

Domestics' Cross-Cultural News

monthly newsletter of the International Coalition to End Domestic's Exploitation

MAY 1988

GREGORY SORBARA MEETS WITH INTERCEDE

On May 16, 1988, Minister of Labour, Gregory Sorbara met with an INTERCEDE delegation to discuss the need for equitable overtime compensation for domestic workers.

The brief objective of the hour-long meeting was to appeal to Mr. Sorbara to amend the overtime regulations introduced last October. "They look good on paper", said Judith Ramirez INTERCEDE Co-ordinator, "but they make little difference in the lives of most live-in domestics."

Melita Carbungco, a plaintiff in the overtime Charter challenge launched last Spring, told the Minister she was taking a stand to help all the foreign domestic's who cannot complain for fear of losing their jobs. "I know", she said, "because it happened to me."

Mary Jo Delorme, the first foreign domestic to file a claim for overtime pay, told the Minister how she had worked long hours caring for an infant child. Mr. Sorbara responded that he knew what it was like from raising six children and taking turns with his wife getting up in the middle of the night. "It's not the same", said Ms. Delorme, "the baby I looked after was not my own. . . [and] the law made it easy for my employers to exploit me."

The Ontario Federation of Labour's Sean O'Flynn noted that "it is no accident ninety eight per cent of domestic workers are women and the majority are immigrants." He deplored the fact that it is illegal for domestics to unionize and called on the Minister to "grant INTERCEDE's request for immediate changes in

the law."

Helena Orton, Litigation Director for the Women's Legal Education and Action Fund (LEAF) told Mr. Sorbara that there is a strong legal case against the current overtime regulations under the Charter of Rights and Freedoms because "they create more hoops for domestic workers to jump through to get overtime pay" and this constitutes unequal treatment under the law.

While conceding that the Charter challenge may require government to "change direction", the Minister insisted that there would be "no substantive change in the legislation in the foreseeable future."

Due to the Minister's refusal to negotiate with INTERCEDE, new affidavits have been filed with the Supreme Court of Ontario charging the government with perpetuating the long legacy of exploitation against domestic workers.

OFL JOINS CHARTER CHALLENGE

The Ontario Federation of Labour has formally joined INTERCEDE in the court battle to win overtime pay for Ontario's 65,000 domestic workers.

In an affidavit filed immediately after our recent meeting with the Minister of Labour, Sean O'Flynn condemns the current overtime regulations saying "they contain many retrograde features!"

The regulations came into effect last October and permit employers to give live-in domestics time off in lieu of overtime pay with the worker's "consent." The OFL refers to the domestics ability to give her consent as

cont'd pg. 3

COCO'S CALENDAR

Recent happenings. . .

- * on May 8 INTERCEDE spoke at a meeting of Pax Christi attended by roughly 200 domestic workers
- * on May 11 we attended the award dinner for the YWCA Women of Distinction
- * May 13 was busy with the OCASI fundraising dinner attended by Joan Ann Gravesande and the CANADIAN MULTICULTURAL COUNCIL's banquet attended by Judith Ramirez

Coming up soon . . .

- * the Service Unit will be open Saturday, June 4, 10am - 2pm. Please call 591-7036 or 591-1625 for an appointment!
- * INTERCEDE's monthly meeting is set for Sunday, June 5, 3 - 5 pm, at 58 Cecil Street
- * on June 11 everyone is welcome to the Philippine National Day Celebration at Seton Park. For info call 532-3888

. . . AND CONGRATULATIONS!

- * Happy Birthday to Merly Peralta, Gloria Orina, Emea Andrade, and Carmen Bautista . . . many happy returns!
- * our deepest sympathies to Julie Casuga and Gigi Valle who recently lost their fathers

If you have any juicy gossip for the Calendar call me at 591-1625!

That's all for this month!

- Columbia Diaz

KNOW YOUR RIGHTS

If you are a domestic worker in Ontario, you are entitled to compensation for any hours worked after 44 hours per week.

Overtime pay is calculated at time and a half your regular rate of pay. For example, \$4.55/hr. + \$2.28 = \$6.83/hr. Here are some things to remember about overtime pay:

- you must keep records of your hours worked in the event of a dispute with your employers.
- your employer can offer you time off (lieu time) instead of overtime wages. You have to give your consent to receive time in lieu of money. If you don't want time tell your employer no.
- you have up to 2 years to make a claim for overtime wages owing to you.
- if your present employer fails to pay you properly you can still make a claim after you leave.

