

DOMESTICS' CROSS-CULTURAL NEWS



May 2001

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INTERCEDE FOR THE RIGHTS OF DOMESTIC WORKERS, CAREGIVERS, AND NEWCOMERS

INTERCEDE PUBLISHES FIRST BOOK - CAREGIVERS BREAK THE SILENCE

INTERCEDE will launch the book, *Cargivers Break The Silence* on **May 6** at the annual Mayworks Festival of Working People & the Arts in Toronto.

The book deals with the abuse and violence, including the impact of family separation experienced by women in the Live-In Caregiver Program (LCP). It is written by Sedef Arat-Koc with research coordinated by Fely Villasin.

INTERCEDE embarked on a participatory action research in January 2000 we have observed that most caregivers had been, and continue to be, susceptible to many forms of abuse and violence. And in our opinion, this situation has been rooted in the requirements and conditions of the Live-In Caregiver Program itself.

So far, no systematic documentation has yet been made of the abuse and violence, including the impact of forced separation, which have been widely experienced by women - and a few men -admitted to Canada through the LCP.

Through participatory action research, we have aimed to develop an objective assessment of the LCP, in order to advocate for elimination of elements which



might be cause for participants' susceptibility to abuse and violence.

Caregivers Break The Silence not only examines abuse and violence in relation with employers, but also makes clear recommendations to Federal and Provincial governments and Non-Governmental Organizations.

We hope to inform the Ministry of Citizenship and Immigration and Provincial governments about working conditions which might constitute a Charter and Human Rights violation.

We also hope that this study will serve as a basis for action and advocacy by several groups such as Domestic and Caregiver workers and their advocates, policy staff in Status of Women and Heritage Canada, organizations fighting against violence against women, organizations working with immigrants and migrant workers,

and women's, labour and other community groups.

How We Define Violence

Internationally, there are serious attempts by feminist activists, researchers and theorists to develop better and more inclusive understandings of, and strategies against, violence against women.

In 1995, the *United Nations Platform for Action* and the *Beijing Declaration* defined violence against women as:

"any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm, or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public and private life" (United Nations, 1995: p. 73, Declaration 112).

In our study, we have adopted this definition of violence against women. It is inclusive and comprehensive. It goes beyond the merely obvious and visible forms of violence, and takes psychological harm as seriously as physical and sexual violence.

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This definition considers not just deliberately violent acts on the part of individuals, but acts (on the part of social and economic institutions, the state, legislation, policies, etc.) which result in or is likely to result in harm and suffering for women.

By looking at threats, as well as acts, in the public, as well as the private spheres, this definition includes, but also surpasses simple definitions of violence against women, which limited it to physical and sexual acts done by individual men against individual women.

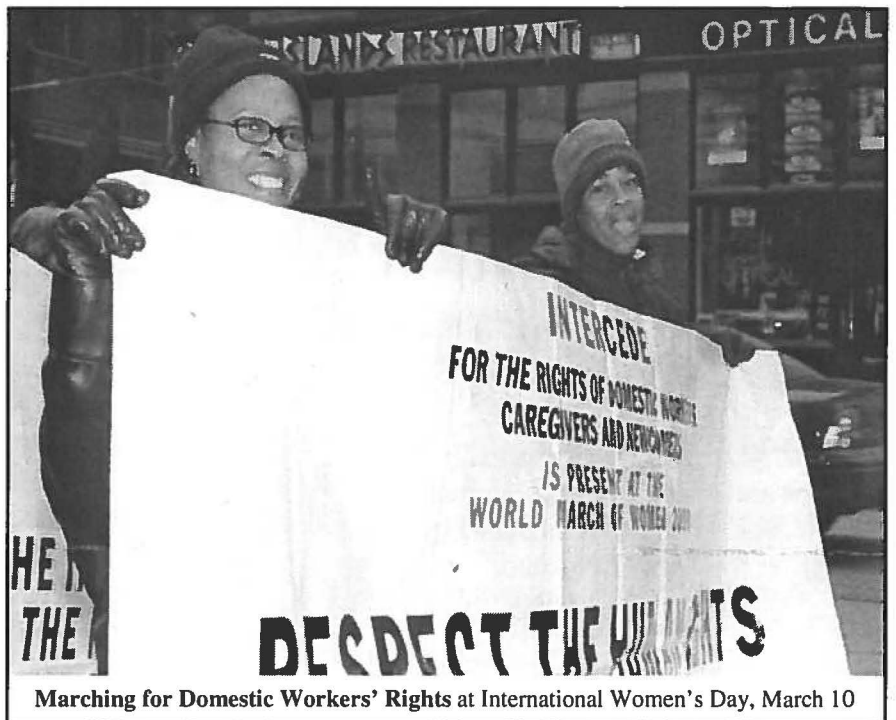
Experiences of Separation from Spouse/Partner and Reunification

