

DOMESTICS' CROSS-CULTURAL NEWS

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

Toll Free 1-877-483-4554

March 2002



OPEN LETTER TO PHILIPPINE PRESIDENT

(The following letter was prepared by INTERCEDE advocates and distributed during a community event in honour of President Gloria Macapagal-Arroyo held in Toronto January 30, 2002)

We, Filipino migrant workers in Toronto, welcome your visit as an occasion to call for an end to the discrimination we suffer under the Live-in Caregiver Program (LCP) of Canada Immigration, and appeal to your government to make forceful representation of this long-held demand to the Canadian government.

In exchange for our valuable contribution to the economies of Canada and the Philippines, all we ask is the simple enjoyment of our

rights. But this is impossible when we are admitted on temporary work permit and obliged to live-in the employer's household as a condition of legal status because this restrictive combination of LCP requirements renders us vulnerable to workplace abuses, keep us in a constant state of stress and insecurity, and forcibly separate us from our family for many years.

In Canada we are proud to do the women's work and caregiving which frees up professional and highly-skilled labour to drive its economy; in the Philippines, regular remittances to our loved ones drive up the dollar earnings of the country, now by more than U.S.\$9 billion annually. Surely, we deserve

more than just token recognition for these contributions. Surely we deserve our rights abroad; we deserve to exercise our vote at home; and surely we would be concerned that U.S. soldiers would now extend their war on our soil which will cause further displacement and migration of Filipinos.

The violence and abuse we experience as a result of conditions imposed by the LCP are documented in a research entitled "Caregivers Break the Silence", which was conducted by INTERCEDE for the Rights of Domestic Workers, Caregivers and Newcomers. We offer you this book as witness and proof of our daily sacrifice for the sake of our children, our families, and, yes, our Nation.



CIC MANAGER GIVES SOME INFO ON NEW IMMIGRATION LAW

Immigration Officer, Jim Campbell was our guest speaker last month. He talked about the new Immigration and Refugee Act, which was passed November 2001 and takes effect on **June 28, 2002**. The major change to the Live-in Caregiver Program (LCP) states that caregivers and their employers must have a signed contract before a validated job offer is granted. All other requirements under the Live-in caregiver program

remain the same.

INTERCEDE Coordinator, Fely Villasin expressed concern that the contract requirement will only benefit the employers who might have asked for this requirement, without consulting advocates for caregivers or input from the caregivers. Fely is also concerned about employment agencies that bring caregivers to Canada under the LCP, but find that they have no jobs upon their arrival. Mr. Campbell

stated that he does not know how the new contract requirement will affect caregivers, but he is concerned about this scam which agencies and employers are involved in. He would like these cases reported to immigration. He plans to meet with INTERCEDE on February 22 to discuss these scams and the negative impact of the new immigration law on caregivers.

The Spousal Landing Class: Under the new immigration law, all those with

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)

Sunday, March 3, 2002, 3-5 p.m.
At Cecil Community Centre, 58 Cecil St.
(one block south of College cor. Spadina)

INCOME TAX PREPARATION
Guest Speaker, Elsa Reyes

Association of Filipino Canadian Chartered Accountants

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valid status who marry Canadian citizens, or landed immigrants can have their application for landed status processed from within Canada. Interviews will still be done locally, at an immigration office in your area.

Another new change is that sponsored spouses and children cannot be denied entry to Canada based on excessive strain on the medical system. The age for sponsoring a dependent child will now be 22 years. Previously the age was 19 years.

A **Permanent Resident Card** for immigrants will replace "Form 1000". This form will cease to exist by June 28, 2002. The cost of the card will be cost \$50. You can apply for this card by mail if you are already landed, but you should not do so until October 2002. You will be asked to pick up the card at the immigration office in your area. It is not compulsory for immigrants who are already landed to have this card, but it will be used as proof of residency if you decide to travel outside of Canada and want to return. When you apply for your landing status, the landing fee will include the fee for this card. There will be a grace period for when Form 1000 will cease to be accepted and only the resident card will be accepted.

Misrepresentation: Some things which applicants misrepresent and are seen as **material fact** include false diploma, age, education and not saying you have children when you do. Mr. Campbell stressed that you should not misrepresent anything, because immigration will eventually find out. Misrepresentation is also a breach of the immigration law and can be used as grounds for deportation. This is why you should write to immigration and correct the misrepresentation as soon as possible before applying for landed status. Immigration officers decide if it was **material fact** and the person might be called in for an interview. Immigration will also decide if a person should be penalized or not.