If you are having problems with wages or long hours, call us or the Ministry of Labour for assistance.

INTERCEDE Service Unit: 591-1625
591-7036
Ministry of Labour
(Employment Standards): 965-5257

- Joan Ann Gravesande

con't from page 1

'illusory' given her lack of bargaining power with the employer. It strongly supports INTERCEDE's demand that lieu time be dropped and domestics be granted time and a half after forty four hours a week with no strings attached.

The court case against the Ontario Government was launched by INTERCEDE and LEAF last Spring with the support of organizations such as the YWCA, the Congress of Black Women of Canada, the Ontario Advisory Council on Women's Issues, the National Organization of Immigrant & Visible Minority Women, and the National Action Committee on the Status of Women (NAC).

DID YOU KNOW?

- * the average annual income of employers who recruit foreign domestic's through a Canada Employment Centre is \$77,499 (gross);
- * the annual income of most live-in domestic's is \$10,410 (gross), with \$2,964 deducted by the employer for room and board;
- * the net income of live-in domestic's after all deductions is less than \$6,000 a year;
- * the Ontario Task Force on Hours of Work and Overtime recently recommended that live-in domestic's work a maximum of fifty hours a week, or six hours of overtime weekly
- * six hours of overtime would cost the employer \$40.98 a week or roughly one hour's work!
- * INTERCEDE and community supporters have been lobbying the provincial government to grant overtime pay to domestic workers for nearly a decade

NDP TAKES SORBARA TO TASK

Immediately following his meeting with INTERCEDE on May 16, Labour Minister Gregory Sorbara faced tough questions in the Legislature about domestic workers' rights.

The New Democratic Party's labour critic Bob Mackenzie, took Sorbara to task for refusing to negotiate changes in labour regulations which would avoid a battle in the courts.

In response, Mr. Sorbara said that in his discussion with INTERCEDE he learned that the overtime provision "was certainly not being taken advantage of in the appropriate way by the workforce".

Mr. Mackenzie shot back: "I will try very carefully to tell the Minister so he understands. With no right to organize into a union, no maximum hours and no way to enforce the hours of work or payment of overtime, these immigrant workers have now been forced to go to court under the Charter of Rights. Is this the way the Liberal government looks after immigrant and ethnic minorities; passing legislation that allows continued exploitation, even when warned of it, and then arrogantly telling the delegation this morning, as he did, that he is not prepared to sit down with INTERCEDE to negotiate changes in the regulations that might give them the protection?"

Mr. Sorbara replied; "I resent the tone of voice from my friend...and the suggestion that I was not willing to listen to INTERCEDE's point of view..."

The NDP has often raised its voice at Queen's Park to protest the discriminatory treatment of domestic workers under the province's labour laws.

BOAT CRUISE . . . WELCOME ABOARD!

INTERCEDE is planning a special boat cruise for domestic worker's and friends. The big day is SUNDAY, July 24 and everyone is welcome to join the fun! We will leave from the INTERCEDE office (58 Cecil St., Toronto) at 9am, travel to Midland by coach, board the tourist boat and cruise the beautiful Thousand Islands for several hours. We will return to Toronto at 7pm that evening.

Tickets cost \$ 33.50 per person and include all transportation, the cruise and lunch at a Midland restaurant. Remember to bring your camera!

Tickets will be on sale at the monthly meetings on JUNE 5 and JULY 10. Please buy your tickets as early as possible! For more information call us at 591-1625.

*Buy your copy of our informative guide KNOW YOUR RIGHTS. Special price for domestics \$2.00 a copy!

*Buy our beautiful red button 'DOMESTIC WORKERS PROUD & STRONG'

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

Place
Stamp
Here

FIRST CLASS

LEARNING INFORMATION CENTRE TO VISIT

The Learning Information Centre will visit INTERCEDE at our monthly meeting on June 5, 1988. They will be here to answer questions about upgrading and accreditation of foreign degrees and diplomas. The Learning Information Centre operates a phone line and drop-in for adults interested in finding out more about continuing their education in Metro Toronto.

Call them at: 924-6923. The Learning Information Centre is a project of the Workers' Educational Association of Canada.

INTERCEDE SERVICE UNIT

Place: Cecil Community Centre
58 Cecil Street
Toronto, Ontario

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

Telephone: (416) 591-1625
591-7036

Free and confidential counselling to all domestic workers on immigration, employment, human rights and emergency social services. A free legal clinic is also held at our monthly meetings.

Call us today for an appointment!

NEXT MONTHLY MEETING ON JUNE 5!