

# DOMESTICS' CROSS-CULTURAL NEWS

monthly newsletter of the Toronto Organization for Domestic Workers' Rights

September 1993



(INTERCEDE)

## Update on LCP

### **ONLY 450 ADMITTED UNDER LIVE-IN CAREGIVER PROGRAM; RULES CHANGED TO EASE RESTRICTIONS?**

From 10,000 foreign domestic workers admitted to Canada in 1991, the number declined sharply to 4,000 in 1992, then dizzyingly fell to a measly 450 admissions under the Live-in Caregiver Program (LCP) since its introduction in April 1992.

These figures prove INTERCEDE's fear that the LCP would eliminate applicants from Third World countries who are poor women with less access to the higher education and training required.

In response, Canada Immigration recently introduced amendments to the Live-in Caregiver Program (LCP) that would ease the entry requirements and address the concern of groups opposed to the unjustified education and training restrictions.

#### Changes in eligibility criteria

1. With the amendments, the LCP eligibility criteria has been changed so that now, an applicant is required to have the equivalent of Canadian Secondary School education; this does not necessarily refer to Grade 12 as previously required.

INTERCEDE interprets this to mean that any applicant who has finished the equivalent of a

secondary school education (even if this only takes a total of 10 years and not 12) will qualify for the LCP.

While this change may admit women from countries with higher literacy levels, it still discriminates against women from poor countries who universally have limited access to higher education. For this reason, INTERCEDE continues to oppose the legislated education criteria that closes Canada to the majority of the world's poor women - who happen to be the women who would benefit most from the LCP.

2. Another change is that an applicant will qualify if she has 12 months experience in the work she is applying for or if she had six months of full-time training related to this work. However, any six-month training must be taken in a classroom setting.

The new regulation specifies experience as "completion of one year of full-time employment, including at least six months of continuous employment with one employer.." This employment must be within three years before the day someone first applies to enter the LCP.

*Cont'd Pg 2*

## **NOTICE TO ALL INTERCEDE MEMBERS**

**Annual General Meeting  
SUNDAY, OCTOBER 3, 1993**

Cecil Community Centre, 58 Cecil Street, corner Spadina

2-3 p.m. Registration  
3-4 p.m. Business Meeting  
4-5 p.m. Program

**Guest Speaker: Sunera Thobani, President  
National Action Committee on the Status of Women (NAC)**

5-6 p.m. Refreshments

All with valid membership to July 1993 are qualified to vote upon presentation of INTERCEDE membership ID.

INTERCEDE interprets the elimination of non-classroom training to mean that if an applicant does not have 12 months of related experience, and instead she wants to qualify under the six-month full time training, then she must have taken the related courses in a school setting.

INTERCEDE has heard reports of private companies being formed in Manila to train Filipino women to become domestics and caregivers in Canada for fees of up to 3000 pesos (\$125) a month. This is an addition of \$750 (or 18,000 pesos) to the estimated \$5000 that Filipino domestic workers spend just to be able to go abroad and do domestic work. Eliminating non-classroom training may also eliminate added financial burdens on prospective domestic or caregiver workers.

3. The above changes will be applied to those whose applications to the LCP are currently being processed.
4. Lies about the 12 months work experience will be a basis for disqualifying someone from becoming a permanent resident of Canada.

#### Clearer information, less lies

Lies or misrepresentation about marital status, education or experience are usually made because of ignorance, misinformation and desperation. INTERCEDE believes it is the responsibility of Canadian immigration authorities abroad to provide clear information and to correct misperceptions so that the lies are not perpetrated.

For example, if Canadian authorities abroad made it clear that marriage or children are no bases for denying someone's qualification to the LCP, there will be less fear of rejection based on these facts and therefore, less need to lie about them.

Similarly, Canadian Immigration abroad must have a standard way of assessing or proving 12 months related work experience, so that anyone who has passed the admission criteria will not be repeatedly subject to investigations about the truth or not of her work experience. In this way, we will not have the odd and very unfair situation

where someone who has worked in Canada as a live-in domestic/caregiver for more than three years, is deported because she has been recently found not to have experienced that work before she came over!

## CHANGES TO UI WORSE FOR WOMEN

by: Carol Salmon

On April 4, 1993 a series of amendments to the Unemployment Insurance Act were passed through Bill C-113.

