

# DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

March 1994



(INTERCEDE)

## DOMESTIC WORKERS MUST BE PROTECTED UNDER LANDLORD AND TENANT ACT

by Carol Salmon

On February 20, 1994 INTERCEDE asked the provincial government to recognize the needs and rights of domestic workers as tenants in the homes of their employers.

INTERCEDE was participating in the lobbying efforts of the Inclusive Neighbourhoods Campaign (INC) to improve the rights of tenants through Bill 120's amendments to the Landlord and Tenant Act.

Currently, the rights and protections guaranteed under the Landlord and Tenant Act (LTA) do not extend to tenants living in housing offering any sort of care.

This category of tenants includes seniors living in private rest homes, tenants with psychiatric disabilities living in private housing and low income tenants who are in desperate need for affordable housing who often find that the available non-profit units come with a "care-component". These tenants commonly find themselves foregoing their rights in order to secure a home.

Bill 120 has addressed this concern by containing provisions that will extend tenant protection to tenants whose housing has a care component.

Caregivers living in the home of their employers should be covered as tenants under this provision.

Domestic workers who enter Canada on temporary status under the Live-In Caregiver Program (LCP) are required to live-in the home of their

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## INTERCEDE CLIENT SERVICE UNIT MARKS 10TH ANNIVERSARY IN MARCH

by Columbia Tarape-Diaz

It was March 1984 when the INTERCEDE Service Unit opened its doors for the first time at 348 College Street, just a few blocks from its present location. The office consisted of one small room with three tables and some chairs, of different shapes and sizes, for clients. Office equipment consisted of one portable typewriter, a file cabinet and two rotary dial telephones.

Four years before, in 1980, domestic workers had launched a year-long intensive campaign to pressure the then Liberal government to end the temporary work permit system. Under this system, foreign domestic workers had no right to apply for landed status in Canada.

By the end of 1981, the government had acceded to the demands of the workers and gave them the right to apply for permanent residence from within Canada by instituting the Foreign Domestic Movement program. However, the program still forced foreign domestic workers to stay on temporary work permits for a period of at least two years.

Even before INTERCEDE finally got government funding to rent an office space, domestic workers were already addressing inquiries and problems to the active members of INTERCEDE. When the Client Service Unit was formally opened, it was a relief to them to finally have a place to go for information and counselling about their immigration, employment and other social service needs.

We started with a staff of three, two counsellors who were former domestic workers, and a coor-

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Come to INTERCEDE's monthly meeting on Sunday, March 6, 1994, 3-5 p.m. at Cecil Community Centre, 58 Cecil Street, South of College & Spadina

2-3 p.m. New member application and renewals. Members with ID numbers **93-0166 to 93-0244** must renew or be dropped from membership list.

3-4 p.m. INTERCEDE celebrates International Women's Day by marking its 10th Year of Client Service.

CLASP Legal Clinic will be open.

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employers and to provide care to either children, elderly or individuals with disabilities.

However, a domestic worker usually cannot do much if she is given a room with inadequate ventilation or minimal heat in the winter.

Despite being charged for the room she is living in, she cannot force the employer to put a lock on her door or prevent anyone from using the room. This situation severely restricts privacy and increases her vulnerability to sexual harassment or abuse.

Domestic workers should have the right to privacy and to safe and healthy living conditions and the right to enforce these rights without fear of retaliation.

They should also be given the right not to be arbitrarily evicted from their homes for trying to assert these rights.

INTERCEDE strongly supports the passing of Bill 120's amendments to the Landlord and Tenant Act which will provide domestic workers some protection against the abuses some of them now suffer in the hands of unscrupulous employers.

*(Thank you to Inclusive Neighbourhoods Campaign information package.)*

**COMBINED FIRST AID AND CPR CLASS  
(at Discounted rates for INTERCEDE members)**

**Saturday, May 28, 1994 9:30 am to 4:30 p.m.**

or

**Sunday, May 29, 1994 10 a.m. to 5 p.m.**

**Space for each class is limited.**

**Register early and pay \$45 to INTERCEDE.**

**For more information call 324-8751**

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dinator. I was happy to be hired as one of the counsellors. I had been active in the 1980 organizing for landed status in the Filipino community and later, had become actively involved in INTERCEDE which had started to recruit more domestic workers as members.

I remember when we were first turning out the newsletter, we used stencils to print them and the process seemed very laborious. We did not have a photocopier or fax machine or answering machine then. If I needed to copy anything, I would have to go to the Doctor's Hospital nearby to get free copying.

By 1987, we had moved to the Cecil Community Centre at 58 Cecil street where we still hold our monthly Sunday meetings. There we had more space for clients and for the children they brought along. But while the space accommodated the baby carriages and strollers, counsellors could not provide privacy for workers who wanted to confide problems that were getting more and more complicated.

Finally in 1988, INTERCEDE moved to its present location at 489 College, where for a time we shared space with Assaulted Women's Helpline. Today, I remain one of the counsellors, with the longest history of INTERCEDE employment - as long as the existence of the Client Service Unit itself.

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 since February 1993 (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 MARCH, 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

Clients even from far back as 1984 still get in touch with INTERCEDE from time to time and continue to rely on us for information.

It's been a privilege for me to have remained in the service of domestic workers for these past ten years. I feel lucky just to be part of a movement of women who continue fighting to elevate the value of women's work. It has been a privilege for me to be part of organizing for women's equality through my work as an advocate of foreign domestic workers.

