

Domestics' Cross-Cultural News

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

NOVEMBER 1987

COURT CHALLENGE ON LANGUAGE RIGHTS

On November 21, thirty-five representatives from a wide cross-section of community organizations attended a colloquium on 'Equality in Language & Literacy Training' at the Park Plaza Hotel in Toronto. The event was organized by an ad hoc committee made up of COSTI-IIAS, the Centre for Spanish Speaking Peoples, the YWCA of Metro Toronto, the Women's Legal Education & Action Fund (LEAF), the Urban Alliance on Race Relations and INTERCEDE.

The focus of the one-day 'think tank' was the federal government's subsidized language training policy for immigrants. Administered under the Canada Employment & Immigration Commission, it provides those who qualify with a training allowance to study English or French for 20 weeks on a full-time basis.

The problem with the policy, explained Maria Minna of COSTI-IIAS, is that very few immigrant women qualify under the present criteria. Excluded, for example, are all sponsored immigrants, the majority of whom are women. Also excluded are immigrant women not 'labour-destined' and those who do not need English or French to get or keep a job.

The Colloquium scrutinized the language training policy under human rights legislation and the Charter of Rights & Freedoms. Rita Cadieux, of the Canadian Human Rights Commission, said that it clearly discriminates against immigrant women, depriving them of the main tool they need for participation in Canadian society. Mary Eberts, of LEAF, said that the policy violates Section 15 of the Charter which forbids discrimination based

on sex, national or ethnic origin, etc. She said that LEAF is ready to fight the case in federal court.

Judith Ramirez, Co-ordinator of INTERCEDE, spoke of how immigrant and visible minority women can use a Charter challenge to a) create public awareness of discrimination; b) mobilize grass-roots women affected by it; and c) lobby government for change. She outlined the fight of Ontario domestic workers for overtime pay as a model of how to successfully coordinate all three elements.

Monica Riutort announced the decision of the Centre for Spanish Speaking Peoples to go to court over the Language training policy because so many of its clients have suffered discrimination.

The Colloquium's Planning Committee was given a unanimous mandate to help build the court case in concert with other community organizations. Among the groups represented at the event were the Riverdale Immigrant Women's Centre, St. Christopher House, Parkdale Community Legal Services, Working Skills Centre, St. Stephen's Community House, the Ontario Council of Agencies Serving Immigrants (OCASI), the Ontario Human Rights Commission and the Mayor's Committee on Community and Race Relations.

The Colloquium was endorsed by prominent women in broadcasting, politics, academia and the legal profession. They include Doris Anderson, Monica Boyd, Mary Bruce, Mavis Burke, Olivia Chow, Margery Cohen, Mary Eberts, Margrit Eichler, Susan Eng, Susan Fish, Jane Pepino and Mairuth Sarsfield.

COCO'S CALENDAR

Recent happenings . . .

- * on Nov. 5, Judith Ramirez held an information session on domestics' rights with staff of the Centre for Spanish Speaking Peoples
- * on Nov. 18, Judith spoke at Osgoode Hall Law School to students from CLASP and the Law Union of Ontario
- * on Nov. 20, INTERCEDE was part of a delegation of immigrant and visible minority women that met with Multiculturalism Minister David Crombie
- * on Nov. 21, Board members Mary Mouammar, Shirin Perston and Cathy Gilbert attended the colloquium on Equality in Language & Literacy Training

Coming up soon . . .

- * INTERCEDE's next monthly meeting is set for Sunday, December 6, 3 pm, at Cecil Community Centre. Also it is INTERCEDE's CHRISTMAS PARTY - come one, come all!
- * the Service Unit will be open on Saturday, Dec. 5, 10 am - 2 pm. Please call 591-1625 for an appointment

and congratulations!

- * to our newly landed immigrants PRECY CALLEJO, AURORA RAMOS, ANNIE RODICO, and LETTY SUGUE from the Philippines
- * happy birthday to GLORIA THOMAS and to Board member CLEMENTINA MARTINEZ - many happy returns!
- * to BETH and SONNY UDASCO on the birth of their baby girl, KATHRYN GAIL, and to ANNIE BALDOVIESO on the birth of RUBY ANNE

KNOW YOUR RIGHTS

With Christmas fast approaching, now is a good time to familiarize yourself with how the new employment regulations on overtime pay and public holidays can work to your advantage.

After three months of employment, all domestics are entitled to seven paid public holidays per year. These public holidays include Christmas Day and New Year's Day. If you and your employer agree, a holiday can be substituted by another working day with pay but not later than your next annual vacation.

