



CDWCR seeks to improve the lives and working conditions of caregivers and domestic workers through information, counseling, organizing, support networks, educational and training programs, referrals for legal advice and temporary

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Applying for Permanent Residence: What Live-in Caregivers Need to Know

The workshop on How to Apply for Permanent Residence (PR) under the 2011 Care-Net Project was held on Oct 23, 2011 at South Vancouver Neighbourhood House, 6470 Victoria Drive and 49th Avenue, Vancouver, BC. It was attended by more than 70 caregivers and was facilitated by the following members of CDWCR:

- Judith Diesta - presented what documents are in the checklist
- Darla Tomeldan - showed how to fill up the generic Application for Permanent Residence
- Angie Lisao - showed how to fill up the Open Work Permit
- Lotis Caluza - presented how to pay the fees and mail the documents.

Based on participants' evaluation, the workshop was rated useful and informative. Participants also indicated that most of their questions were covered during the discussion, however, some believe they would have benefitted further if there were more time for discussion.

This workshop reminded live-in caregivers about their sacrifices in coming to Canada under the Live-in Caregiver Program:

- They left their homes, their families and their relatives back home.



Darla presented the proper way of filling up the forms for PR application.

- They sold some or all of their properties to pay their unscrupulous employment agents so they could come to Canada.
- In Canada, they have to live in their employers' homes like indentured workers.
- And they are in Canada with visitor's visas and temporary work permit which make them vulnerable to abuse and exploitation until they are approved as permanent residents.

(Cont'd on page 3)



Cenen Bagon and Julie Diesta of CDWCR, with Mr. and Mrs. Laquian, received the \$500.00 cheque from Carl Klug, Financial Advisor of Scotiabank-UBC.

Acknowledgment

CDWCR would like to express our appreciation to Mr. Prod Laquian and Mrs. Eleanor Laquian for putting CDWCR as their charity during raffle at the opening of Scotiabank – UBC Branch on October 7, 2011. CDWCR won the top prize of \$500.00.

Thank you very much, Mr. and Mrs. Laquian, for your continued support of CDWCR and all its endeavours.

Q&A on Domestic's Issues

Q. *I am married with two children. My husband has another family so I filed for divorce but he does not want to sign the divorce papers. He also does not want to give permission for my children to come to Canada because he wants to come to Canada with my children. My children live with my parents. I want to divorce my husband and I do not want my husband to come to Canada with my children. What should I do?*

A: **CIC will require the caregiver's whole family to undergo medical exams unless the caregiver has proof (separation agreement or divorce order) that the relationship has broken down. Unfortunately, in this case, the caregiver has to seek legal support in order to get her children to Canada.**

Q. *I am still waiting for my PR and I already have my open work permit. I work with the same employer while under the LCP. Can I go home to the Philippines for my holiday and still come back to Canada without a problem?*

A: **In our experience, CIC does not recommend caregivers to leave Canada, while the PR application is in process.**

Q. *I have been here in Canada for four years under the LCP and I have not completed my 24 months. Am I in trouble?*

A: **To be eligible for permanent residence, live-in caregivers must have completed at least 24 months or a total of 3,900 hours of authorized full-time employment within four years of their date of arrival. If you have been in Canada for four years under the LCP and have not completed the 24 months or met the total 3900 hrs including the 390 hours of overtime, you may not be eligible to apply for permanent residence. You can continue to work as caregiver provided you still have a valid work permit. If you continue to work under a work permit, the four year cumulative duration regulation will apply to you. As with all other temporary foreign workers, live-in caregivers will start with a clean slate on April 1, 2011. Any work they performed under a valid LCP work permit prior to that date will not be counted towards the four-year cumulative duration limit.**

In all cases, you are also encouraged to contact CDWCR so we can assist you further or provide referrals.

CDWCR's Retreat Focuses on Feminism and Peer Counseling

As part of its effort to continuously develop and strengthen the organization, the Vancouver Committee for Domestic Workers and Caregivers' Rights (CDWCR) had a weekend retreat. The retreat included a two-day workshop on feminism and peer counselling. It was held on September 2 to 4 at YWCA in Vancouver, BC. It was attended by CDWCR steering committee and core members. It was facilitated by Martha Ocampo, of Caregivers Connection, a Toronto based organization of domestic workers and caregivers. The learning was accomplished through presentation, group discussion and sharing, and role playing. All who attended this retreat did not only gain valuable knowledge on feminism and peer counselling, but also felt renewed and revitalized to continue their work with CDWCR.

