C) Grounds", but an H&C application will only be accepted by CIC if the applicant can demonstrate that she will suffer "unusual, undeserved or disproportionate hardship" if forced to re-do to LCP or to apply for landing from outside of Canada.

What is "unusual, undeserved or disproportionate hardship"?

CIC has detailed information guide about H&C applications which can be downloaded from their website at www.cic.gc.ca/english/pdf/kits/guides/5291E.PDF. The staff at WCDWA can also provide information and advice about how to might make an H&C application for landing, and whether your H&C application might be successful.

WCDWA strongly recommends that you obtain legal advice or representation before initiating an H&C application for landing, since the applications are complex and will only succeed if you can make a compelling argument and present convincing evidence to support your case.

An H&C application for landing is more likely to succeed if the applicant can prove that she is significantly established in Canada. For example, it will be important to inform CIC if you have a Canadian-born child, a spouse or common-law partner living in Canada, or immediate family members living in Canada (e.g. parents, brother or sister). Moreover, if there are persuasive reasons why you are unable to return to your country or origin, you should provide trustworthy evidence to support your claim. For example, you should provide evidence if you left your home country in part to escape your spouse's abusive behaviour.

Likewise, you should make efforts to document political instability or violence in the area that you would be returning to if CIC were to refuse your application for permanent residence. You may also wish to provide information about your family's financial situation back home, particularly if you have been providing money to help them recover from a major misfortune like a typhoon or other natural disaster.

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*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 for/renew your membership - \$10.

Sunday, June 3, 2007, 3 - 5 p.m.
at Cecil Community Centre, 58 Cecil St
(one block south of College, cor. Spadina)

Leadership and Advocacy Training Graduation

Guest Speaker: Wendy Komiotis
Executive Director, METRAC

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

If you will be unable to finish 24 months of work before your third anniversary in Canada, I recommend that you read CIC's guide for H&C application. If you wish to initiate an H&C application for landing, I recommend that you collect letters, affidavits and other documents which serve to demonstrate the hardship that you would suffer if forced to leave Canada and then set up a time to meet with INTERCEDE Counsellor and to be referred to Legal Clinic.

Please read this article in conjunction with "Part Two" on the next issue in July.



INTERCEDE BLACK SUPPORT GROUP

On Saturday, June 9 come and participate in second part of writing stories workshop about your life. This workshop will be co-facilitated by Bernice Small and Dianah Smith. Dianah Smith is a writer, community organizer and teacher who was born in Jamaica and grew up in Canada. Dianah writes stories about family, community, culture and identity. You don't have to be a 'writer' to take part in this workshop. Come with an open heart and a willingness to participate. Please arrive on time!

Please feel free to contact Bernice for more information at 416-483-4554 ext. 22.

INTERCEDE Summer Trip to Quebec/Montreal

on

August 10 to 12, 2007

- Depart Toronto = August 10 - Friday (11:59 pm)
- Arrival in Montreal = August 11 - Saturday morning
- Depart Montreal = August 12 - Sunday morning
- Arrival in Quebec = August 12 - Sunday morning
- Arrival in Toronto = Sunday evening

**For only \$200
(includes: Bed and Continental Breakfast at McGill University Residence)**

**SEATS LIMITED, RESERVE NOW!
We require a non-refundable deposit of \$100 per person**

Entrance Fees to be announced on the next month's issue of newsletter

For reservation and for further information please call Genie at 416-483-4554 ext. 21

Q & A

By INTERCEDE Counsellors

Q. How can I get medical help if I don't have a family doctor?

A. If you don't have a family doctor, you can go to a "walk-in medical clinic" nearest your place. Look in the Yellow Pages of your local telephone book under "Clinics-medical" to find a local walk-in medical clinic near your place.

You will need your OHIP card with you if you are already covered by OHIP (Ontario Health Insurance Program) for free medical consultation and other medical services otherwise you will have to pay for whatever medical service you will receive. Basically, there is a three-month waiting period from the date of your arrival in Canada before you receive your OHIP coverage. You can also go to Community Health Centres for medical assistance if you do not have your health (OHIP) Card yet. They can also provide information on how and where to apply for OHIP coverage.

