

# DOMESTICS' CROSS-CULTURAL NEWS

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

May 2005

Toll Free 1-877-483-4554



## **DIPLOMATS SHOULD KEEP THEIR OWN HOUSES IN ORDER, ADVOCATES FOR DOMESTIC WORKERS SAY**

### **Migrant Domestic Workers Protections Proposed**

*(Story released on April 7, 2005; Contact: Erica Pelletreau 212-519-7829 [media@aclu.org](mailto:media@aclu.org))*

GENEVA — Andolan, Global Rights and the American Civil Liberties Union convened a panel in Geneva on April 7 to address specific concerns about migrant domestic workers employed by international organizations, including the United Nations and the broader diplomatic community.

"Domestic workers are entitled to basic human rights protections," said Nahar Alam, Director of Andolan, an organization dedicated to organizing South Asian workers. "Diplomats and U.N. staff are working to promote peace and human rights around the world. How can we stop them from breaking the law in their own homes?"

The panel, "Treated with Dignity and Respect? Protecting the Human Rights of Migrant Domestic Workers Employed by the Diplomatic Community," included Gabriela Rodriguez Pizarro, Special Rapporteur on the Human Rights of Migrants, Gulnazar Alam from Andolan, Lani Fe Jalando-on with the Geneva Forum for Philippine Concerns, Claudia Flores, a staff attorney with the ACLU Women's Rights Project and Margaret Huang, the Director of the United States Racial Discrimination Program at Global Rights. The panel was held at Palais des Nations in Geneva, Switzerland.

According to the convening organizations, migrant domestic workers are extremely vulnerable to exploitation for a variety of reasons including unfamiliarity with their domestic and international rights, cultural and language barriers, and in many cases work long hours in isolation from their peers.

The problems are compounded when the employers can claim immunity from civil and criminal jurisdiction due to their status as diplomats.

"There are ways to ensure that the human rights of domestic workers are being respected," said Claudia Flores, a staff attorney with the ACLU Women's Rights Project. "As the leading global forum on human rights, the United Nations should not only institute reforms but apply pressure on other international institutions to do so as well."

International organizations as well as individual countries can institute "watchdog mechanisms" that allow for close monitoring of employment conditions and provide for educational opportunities so domestic workers know their rights and are familiar with how to access systems of redress, the groups said.

Among recommendations proposed by the advocates are the following:

- Call on the U.N. Commission on Human Rights to address the issue of migrant domestic workers employed by U.N. diplomats and staff in its resolution on migrant workers and call for appropriate measures to be adopted in order to protect the rights of these workers;
- Urge the ratification of the international Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by member states; and
- Ensure that international organizations, embassies and consulates adopt codes of conduct for recruitment and employment of migrant domestic workers, establish a complaint procedure and take disciplinary action when these codes are violated.

"We're here before the Commission because it is the appropriate body to address the abuse of domestic workers by diplomats and U.N. personnel," said Margaret Huang, Director of the U.S. Racial Discrimination Program at Global Rights. "We hope that Member States will adopt our recommendations to protect the rights of these workers."

*(A full list of recommendations submitted by Andolan, the ACLU and Global Rights is available on line at [www.aclu.org/International/International.cfm?ID=17894&c=36](http://www.aclu.org/International/International.cfm?ID=17894&c=36))*

*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, May 1, 2005, 3-5 p.m.  
At Cecil Community Centre, 58 Cecil St.  
(one block south of College cor. Spadina)

***Topic: How to Get Debt-Free and Avoid Bankruptcy  
By: Credit Counselling Service of Toronto***

*See you there!*

## IMMIGRATION CHANGES ANNOUNCED

Minister of Citizenship and Immigration, Joe Volpe, has announced recently that there will be faster processing of citizenship applications and that citizenship applicants will be exempted from undergoing language ability and knowledge-of-Canada tests at age 55.