Here are some feedback from the participants:

"I find the workshop on Feminism really challenging, because I did not understand the meaning of "Feminism" before. Through this retreat, I learned the history of Feminism, and that women can be abused in different ways, not just physically. It is important that we assert our rights to have fair and equal treatments. I find this very inspiring and at the same time encouraging. The entire retreat was also great because the group found time to bond and reconnect with each other. I had so much fun. Not only did I gain knowledge, but I also enjoyed the company of the group." – Judith Diesta

"The retreat was very empowering and brilliantly facilitated by Martha Ocampo. Her presentation, the group discussion, sharing and role playing were very motivating. It was well organized and planned, very relaxing and full of fun, specially the group bonding."- Lotis Caluza

"The retreat gave us an opportunity to get together, relax, unwind, and more importantly, learn. During the interactive discussion about Feminism, I learned about women's rights and their struggle for equality. It opened up my mind about the women's movement in the past and how much it developed in the present. Although we had made great advances on women's rights, we still have much more work to do to achieve full equality for the women in our society. On peer counseling, we were taught on how to be a good counselor, through role playing based on actual life situations of live-in caregivers. Through this, I learned how to deal, listen and be an advocate for our fellow caregivers. The CDWCR retreat was an experience that I will never forget". – Mark Christian Pabustan



Participants of the Retreat with Martha Ocampo. (Top) Participants while enjoying a walk in downtown Vancouver as part of their bonding moments. (Right)



....Applying for PR, cont'd from page 1

But why go through all these odds? Because they hope for a "better life" for their families despite the risk of family break-up and/or family breakdown and even despite the risk of extreme loneliness in a different country without their loved ones. And because the work that they do is an important work. While their employers run governments, work in hospitals or in courts, make profits or work in banks, the live-in caregivers manage their employers' households, take care of their children, their elderly or those with disabilities. Their work and their contribution to the Canadian society are valuable; work most Canadians do not want to do because live-in caregivers are paid very low and their benefits are almost nil.

In their pursuit of a "better life" in Canada, this workshop hopes to make sure the foreign live-in caregivers under the Live-in Caregivers Program would be entitled to apply for permanent residence. In their mind, their sacrifices and their family's sacrifices would all be paid off when they get their landed status..

The live-in caregiver must make sure then she doesn't lose her status as a Live-in Caregiver under the LCP. According to Immigration Canada's web site, here are suggestions so as not to lose the status as a worker in Canada:

1. **Do not work without a valid work permit while waiting for a new one.** You should apply to extend your work permit at least 30 days before the expiry date.
2. **Do not work for more than one employer under the LCP.** Your work permit specifies your employer and the type of work you may perform while you are in Canada.

3. **You may change employer.** Your new employer must first obtain a positive Labour Market Opinion from Human Resources Skills Development Canada/Service Canada. You must also sign an employment contract with your employer before they can apply for a LMO.
4. **You can study in Canada while under LCP, if the course or program you want to take is not more than six months.** Under the LCP, you are in Canada to work as a full-time live-in caregiver. You can take non-credit special-interest courses without a study permit.
5. **Your live-in caregiver work permit only authorizes you to work in Canada at the residence of your employer or in the residence of the person you are caring for.** While you maybe able to obtain authorization from another country to perform work there, that work does not count toward your work requirement for permanent residence under the LCP. You should also be aware that the protection you have under provincial/territorial labour and employment standards does not apply to you while working for your Canadian employer abroad.
6. **You can return to your home country for a vacation. But the length of your vacation should be written in your employment contract.** If you take a longer vacation than you have agreed to in your contract, without written consent from your employer, you could lose your job in Canada. **If you stay outside Canada for more than one year or if your work permit expires while you are outside Canada, you will have to reapply to return to Canada under the LCP. (Cont'd on page 4)**

CDWCR Fundraising Dance



CDWCR members, friends and supporters came in their best and most creative costumes during its Halloween Fundraising Dance held last October 28, 2011 at Victoria Drive Community Hall, Vancouver, BC. It was a night full of fun and excitement. CDWCR would like to thank all the volunteers who helped organize the event, those supporters who donated door prizes, and all of those who attended. We hope to see you all again next year.