In some cases, it would be better if you could buy a private health insurance for three months upon your arrival. It will not cost you that much and at the same time, you will have peace of mind knowing that you or you and your family are covered in case any of you will need medical assistance while waiting for your OHIP coverage

If you have health questions, you can access the Telehealth Ontario phone service by dialing 1-866-797-000. You can talk to a registered nurse 24 hours a day, seven days a week. This service is free and confidential. You can ask the nurse questions about health concerns, or describe symptoms you have. They will help you to decide if you should go to a hospital emergency room or if your condition can wait for a visit to a doctor the next day.

FINDING A FAMILY DOCTOR

Having a family doctor is very important. Your family doctor will have a complete record of your medical history and you can always call them for an appointment if you feel you need a medical check-up. If you went to emergency room in the hospital for an emergency medical assistance; after you were treated, you will still be advised to visit your family doctor who in turn will refer you to a medical specialist in case you need further medical examination/treatment.

There are a few ways to find a family doctor:

- ☞ Ask a friend or your relatives if their family doctor is accepting new patients.
- ☞ Use the **Find a Doctor** service of the College of Physicians and Surgeons of Ontario, an online database that allows you to search for a doctor in your area. You can also call **(416) 967-2606 or 1-800-268-7096 ext. 626 in Ontario**
- ☞ Look in the **Yellow Pages** of your local telephone book under "Physicians and Surgeons".
- ☞ Ask the nearest hospital if it has a "family practice unit"

Some things to think about when choosing a family doctor:

- ☞ Is the doctor accepting new patients?
- ☞ Can you make appointments at a convenient time?
- ☞ Do you prefer a doctor who speaks your language?

- ☞ Do you prefer a male or female doctor?
- ☞ Are your questions regarding your health answered clearly?
- ☞ Are the options for treatment explained?
- ☞ Is there a medical laboratory where basic tests can be done?
- ☞ Which hospital does the doctor send patients to?

Finding a doctor that takes new patients is difficult right now due to shortage of family doctors in many areas in Ontario. Although you could avail of medical assistance from walk-in clinics and Community Health Centres for non-emergency health issues, this should not stop you from looking for your own family doctor.

Q. I will file my application for Permanent Residence and I will declare my two children as my dependents. I will also request for their papers to be processed concurrently with my application. They are both of minor age when I left them under the care of my mother. I am not married to the father of my children and he never provided them any support. He is legally married and has children. Who will I declare as the guardian of my children, is it my mother or their father?

A. Your mother is the guardian of your children. You need to make a declaration or consent to your mother that she will be responsible in proving assistance for the processing of your children's papers. However, the father of your children has to provide consent allowing your children to travel and be reunited with you in Canada.

Q. My husband is a widower when we got married and he has three children. We have two children of our own. I filed my application for Permanent Residence and declared my husband and our two children in the application as my dependents. Can my husband also declare the names of his three children in his application?

A. Yes, actually even in your application, you should have declared your husband's children as your step children. Their papers will not necessarily be processed and they are not to immigrate the same time with your own children to Canada. Being dependents of your husband, they will be required to pass medical and other statutory requirements if they fall in the category of "dependents".

Q. I am now on my fourth year in Canada. In the first three years I was under the LCP and early this year I was granted temporary resident permit which will soon expire. I have two children who were born in Canada, a twenty month old baby and I recently gave birth to my second child. The father of my children provides us financial support but could not marry me. I am advised to file application for permanent residence under Refugee or under the Humanitarian and Compassionate Consideration. Can I still re-start the LCP? I am confused.

A. Your best bet is to apply under the Humanitarian and Compassionate Consideration. If you re-start the LCP, how can you work? You have your children and you will hardly find an employer who will hire you as live-in caregiver with your two young children. Call INTERCEDE for appointment so one of the counselors can guide you.

Q. What will happen if I informed them that I got married prior to issuance of confirmation of my permanent residence status or what if I received my "Confirmation of Permanent Residence" document without telling them that I got married?

A. If the civil status stated in your Confirmation for Permanent Residence" document is still single and you told the Immigration officer that you are now married, he/she will not give you your permanent residence status because your spouse has to undergo processing at the visa office responsible for your country of origin whether or not you request for him to be included in your application for permanent residence. CIC will put on hold the issuance of your permanent residence status until your husband had passed the required medical and security clearance.

However, should you decide not to inform the officer about your being married now, he/she will issue your "Confirmation of Permanent Residence" document but you could not sponsor your spouse in the future because he/she was not declared as a family member prior to issuance of your permanent residence status.