According to our research findings, for some domestic and caregiver workers, separation from a spouse or partner for long periods meant a challenge and an opportunity for them to develop an identity as an independent person.

"I have learned to be an independent woman, more broad-minded and logical in my decision making" (Questionnaire Respondent #45)

While they were positive about their newly acquired independence, however, many caregivers still expressed strong feelings of longing for the companionship, support and intimacy of a partner. One respondent to the questionnaire summarized the effects of separation from her common-law spouse as a feeling of

"...emptiness in the sense that [there is] no one who would comfort you when you have a problem or giving reassurance when you are down". (Questionnaire Respondent #48)



Marching for Domestic Workers' Rights at International Women's Day, March 10

Separation became final for some caregivers. Six months after she left for Canada, Agnes' husband suddenly died. She was devastated, but could not even attend his funeral to console her children and to say her final farewell. She was concerned about losing her work permit in Canada and was afraid her new employer could terminate her (Agnes, Interviews).

Many caregivers have expressed an acute awareness of the uncertainty of their future with their partners; the possibility that the long period of waiting --till the caregiver becomes a landed immigrant and becomes eligible to sponsor her family-- imposed by the LCP could lead to the breakdown of marital or intimate relationships. One caregiver lamented that her fiancée waited five years for her and then married another woman (Questionnaire Respondent #46).

While some relationships have disintegrated, others have proved to be very resilient despite all the odds.

Risa, a lesbian domestic worker was separated from her same-sex partner when she came to Canada under the LCP. Her partner later married a man and had two children with him, but their relationship still continues.

Now, a landed immigrant in Canada, Risa regularly goes to the Philippines to continue and nurture the relationship, which her partner's husband is aware of.

At the time of the interview, she expressed that her biggest dream is to see some flexibility in sponsorship regulations which would enable her to sponsor her partner and her family to Canada (Risa, Interviews).

More excerpts on page 3

Caregivers' Tell Their Stories

These are stories of caregivers under the LCP collected from client case files and interviews. Names have been changed to ensure confidentiality.

Maria's Story

Maria, a caregiver from Peru suffered one year of abuse at the hands of an employer who was also abusive to his own wife and children. He would walk unannounced into her room and wake her up by pulling away her blanket. She was not given sufficient food. She was not allowed to go out, not even to church. She was physically assaulted when she asked for her time off. When it became obvious she was going to leave, the employer called the police on her, accusing her of theft. The caregiver made an Employment Standard Branch claim for \$8,000 for unpaid wages upon leaving, which was settled for \$6,800. While she got partial financial compensation, the worker had suffered such emotional strain during this employment that she had to be referred to an assaulted women's support group to heal (*Interview with Consuelo Rubio, Centre for Spanish Speaking Peoples*).

Tita's Story

Tita, a caregiver from Thailand, signed an offer of employment, when she was still in Thailand, for \$300 a month salary. The offer of employment also stated that "insubordination and rude behaviour" would result in immediate termination and repatriation to Thailand. During her first year, \$100 a month was also deducted by the employer from Tita's salary to send her back to Thailand if/when needed. Although the contract was illegal --as job contracts cannot offer less than the minimum set by Employment Standards-, isolated and uninformed, Tita had no way of knowing this at the beginning, and was intimidated with the "repatriation" clause even after she realized how small her salary was. She worked for two years with this employer and then left. Her suffering, however, did not end at this point. Her application for permanent residence was delayed significantly as this employer refused to provide records of employment, and Tita could not otherwise prove 24 months of live-in work (*Tita, 1994 Case Files*).