He also said that measures will be taken to speed up the processing of sponsorship applications for parents and grandparents coming to Canada as family class immigrants. With these new measures in place, it is expected that in both 2005 and 2006, the number of parents and grandparents immigrating to Canada will increase by an additional 12,000 each year. This triples the original 6,000 forecasted for 2005.

In addition, CIC will be more flexible in issuing multiple-entry visitor visas to parents and grandparents. This will allow them to visit their families in Canada while their sponsorship applications are in process, as long as they are able to prove that they are visiting temporarily. Regular security and health screening will still apply and some parents and grandparents may require health coverage to be admissible to Canada.

"We are taking action now to address one of the most pressing issues for CIC and to make our processing system as efficient as possible. Reuniting families is a commitment of the Government of Canada as well as a key priority of Canada's immigration program," added the Minister.

To better attract, integrate and retain international students, CIC will allow international students at public post-secondary institutions to work off-campus while completing their studies and will allow students to work for two years, rather than one year, after their graduation. This second initiative will apply outside Montreal, Toronto and Vancouver.



## CARIBBEAN CONNECTION MEETS ON STATUS

On Saturday April 9, women of the Caribbean Connection, INTERCEDE Black Support Group, welcomed guest speaker Macdonald Scott who led a discussion on regularization for undocumented workers in Canada.

Macdonald Scott is a paralegal and has been dealing with this issue for the past ten years. He is active in the Status Coalition and No One Is Illegal, organizations which are fighting to regularize non-status people in Canada.

Scott talked about the different steps that are planned at the moment in order to facilitate regularization. In addition, he talked about the different ways one can contribute to the campaign.

The women were very happy and excited with Mr. Scott's presentation. They were willing to help in any way they could.

If you are a Caregiver or a domestic worker and are interested in attending a Caribbean Connection Meeting please call Bernice Small at (416) 483-4554 ext 22.

**Next Meeting: Saturday, May 14, 2005  
INTERCEDE Office from 2:00-4:00 p.m.**



## INTERCEDE TRIP TO MONTREAL & OTTAWA

**May 20, 21 and 22, 2005**

Assembly Time = May 20—Friday at 11:00 p.m.

Depart Toronto = May 20 - Friday mid-night (12:15 a.m.)

**Meeting Place: York Mills Subway Station  
Behind Shell Gas Station**

Arrive Montreal = May 21 - Saturday morning (07:00 a.m.)

Depart Montreal = May 21 - Saturday afternoon (06:00 p.m.)

Arrive Ottawa = May 21 - Saturday evening (08:00 p.m.)

**Check in at:**

**Carleton University Residence - Ottawa  
(Bed & Breakfast)**

Depart Ottawa = May 22 - Sunday afternoon

Arrive Toronto = May 22 - Sunday evening (10:00 p.m.)

**\$180.00 per person**

**(includes: Ottawa Bed and Breakfast )**

**One Free Ticket to May 14 show of the**

*Romance of Magna Rubia*

**SEATS LIMITED, RESERVE NOW!**

**We require a non-refundable deposit of \$90 per person**

**Add \$16.30 Entrance Fees to the following:**

**St. Joseph Oratory, Notre Dame Basilica, and Biosphere**

Please call Genie for further information at

416-483-4554 ext. 21

## A STORY OF FAMILY REUNIFICATION

After completing the requirement of working 24 months as a live-in Caregiver under the Live-in Caregiver Program, I applied for permanent residence on August 2002.

Like most live-in caregivers, I left my family in the Philippines with hopes that someday I would bring them to Canada, start a new life, and provide a better future for my children. Never once did I forget this aspiration. My longing for our reunification intensified further when I received my open work permit.

I kept in contact with my family, informing them that Canada is a very beautiful country with lots of job opportunities as long as they are willing to work at any kind of job. However, I also gave them a realistic picture of what to expect. I warned them of the adjustments that they would have to make, that life here is not a bed of roses like other people think.

The day of their arrival finally came! I took a week off from work so I could devote some time together. We worked on their documents such as SIN and OHIP. I took them sight seeing in downtown Toronto.