Both Christmas and New Year's fall on a workday this year, but remember that if the public holiday occurs on a non-working day or during one of your vacation periods, your employer must either designate a working day as the holiday or pay an extra day's wages during the pay period in which the holiday falls.

If the substitute arrangement is not made and you end up working on a public holiday, you must be paid at least time and a half the regular rate for the hours worked, in addition to the regular day's pay for the holiday.

Remember that all domestics are entitled to receive the Ontario minimum wage which is \$4.55/hr. for the first 44 hours worked in a week. If you work more than 44 hours in one week, you are entitled to time and a half for each additional hour. The minimum overtime rate is \$6.83/hr.

Also keep in mind that if your employer goes away for Christmas and leaves you in charge of the house, you are not on holiday so you should be paid normally and your meals should be provided for you. Merry Christmas!

- Michèle DuCharme

OVERTIME CHARTER CHALLENGE

When INTERCEDE and the Women's Legal Education and Action Fund (LEAF) launched the court case against the Ontario Government last spring, there was no overtime protection for domestics in the labour laws.

Due to the lobbying campaign spearheaded by INTERCEDE, the situation has changed for the better. As of October 1, domestic workers receive some overtime protection under the Employment Standards Act.

Because of this change, we must now file new information with the courts. One of the things we need to know is how well is the new law working? Are domestics getting overtime pay or are most employers ignoring the issue?

Come to INTERCEDE's monthly meeting on Sunday, December 6 to help us answer these questions. Our special guest will be Mary Eberts, of LEAF, who will explain the next step in our court fight for fully overtime pay.

INTERCEDE AT OCASI CONFERENCE

Last month, the Ontario Council of Agencies Serving Immigrants (OCASI) held its annual conference for member organizations at Geneva Park. Community-based groups from across Ontario attended the two-day event, which included workshops on policy development, funding strategies, settlement counselling, etc.

INTERCEDE Co-ordinator Judith Ramirez led two workshops on 'advocacy' for front-line workers. She defined an 'advocate' as someone who, like a broker, helps her clients get access to services and benefits. Most community-based advocates deal with a wide range of issues, including employment, education, welfare, family

problems, labour rights, immigration, etc.

Ramirez said that advocates have three things their clients need:

- knowledge of laws, policies, programs and procedures which are complex and sometimes confusing
- skill in dealing with government officials and other community groups which offer valuable resources
- confidence that problems can be solved, barriers can be successfully challenged and needs can be met

She also spoke about the advocate-client relationship and stressed the importance of:

- interviewing thoroughly and identifying options
- encouraging the client to make choices and have realistic expectations
- making a coherent plan of action and involving the client in tasks and decisions

The good advocate will not just problem-solve with her clients. She will also help them gain experience of their own. This will empower the clients and give them the tools they need to be their own advocates.

Ramirez ended her workshops with a discussion on 'the care and feeding of an advocate'. She underscored the need for regular feedback on one's work as well as ongoing training and upgrading. She warned of common signs of 'burn-out' and discussed concrete ways to take action against it.

NO NEWSLETTER IN DECEMBER!
JANUARY MEETING ON THE 10TH!

INTERCEDE WISHES YOU ALL A VERY HAPPY HOLIDAY SEASON!!!

NEW GUIDE IS ON THE MOVE!

INTERCEDE is pleased to report that sales of KNOW YOUR RIGHTS! are going very well. We have received many requests from individual domestic workers who mailed in the coupon in last month's newsletter. We are reprinting it (see below) and we urge you to take advantage of our low price of only \$2.00 per copy.

The guide covers many important topics:

- * minimum wage and overtime pay
- * time off, holidays and yearly vacations
- * unemployment insurance and maternity leave and much, much more!

Organizations from across Canada have placed orders for the guide, including the Canadian Advisory Council on the Status of Women, the Filipino Canadian Association, the Montreal Household Workers' Association, the Alberta Status of Women Action Committee and the Ontario Federation of Labour.

KNOW YOUR RIGHTS! is an invaluable resource to any group concerned with the fight of domestic workers for equitable treatment.

Order your copy today!

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

First Class

ORDER FORM

I am a domestic worker and I would like to have _____ copies of KNOW YOUR RIGHTS! at \$2.00 per copy. Enclosed is my cheque or money order for \$_____.

Name _____

Address _____

Tel. _____

Please cut out and mail to:
INTERCEDE, 58 Cecil Street, Toronto,
Ontario M5T 1N6

INTERCEDE SERVICE UNIT

Place: Cecil Community Centre
58 Cecil Street, Toronto

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, emergency social services, etc.

The next legal clinic will be held at our monthly meeting in February.