Vinita's Story

Another case demonstrates how emotionally damaging some employers' verbal communication and threats can be even if there are no clear-cut cases of physical, sexual abuse or economic exploitation. Vinita was employed by a wealthy single male employer (who had earlier accused a previous caregiver of theft and threatened her with reports to Immigration and the RCMP). Vinita's employer preferred to "be served" his dinner around 7:00pm or later. He starting getting upset with her when Vinita wanted to assert her right for off-time in the evenings. Saying he did not want to be rushed during his dinner, he "reminded" her that her contract states the number of hours she works, but is flexible with when those hours start and end. He wrote Vinita a letter, which starts in a "reasonable" tone but goes on to put her in her place!

"I am not asking you to work extra hours each day. I am merely saying to you that if 8:00am to 6pm is not suitable for me, then you start at 9:00am and work till 7:00pm, or for that matter, start at 10:00am and work till 8:00pm...you must further understand that you've been hired as a convenience for me, you must therefore comply with all my reasonable requests." (*Vinita, 1993 Case Files*)

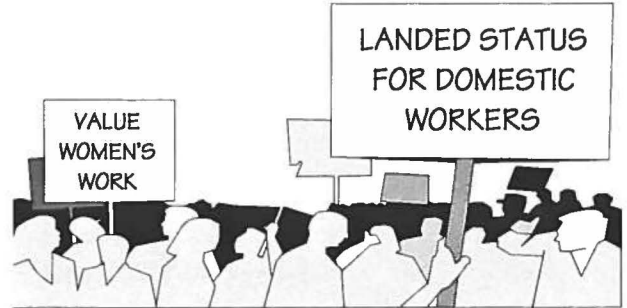
As the tension between them grew, Vinita was dismissed by this employer. He wrote her a very bad reference letter (which he copied for the then Immigration Minister Bernard Valcourt). In the letter he said: "I would have great difficulty recommending this woman as a housekeeper and I strongly question her presence here in Canada at all." The letter continued with the employer's hope to meet the Minister of Immigration "to learn the details of how and why this woman was ever allowed into this country", as he thought, "we have enough people feeding at the public trough without adding more." Vinita had to get a reference letter from INTERCEDE to be able to start looking for a new employer (*Vinita, 1993 Case Files*).

Celebrate INTERCEDE's Book Launch of CAREGIVERS BREAK THE SILENCE

Sunday May 6, 2001

3:30 - 6:00 p.m.

Cecil Community Centre, 58 Cecil Street
(Spadina, one block south of College)



- ☆ **Presentation by Sedef Arat-Koc**
- ☆ **Theatre performance by women from Advocacy & Leadership Training Program**
- ☆ **Caregiver's Mural/Performance Art**
- ☆ **Toronto Women's Bookstore book tables w/ 10% of sales donated to INTERCEDE**

Location is wheelchair accessible (side entrance) & Sign Language Interpretation will be provided

Event Sponsors: Mayworks Festival, Toronto Women's Bookstore, & SAWA - Filipino Students Artists Workers Activists

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 for their financial support.

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Hours: Mon 9 am - 4 pm **drop-in**
Tues-Fri 9 am - 4 pm **by appointment**

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INTERCEDE provides free and confidential information and counselling to Caregivers and Domestic Workers employed through the Live-In Caregiver Program. INTERCEDE also provides assistance to sponsored family members, caregivers working in related fields and other newcomers.

Voting membership is open to domestic workers, caregivers, and newcomers for \$10/year, which includes subscription to our monthly newsletter, *DOMESTICS CROSS-CULTURAL NEWS* and subsidized training programs in First Aid & CPR certification, Childcare & Eldercare Certificate Program, and a University Bridging Program. Call office for application. Donations or newsletter subscriptions from other community members and organizations are also greatly appreciated (see form below).

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