ANNOUNCEMENTS

2012 CDWCR Care-Net Project Workshops

Feb 19, 2012: TFWP/LCP and Immigration

Mar 18, 2012: Income Tax Workshop

Apr 22, 2012: Elderly care skills

Jun 24, 2012: Employment Standards workshop

Aug 19, 2012: Child Care Skills - theory and practice

Sep 23, 2012: Financial basics

Oct 21, 2012: Preparing for Permanent Resident Status

Nov 18, 2012: Preparing for Life after LCP

Workshops are held at:
South Vancouver Neighbourhood House
6470 Victoria Drive and 49th Avenue,
Vancouver, BC,
1pm to 5pm.

Free lunch: 12pm- 1pm.
To register phone:
(604) 874-0649

More CDWCR 2012 Activities

May 27, 2012 : AGM and Anti-Racism Workshop

July 1, 2012: Canada Day Picnic

July 22, 2012: Annual Out-of-Town Picnic

October 27, 2012: Halloween Fundraising Dance

December 1, 2012: CDWCR 20th Anniversary and Christmas Celebration

Details will follow. For updates and more information visit our website: <http://www.cdwcr.org>

....Applying for PR, cont'd from page 3

In order to ensure that the Live-in Caregiver Program participant can qualify to apply for permanent residence in Canada, according to Immigration Canada's website, the LCP participant must answer **Yes** to all questions below to apply for permanent residence in Canada:

1. Are you living in Canada?
2. Do you have a valid work permit to work as a live-in caregiver for children, seniors or the disabled?
3. Do you have a valid passport or travel document?
4. Have you completed 24 months OR 3,900 hours (within a minimum of 22 months which may include a maximum of 390 hours of overtime) of authorized full-time employment as a live-in caregiver within four years from the date you entered Canada under the LCP?
5. Have you always live in your employer's home or the home of the person(s) receiving care in Canada while employed as a live-in

caregiver?

6. Are you able to support yourself and your family members without the need for social assistance?

In order to be eligible to apply for permanent residence under the LCP, a foreign national must have applied from outside Canada and been assessed as meeting the criteria of the Live-in Caregiver Program before entering Canada and working as a live-in caregiver. Only time worked as a live-in caregiver with a valid work permit under the LCP can be counted toward meeting the employment requirement to be eligible to apply for permanent residence under the Program.

For more information on how to apply for permanent residence, please go to the following Canada Immigration's live-in caregiver's web site:

<http://www.cic.gc.ca/english/information/applications/live-in.asp>

Care-Net Project Updates

CDWCR completed another year of Care-Net Project in 2011. The project was made possible through the funding from British Columbia Government & Service Employees' Union (BCGEU), and through the untiring work of its members and volunteers in organizing all the eight workshops. CDWCR also acknowledges the continuing support from members of labour organizations and community groups who willingly shared their resources and/or their expertise by being resource persons in the workshops.

CDWCR is pleased to announce the Care-Net Project will continue in 2012 and will follow the same format as the previous years. Please refer to the Announcement for the schedule of next year's workshop.

We wish to thank:

- BCGEU (British Columbia Government & Service Employees Union)
- HEU (Hospital Employees Union)
- COPE (Canadian Office and Profession Employees Union) Local 378
- HSA (Health Sciences Association of BC)
- WCDWA (West Coast Domestic Workers Association)
- Immigrant Services Society of BC (ISS)

We also want to acknowledge everyone's effort in putting our newsletter together. Thank you very much for all your contributions.

Membership Form Mail to: CDWCR PO Box 37033, Vancouver, BC V5P 3X0 For inquiries: (604) 874-0649

Yes, I want to help the Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR)

- Sign me up! I want to become a CDWCR member (membership is \$5/year)
- I would like to make a donation to CDWCR 's work. (Sorry, we are not registered for tax deductible donations.)

Name: _____
Address: _____
City: _____ Province: _____ Postal Code: _____