### **AFTER SIX YEARS AND 10 MONTHS DOMESTIC WORKER FINALLY GETS LANDED!**

Magda Aguada was one of INTERCEDE's Board Directors from 1989 to 1991. For reasons that the Ministry of Immigration has never clarified, Magda is one of the unfortunate participants in the government's domestic worker/live-in caregiver program who has endured a very long wait to become a permanent resident of Canada.

It took Magda six years and ten months to receive her landed status. Under both the old FDM and recent LCP, foreign domestic workers expect they could become permanent residents in three years.

That is not usually the case and Magda speaks for a number of INTERCEDE's clients who are suffering delays that are unfairly long and that take a heavy toll on them and their families.

When Magda first left the Philippines for Singapore where she worked as a domestic worker for four years, her youngest child was only three years old, her second only seven and her eldest was eight.

Magda has been separated from her children for a total of almost eleven years. Now at last she will be able to go through the process of sponsoring them and hoping that she would not have a problem bringing in her two elder children who are at the cut-off age for sponsorship.

"The case of Magda shows how helpless foreign domestic workers can feel vis-a-vis Immigration authorities. Magda was never told the reason for the long delay in processing her papers and all

#### **DID YOU CHANGE ADDRESS?**

Please inform us by phone or mail so that you can continue getting your newsletter and we don't waste postage expenses for returned mail!

#### **REUNION HISPANA**

**domingo, 20 de marzo 1994**

**2 - 5 de la tarde**

**Cecil Community Centre, 58 Cecil Street**

**Llame a Coco, 324-8751**

she could do was wait," said Coco Diaz, INTERCEDE counsellor, who helped Magda follow up with Immigration.

In her own words, Magda wrote about this experience:

"I am Magdalena Aguada, a Filipina who came to Canada on March 12, 1987 under the Foreign Domestic Movement Program (FDM).

"Finally, after six long, hard years plus ten months, to be precise, I have just received my landed status.

"Just two months after arriving in Toronto, I became a member of INTERCEDE. I did not want to experience what I had experienced in Singapore, I wanted to know what were my rights and privileges. So I regularly attended meetings and became active until I was elected a member of INTERCEDE's Board of Directors.

"After my second year here I applied for permanent residence, was 'assessed' by Immigration, after which I received an 'open permit'.

"I remained working with my same employer hoping I would get landed status after a year. Little did I expect I would have to wait more than three years.

"I considered myself fortunate to find a permanent part-time receptionist job in a well-established retirement home, where I continue to work at present.

"But I was not lucky enough to obtain my permanent residence. I had to ask the help of INTERCEDE, through Coco Diaz, although I had sent letters to Immigration trying to find out what was happening to my papers.

"It has been too long a wait for myself and my three children. I hope we will be reunited soon."

#### **INTERCEDE WELCOMES VOLUNTEERS**

at monthly meetings and in the office to help in newsletter mailings. Call 324-8751 for dates

#### **BOWLING DAYS IN MARCH**

**Register at 324-8751**

**or at the March 6 meeting**

## QUESTION AND ANSWER

**Q. I received my landed status last January. Now I would like to file an application to sponsor my husband and two children whose family names are different from mine because I came to Canada using my single name even if I was married.**

**A.** When you file for sponsorship, make sure to enclose a copy of your marriage certificate and birth certificates of your children; as well enclose copies of documents such as your passport, employment authorizations, T4s etc. that bear your maiden name. Then attach a letter explaining why you use your maiden name.

**Q. My sponsorship application for my three children were returned and I was advised to fill a separate application for my 21-year-old son. I am a widow and I want to bring all my three children including my son to Canada. What should I do now?**

**A.** Your son is over 19 years old, therefore in order to sponsor him you must show that he is a full-time student and fully dependent on your financial support. Ask your son to obtain copy of a certification that he is enrolled as a student; school receipts of registration fees will help. File a separate application for your son and attach a letter of explanation.

**Q. I would like to sponsor my parents. How much are the processing fees and what must my income be to qualify?**

**A.** You will pay a processing fee of \$450 for each parent, totalling \$900 for both. Your annual income should be in the range of \$25,700. Call Immigration for further information.

**Q. I will finish two years as a live-in caregiver by June. Can I include my husband and two children in my application for permanent residence?**

**A.** You can now be processed at the same time as your immediate family by indicating your intention and sending the necessary fees, which are

## ORIENTATION MEETING

Sunday, April 24, 1994

10 a.m. - to 4 p.m.

### Topics:

1. IMMIGRATION AND LABOUR RULES
2. SPONSORING DEPENDENTS AND OTHER RELATIVES

Register by calling 324-8751  
and pay \$5 registration fee  
(which will be refunded  
if you are present on April 24)

\$450 for your husband and \$50 each for your children.

**Q. I had been separated from my husband for 12 years by the time I entered Canada but I declared I was married in all my documents. Now I want to make sure that my papers reflect that I am separated but I don't have any papers to show this. Will my application for permanent residence be affected if I made this change now?**

**A.** Write a letter to Immigration stating your intention to change your name and declare yourself as separated, explaining the circumstances surrounding your case. You may also make a declaration that you have no intention of reconciling and therefore you have no intention of sponsoring your former husband to Canada. Please contact INTERCEDE for assistance.

**Q. My application for permanent resident was returned because Immigration asked me to pay an additional \$500 for my husband and daughter if I want them to be processed at the same time as myself. I want to be processed ahead of them. Will this affect my application?**

**A.** No, your application will not be affected if you refuse to pay the processing fee for your husband and daughter. But they are expected to undergo medical and security clearance as a requirement for your own processing. Enclose a letter to Immigration informing that you are not having them processed at the same time as yourself.

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c/o INTERCEDE

489 College Street, Suite 402

Toronto, Ontario

M6G 1A5

FIRST CLASS