COCO'S CORNER

Spring is finally here and summer is fast approaching! It's that time of the year when everyone wants to be outdoor. For caregivers, they are required to either walks the babies in their carriage, bring the children to the park or go with employers to their cottages. It is part of their responsibility to accompany either the elderly or the children under their care to go to some outdoor activities. They are also expected to participate to in ball games and join in or watch while they are swimming.

As a precaution, it is worth revisiting the content of your contract. Read between the lines if responsibilities include going to their cottage, cleaning, gardening and watching the children at the pool or in the beach.

If any of the above was not included in your contract, you have the right to refuse especially if it involves swimming or watching the children at the pool or in the beach. Refer to your contract or to the information where your skills as a caregiver were mentioned. If your employer gives you added responsibility and proposes to increase your salary, request your employer to register you for swimming lessons or refresh your knowledge because you need it to meet the regulations. Do not agree to every employer's request if it is against your will or if you are not comfortable.

The use of electronic gadgets like cell phone, mp3's, cd players is tools to relax given the hectic schedule of caregivers. However, those could also cause unfavourable situations such on neglecting a responsibility or ending in an accident. The following are some practical suggestions:

- ☞ Answer calls from cell phone in a safe place; avoid talking while crossing the street.
- ☞ Make a brief conversation to any call or avoid answering unless it is an expected call to avoid disruption of your concentration while pushing a stroller, playing with a child or even when you are doing any work.
- ☞ The use of earphone is a big NO if you are doing work.
- ☞ Personal calls, sending or reading text messages and listening to music can only be done on your free time.
- ☞ Concentrate on every activity and use common sense.
- ☞ Take all necessary precautions to avoid mishaps or accidents.

JSW Profile

WHAT ABOUT RESUMES?

A resume is a short story of a person's work experience, education, skills and accomplishments. A beautiful resume cannot guarantee to give anyone a job they want but a good resume can get a job seeker a Job Interview.

There are different types of resumes that can be used by job seekers depending on their current employment situation and targeted goal. An applicant who had experience working on numerous types of jobs that were not related to his/her targeted position may opt to use a resume that will give emphasis on his/her skills and accomplishments rather than his/her previous job position.

On the other hand, a job seeker who continuously work on the same field industry may rightly decided to use a resume that will highlight his/her work history presented in a chronological manner.

Education and trainings is another important factor that job seekers may want to emphasize, especially if these are directly related to the job they are applying for. One should be aware of how much education can they put in the resume to avoid appearing either as overqualified or under qualified applicant.

The continuous upscale in technology also plays an important role on how the resume be sent to the employers. In the past, job seekers may either mail, fax or personally drop their resumes to the company. Nowadays, it is very common to send resume through Internet. This practice requires the job seekers to change their resumes from a basic resume to an Internet friendly resume.

In the past, one simple resume can be used in different types of jobs. Then, employers became smarter and they started to want a resume that will clearly match the requirements and qualifications they are looking for. This ensures that they will be hiring the right person for the available position. It is amazing to watch these changes in resumes take place. Ever since computer was discovered, things were never the same again - even on resumes or shall I say, especially on resumes.

To know more about resumes and the suitable types for you, contact INTERCEDE- JSW @ 416-483-4554 ext. 30

FREE JOB SEARCH WORKSHOP FOR CAREGIVERS & NEWCOMERS

WHEN: SUNDAY
June 3, 10, 17 & 24, 2007
July 8, 15, 22 & 29, 2007
August 5, 12, 19 & 26, 2007

TIME : 10:30 a.m. to 5:00 p.m.

WHERE: PROLEGAL
164 Eglinton Ave. E., 3rd Floor
(West of Redpath, Walking distance from Eglinton Subway station)

Please call (416)483-4554 ext. 30 or 21 to sign up.
Seating is limited.
Funded by Citizenship and Immigration Canada

INTERCEDE

Address: 234 Eglinton Avenue East, Suite 405
Toronto Ontario
M4P 1K5

Regular Hours: Mon-Friday 9 am - 4 p.m.

Telephone: (416) 483-4554

Fax: (416) 483-9781

Toll-Free: 1-877-483-4554

Web Site: www.intercedetoronto.org

E-mail: info@intercedetoronto.org

INTERCEDE STAFF:

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Bernice Small - Settlement Counsellor

Vicky Policarpio - JSW Facilitator

Genie Policarpio - Intake & Administrative Assistant

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Citizenship and Immigration Canada / Citoyenneté et Immigration Canada



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