Then, I went back to work and it was time for my husband to look for a job. My children began to feel the impact of their separation from friends and cousins in the Philippines. Without letting me know, they started to regret having left.

My husband started behaving strangely and I felt he was depressed at not finding a job. When he finally got work through an employment agency, he found it hard to cope with the physical demands. He never complained to me but I sensed his discontent.

One day, he expressed his desire to go back to the Philippines. He started complaining about many things although he kept on working to keep himself busy, otherwise, he said, he might go crazy.

I, in turn, got so depressed that I even wished that they had not come at all. I would be tired from work and yet, when I got home, I still had to deal with their difficulties in adjusting. I felt like I failed my family every time I saw their dissatisfaction.

I hid my disappointment and exhaustion, and tried to remain strong because I knew they depended on me for strength and support. It seemed like a heavy burden having to deal with everything: our financial situation, their frustrations, trying to assure them everything would turn out fine.

Months have gone by. My children have adjusted surprisingly well to their new environment and have made new friends since they started working. They are also back in school. After almost two years, they have finally settled and are looking forward to finish university.

Meanwhile, my husband has found a full time job with better pay. Hopefully we can move on and live a better life here in Canada.

So here's some advice to live-in caregivers who are waiting to reunite with their families in Canada: save money in preparation for their arrival, be strong, physically, mentally and emotionally. You will need all your strength to be their source of support as they adjust to their new home. Be aware and understanding of the difficulties they are going through. Remember, we have been there too. Don't give up. Eventually everything will work out all right.



**COCO'S CORNER:**

**Lost Documents**

It is always a smart thing to have photocopies of documents like your Passport, Employment Authorization, and cards i.e. Citizenship, Permanent Residence, OHIP, Library and Credit cards, and keep them in a safe place. This way, if you lose the originals, you can easily report and replace them. Do not bring or carry your important papers or cards with you if you don't need to.

**Spring Cleaning**

It's that time of year to open windows and doors and freshen up your employer's house or your own place. Make sure to leave the screen locked before leaving. Do not expose items that can easily be carried away like videocam, laptop computers, CD players, cellphones, cameras or purses. Do not keep cash and put your jewelry and important papers in a safety deposit box in the bank.

**Employer's gifts**

Your employers may reward your satisfactory performance with a gift of new or used items. But later, you may realize that it is a bribe to keep you from complaining about your employment conditions. Once you complain, the relationship may change. You may decide to leave or your employment may be terminated. Then the gifts you got may be confiscated, or worse, you could even be accused of stealing. So, as soon as your employment rights are violated, raise it immediately with your employers. Do not be trapped into receiving gifts to offset your coverage under the Employments Standards Act (ESA). But, there are employers who are genuinely generous and understanding. Congratulations if yours are.

**Employment Reference**

To be able to get the best reference from people whom you

put in your resumes or application for employment, don't forget to:

- ☞ call and inform the persons that you used as reference, indicate the position you applied for, and the employer's name or company;
- ☞ as a courtesy, whatever the result of your application, call back your reference to say thank you and acknowledge the time and effort given.

**CBT carlos bulosan theatre**

*presents*

***Romance of Magno Rubio***

a hard luck tale of a Filipino migrant worker who labours in the farms of California during the 1930s and dares to dream of a future with a white American woman, undeterred by legal and social prohibitions.

*May 12-29, 2005*

*Thursday—Saturday 8 pm, Sunday 2:30 pm*

*The Theatre Centre, 1087 Queen St. West*

*(SE corner at Queen & Davencourt)*

*Tickets \$12—\$18 PWYC Sundays*

**INTERCEDE**

**“TALKBACK NIGHT”**

**Saturday, May 14, 2005, 8 p.m.**

After the show, INTERCEDE staff members will lead discussions and answer questions about migrant workers today. They will talk about the government's review of the Live-in Caregiver Program.