People who quit their jobs now without 'just cause' or are fired for misconduct will be denied Unemployment Insurance (UI). And, benefits for those who do qualify have been reduced from 60% to 57% of average insurable earnings.

Although Unemployment Insurance (UI) was originally intended to make things easier for people until they found a new job. The changes to UI by the Conservative government make it more difficult for people to provide minimum care for themselves while looking for a job.

Statistics show that 53% of those who quit their jobs are women in low-income and non-unionized jobs. Many women, including domestic workers may not be willing to risk leaving an abusive employer for fear of unemployment with no hope of an income from UI. Finding another job quickly may be especially difficult for domestic workers if they are given a bad reference.

Previously, the penalty for quitting without 'just cause' was only 7 to 12 weeks taken off the beginning of your benefit period. "Just cause" is now being defined by the UI Act as having no reasonable alternative but to immediately leave

We wish to thank the Employment and Immigration Canada (Immigration Settlement and Adaptation Program); Secretary of State; Multiculturalism and Citizenship; Ontario Ministry of Citizenship; Ontario Women's Directorate; the Municipality of Metropolitan Toronto (Community and Social Services); and the City of Toronto Grants Review Board for their continuing support.

Come to INTERCEDE monthly meeting on Sunday, September 12, 1993 at Cecil Community Center, 58 Cecil Street cor Spadina from 3 - 5 p.m.

2:00 - 3:00 p.m. New Member Applications and Renewals. Members with ID numbers 92-1533 to 92-1590 must renew or be dropped from membership list.

3:00 - 5:00 p.m. Enforcing the Employment Standards Act

CLASP Legal Clinic will be open.

the employment. As such, you are expected to do everything possible to avoid quitting or to resolve the situation in order to receive benefits.

You will not be denied from UI if you had 'just cause' to leave an employer. Examples of 'just cause' include:

- \* Quitting because your employer forced you to work excessive overtime or did not pay you for the overtime work you did complete.
- \* Quitting because there were changes to the terms and conditions of your wages or salary.
- \* Sexual or other Harassment.
- \* Discrimination.
- \* Quitting because you had a valid job offer which later fell through.
- \* Unsafe or unhealthy working conditions.
- \* Quitting because of a hostile attitude toward you created by your employer.

Being fired for misconduct is defined as having done something improper or unacceptable for an employee to do. If you are being accused the UI agent must inform you of any accusations made against you and give you the chance to tell your side of the story before a decision is made about whether you should receive benefits.

You can be disqualified from UI for seven to 12 weeks if you refuse a suitable job or refuse to apply for a suitable job. Even once you have started receiving benefits you can be disentitled to any further payments if you are considered unavailable for work. For example taking a course, a holiday or working part-time. You should check with the Employment Centre before you do anything that may be considered as stopping you from looking for work.

UI applicants who understand the changes will have a better chance of qualifying for UI benefits and having their claims processed faster. Please contact INTERCEDE for further information.

Applications for UI can be obtained at any Canada

Employment Centre. Do not wait until you have your Record of Employment or medical certificate. You should apply immediately after you have lost your job. UI benefits once approved will start from the day you applied. Your registration will also be used to calculate the unemployment rate each month. More unemployment puts more pressure on the government to do something about the problem.

*Thanks to the PSAC and CEIU UI Handbook and to Mindy Lopes of Kensington-Bellwoods Community Legal Services for her presentation at INTERCEDE's June monthly meeting.*

## Question and Answer

**Q.** I arrived in November 1991 under the FDM program and in my application, I stated that I was a High School Graduate. Will my application for Permanent Residence be affected if I tell the truth, that I am a University graduate?

**A.** When you file your application for Permanent Residence, you will be assessed under the new program, the LCP. It is important for you to tell the truth about your educational attainment and other misrepresentation in order to be favourably assessed.

Domestic workers who arrived in Canada under the LCP program and made misrepresentation either in their marital status or education might have more difficulty with stricter enforcement at Immigration, now that the Ministry is under the Ministry of Public Security.

Please advise your friends not to lie about their marital status, dependents, work experience and educational attainment when they are applying to come to Canada to work as caregivers under the LCP.

**Q.** I misrepresented my marital status and my 3 children. I would like to tell Immigration that I was legally married with 3 dependents. My problem now is that, while it is true that I was married in 1970 but after five years, my husband abandoned me and my children and is now living with another woman. Will Immigration accept my application if I state in my application that I am now separated?