Removal/deportation of people: The new legislation includes a pre-removal risk assessment for the removal or deportation of people. Anyone, who went through this process and is under a removal order, can apply for review, if they are said to be a risk to the country. Previously, only refugees could ask for a review of their cases.

Refugee applications: According to the Immigration and Refugee Protection Act, refugee applications will now be processed within 72 hrs (instead of approx. 6 months) and all applicants will go through the eligibility and determination process. Previously, refugee applications were mailed in. Now all applicants will be personally interviewed and they must go through security screening.

Threats by employers: Employers have never had any power to deport anyone. The deportation of someone is done through a legal process. Immigration only takes letters sent

by employers seriously when a caregiver is involved in criminal activities. Immigration will investigate the allegation if they think it is necessary, but will not if they think it is only the employer trying to cause problems for the caregiver.

Visitor Visa: If no date is written on your visa at your port of entry to Canada, you can assume that you are allowed to remain for six months in Canada. You are advised to apply for a visa extension at least one month before your visa expires. While your application for extension is on process and your current Immigration status expires, you are said to have **"implied status."**



WHY I AM AN ADVOCATE

By Anita Fortuno

From January to June 2001, I attended INTERCEDE's Advocacy Training Program together with 14 other women. This once-a-month training was facilitated by Martha Ocampo and was funded by the Maytree Foundation.

Prior to this, I had mixed views on racism, sexism, homophobia, and woman abuse. I even had the tendency to blame the victims of abuse, not knowing what circumstances may have caused them to accept such abuse. After this training, I am a more informed individual.

We discussed the roots of racism and its effect on people of color. I began to understand sexism and how women came to be regarded as the "weaker sex". Most importantly, I learned to respect other people's rights to make choices for themselves. I have learned that no matter what our relationship is to other people, we have to respect their rights to decide for themselves.

We also learned about stress management, women's safety, and how to communicate effectively. I learned how to assert my rights, not just in the workplace, but anywhere I am. Being assertive and knowledgeable of my rights is helping me overcome racism and sexism.

This year, Fely Villasin is facilitating a new group of Advocacy Training participants at George Brown College. She asked some of the original participants to join this group in order to put into practice what we had learned from our previous training. We lead group presentations and discussions on issues. We encouraged new participants to speak out and overcome their nervousness.

I, myself, was surprised to discover that I did not just gain a better understanding of racism and sexism, homophobia and human rights, but I also developed the confidence to speak out and voice my opinions on these topics.

Now I understand how to be an effective advocate. We cannot always do things for other people, or be there every time they need our help. However, educating them and helping them understand their rights, regardless of skin color or sexuality, we can give them the courage to stand on their own, be assertive, and ask for the rights that we all deserve.

Racism, sexism, inequality, and abuse of human rights exist and may be hard to stop, but being able to advocate for others and help them gain a deeper understanding is a big step in overcoming all kinds of discrimination.



FREE JOB SEARCH WORKSHOPS FOR CAREGIVERS AND NEWCOMERS

INTERCEDE is offering free Job Search Workshops (JSW) specifically designed for domestic workers and caregivers working under the Live-in Caregiver Program. Landed immigrants are also welcome.

These four-day workshops teach you how to find the job of choice, help build self-confidence and participants get to meet other newcomers.

These free workshops are held Sundays from 11 a.m. to 5 p.m. at George Brown College, St. James Campus, 200 King Street East (Jarvis & King), Room 325-A.

Next dates are **February 24, March 3, 17 & 24**
Next dates on April 2002 to be announced

Space is limited, please call Genie Policarpio at (416) 483-4554 extension 21 to register.

This program is funded by Citizenship and Immigration Canada; and sponsored by COSTI and OCASI. Participants will receive a Certificate of Completion.