**Discounted for INTERCEDE night—Ticket \$10**

**Q AND A**

- Q - *I have completed the Job Search Workshop and applied for membership, am I required to attend your monthly meeting?*
- A - *JSW is completely different from the monthly educational meeting. Every month there are updated information and we cover different issues presented by invited resource speakers or our counsellors. As a member of INTERCEDE, you are expected to participate in all of its activities and support its objectives. If your time permits, do attend every first Sunday of the month, 3-5 pm at Cecil Community Centre.*
- Q - *Approval of Permanent Residence under the LCP is delayed due to my husband's inability to produce documents showing that he was legally separated or divorced from his first spouse. This information came in a letter from Immigration. I feel betrayed and fooled because I was married to him in church, have three children and we lived happily as an ideal family before I left for Canada. What will I do to get my landed status and to be re-united with my children?*
- A - *Your marriage could be considered null because of fraudulent information that your husband provided when he married you. Your relationship to him is Common-Law and your*

children can be re-united with you as long as your common-law husband will agree to the following:

- ☞ give his full consent to allow your three minor children to join you in Canada
- ☞ comply with requirements to pass security and medical clearance since he is considered as your common-law husband
- ☞ secure the necessary documents to nullify his first marriage so that you can be married legally.

Please call for an appointment with one of the counselors at INTERCEDE and if needed we will refer you to a lawyer and even help you apply for legal aid.

*Q - I will be three years in the LCP this July but have only worked for 10 months. I am aware that I have to complete the 24 months live-in work within three years but I went through a series of unfortunate events which I want to share:*

☞ upon my arrival, the elderly woman that I was to care for was confined to a hospital. One of her children was good enough to let me stay in her house. After two months she was released and I took care of her for five weeks in her own condo. But because of complications to her health the family decided to bring her to a Nursing home.

☞ I became unemployed, with no place to stay and I panicked. A member of the same family filed an Offer of Employment for me to look after three children ages 14, 9, and 6. After two months HRSD responded by refusing the offer of employment because the lady employer is not working. She made an appeal explaining that it is true that she is not working but she travels frequently with her husband and they needed a live-in caregiver. HRSD then approved the offer. After six months I received my new Employment Authorization and happily worked for a continuous nine months.

☞ On one of my days off, I suffered severe stomach pain and was rushed to the hospital. I underwent surgery and took three months to recover fully.

☞ As a result of these events I was unable to complete the required number of working months. Recently I received another Employment Authorization with a note that I needed to file my Permanent Residence since I will be three years this July. Can you help me?

A - I am very sorry to learn about your situation and the circumstances you encountered. However, let's be thankful that you are now healthy. It was beyond your control that you did not complete the LCP requirements. Do make an appointment to come and see one of the INTERCEDE counsellors, so we can assist you.



### FREE JOB SEARCH WORKSHOP

### FOR CAREGIVERS & NEWCOMERS

WHEN: SUNDAY

May 1, 8, 15 & 29, 2005

June 5, 12, 19 & 26, 2005

July 10, 17, 24 & 31, 2005

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

WHERE: PATTISON COLLEGE

150 Eglinton Ave. E., 7th /F Rm. 300

(West of Red Path, walking distance from Subway, 1 block from INTERCEDE)

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-Fri 9 am - 4 p.m.

Telephone: (416) 483-4554

Fax: (416) 483-9781

Toll-Free: 1-877-483-4554

E-mail: info@intercedetoronto.org

#### INTERCEDE STAFF:

Fely Villasin - Part — Time Executive Director

Jo Alcampo — Interim Administrative Co-ordinator

Des Balce - JSW Facilitator

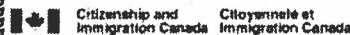
Columbia Diaz - Settlement Counsellor & Program Manager

Anita Fortuno - Settlement Counsellor

Bernice Small - Settlement Counsellor

Genie Policarpio - Intake & Administrative Assistant

We wish to thank: Citizenship and Immigration Canada - ISAP Program and Job Search Program; Ontario Status of Women; the Municipality of Toronto CSGP, Maytree Foundation and Trillium Foundation grant programs, for their financial support..



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