**A.** Yes, you can say you are Separated, considering that you have been living on your own and he has

RENEWAL SUBSCRIPTION  NEW SUBSCRIPTION  CHANGE OF ADDRESS

MAIL TO : INTERCEDE, 489 College St., Suite 402, Toronto, Ontario M6G 1A5

Please send *DOMESTICS' CROSS-CULTURAL NEWS* to :

NAME : \_\_\_\_\_

ADDRESS : \_\_\_\_\_

CITY/PROVINCE : \_\_\_\_\_

POSTAL CODE : \_\_\_\_\_ TELEPHONE : \_\_\_\_\_

YEARLY SUBSCRIPTION RATES :

INTERCEDE Members :	FREE	Non-member Domestic :	\$20.00
Non-Profit Organizations:	FREE	Others	\$25.00

## MARK YOUR INTERCEDE CALENDAR

### Chinese Group

English Class with Rebecca Chong  
Sunday, September 19, 1993  
4:00 - 5:00 p.m.  
L'Amoreaux Community Center Teen Lounge  
2000 McNicoll Avenue, Scarborough  
Call 324-8751

### Caribbean Domestic Workers Meeting

Sunday, September 19, 1993  
3:00 - 5:00 p.m.  
Place to confirm  
Call Carol, 324-8751

### Pilipinas Group Meeting

Increasing Our Capacity to Enforce  
Workers' Rights  
Sunday, September 19, 1993  
12 noon - 3:00 p.m.  
Cecil Community Centre (Basement)  
58 Cecil Street  
Call 324-8751

### Reunion Hispana

Domingo, September 19, 1993  
3:00 - 5:00 p.m.  
Place to confirm  
Llame a Coco, 324-8751

been living with another family. It is essential that you enclose a letter explaining your situation.

Q. In my application for new Employment authorization together with the fee required, Immigration sent me a receipt of payment but no Work Permit was enclosed. Can I start work?

A. Based from the answers given by the CIC Officers who came to INTERCEDE meeting, you can already start working as long as you have received receipt of your payment or that you have the copy of money order you sent. Do send a follow-up letter to get your new permit.

Q. I will file my application for Permanent Residence and will include the names of my dependents (husband and 3 children). Do I need to include processing fees for them as well as their Passport numbers?

A. Please note the following:

1. send processing fee of \$450.00 and supporting documents for yourself only.
2. send photo copies of your Police Clearance, passport and pictures. (Do not include dependents)
3. If you are correcting any misrepresentations like marital status, dependents and educational attainment attach a letter of explanation.
4. You can file your application for permanent residence even if you do not have your police clearance. You send as you have and make sure to include in all your communications your Name and File # or Client I.D. #.

### For Information:

\*FDM applications filed at CIC North York are now transferred to CIC Scarborough. All LCP applications filed after June 1993 are processed at CIC Mississauga.

\* Applications to renew employment authorization, student authorization and open employment authorization are filed at CIC University Ave.

### STAFF NOTES

by Columbia Tarape-Diaz

\* INTERCEDE staff and members extend a Big Thank You to Monica Opporto and Barbara Rudover, CIC Officers, North York, for coming over to the Orientation for New Domestic Workers.

\* To Victoria Ragas, who completed a six-month project, the Domestic Worth Project of NAC and INTERCEDE. You did a good job, we will miss you and Good Luck in your future employment.

\* To all of the contact persons who assisted NAC-INTERCEDE Project.

\* To all domestic workers who voluntarily contributed their help to the bereaved family of Erlinda Herrera, who was a victim of Male Violence.

### INTERCEDE SERVICE UNIT

Place: 489 College St., Suite 402, Toronto, Ont.  
Time: Monday-Friday, 9 am - 4 pm  
Tel: (416) 324-8751 Fax: (416) 324-8790

### INTERCEDE STAFF

Coordinator/Editor: Feli Villasin  
Counsellors: Columbia Diaz  
Carol Salmon  
Intake Worker: Eva Jacob

### DOMESTICS' CROSS CULTURAL NEWS

c/o INTERCEDE

489 College Street, Suite 402  
Toronto, Ontario  
M6G 1A5

FIRST CLASS