WE ARE INVITING YOU ALL
TO JOIN US
AT
INTERNATIONAL WOMENS DAY MARCH
March 2, 2002
11:00 a.m.
University of Toronto
Medical Science Building

For further information, call Genie at
416-483-4554 x 21

COCO'S CORNER

Once again, I would like to emphasize the importance of correcting any misrepresentations or false statements stated in your official records prior to coming to Canada under the Live-In Caregiver Program, Family Class, or as Independent Immigrant (i.e. age, marital status, number of dependents):

- ◆ Secure documents as proof of your actual date of birth, (birth /baptismal certificate, medical records, school records, passport). Have them certified or authenticated.
- ◆ Enclose the above in your letter to Immigration requesting for the correction of your original information. Explain how /why it happened and ask for a consideration.
- ◆ Be prepared for Immigration's further investigation and notice for a personal interview.
- ◆ You will be given the opportunity to make submissions related to the matter for a specific period. You must comply without any delay.
- ◆ Always indicate your Client ID # in all your correspondence to Immigration

A Lesson from Esmeralda.....

I am on Open Employment Authorization and waiting for the approval of my Permanent Residence under LCP. Immigration recently contacted me regarding an alleged offence and violation in a country that I visited with my friends. We were cleared and there was no record of wrongdoing. In a letter to Immigration, I explained that at one of the point of entries we were questioned about a white talcum powder that belonged to one of my friends. We were extensively searched and underwent medical examination just to confirm that we were not smuggling any illegal substance. My landed status has been delayed because of the above incident.

Lesson: refrain from bringing any stuff in a powder form such as talcum powder, "tawas", polvoron, etc... when travelling.

A Mother's Story

My daughter came to Canada as a caregiver under the LCP, and was released from her employment after one month. While waiting for the approval of a new Employment Authorization my daughter got sick and needed immediate attention. She was rushed to the hospital by an ambulance. She was confined and underwent a battery of tests despite my informing the hospital that she did not have OHIP coverage since she was in Canada for less than three months. Before her release from the hospital, we were given a huge bill which I did not know how I could pay. As a result, my daughter's prospective employer withdrew her offer of employment. My daughter applied for OHIP coverage since she has already been in Canada for over three months but OHIP refused her application. I sought assistance from INTERCEDE who immediately made an appeal on my daughter's behalf arguing that my daughter had now obtained three months residency, and that she has a valid Employment Authorization under the LCP. Today I am thankful that my daughter has OHIP coverage to cover her medical needs and I am waiting for the reimbursement of some medical bills that I paid ... again thank you INTERCEDE for your intervention... Conchita

MOURNING BY LONG DISTANCE

I came to Canada under the Live-in Caregiver Program and was released by my employer after my second month. My employment authorization was being processed for my new employer when my mother died.

My immediate reaction was to go home and be with my family to pay my last respect to my mother. I was, however, under this program which kept me from attending my mother's funeral. I could not bear the thought of losing my mother but neither could I lose the chance to stay in Canada.

If Caregivers were allowed to come to work as Landed Immigrants I would not be feeling this guilt of not seeing my mother for the last time. Being under the Live-in Caregiver Program, limited my options when emergency arose.....Genie



INTERCEDE

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INTERCEDE STAFF:
Fely Villasin - Coordinator
Jo Alcampo - JSW Facilitator
Columbia Diaz - Settlement Counsellor
Olive Smith - Settlement Counsellor
Anita Fortuno - Outreach/Counsellor
Genie Policarpio - Intake & Administrative Assistant

EMERGENCY FIRST AID+ HEARTSAVER - \$59.00
Saturday, March 23, 2002 - 9:00 - 5:00 p.m.
Saturday, March 30, 2002 - 9:00 - 5:00 p.m.

EMERGENCY FIRST AID+INFANT/CHILD CPR -\$69.00
Saturday, March 09, 2002 - 9:00 - 5:00 p.m.
Sunday, March 24, 2002 - 9:00 - 5:00 p.m.

Please register at least one week before the start of training date by sending a cheque payable to **ST JOHN AMBULANCE** and mail to **INTERCEDE**
234 Eglinton Ave. E., Suite 205, Toronto, On,
M4P 1K5
Classes at **ST JOH AMBULANCE**, 46 Wellesley St. East

We wish to thank: Citizenship and Immigration Canada - ISAP Program and Job Search Program with COSTI-OCASI; the Federal Status of Women & Status of Women Ontario; the Maytree Foundation, and the Municipality of Toronto CSGP, Access & Equity and "Breaking the Cycle of Violence" grant programs, for their financial support.

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