



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

## CDWCR Holds Information Session on Overseas Workers Welfare Administration (OWWA)

As part of its Annual General Meeting, the Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR) held an Information Session focused on the benefits and services provided by the Philippine government for Filipino temporary foreign workers (TFWs) in Canada. It was held at the South Vancouver Neighbourhood House, Victoria Drive, Vancouver on May 27, 2012. Philippine Consul Anthony Mandap of the Philippine Consulate-Vancouver and Leticia Casipit of the Philippine Overseas Labor Office (POLO) in Vancouver served as resource speakers.

Casipit presented the background information regarding the different programs and services available to Filipinos under the Department of Labor and Employment –Overseas Operation.



Consul Mandap of the Philippine Consulate –Vancouver during CDWCR's Information Session on OWWA

Overseas Workers Welfare Administration (OWWA) is one of the agencies under the DOLE that provide services to Filipino overseas workers including Filipino (TFWs) working in Canada under the Temporary Foreign Worker Program (TFWP) and Live-In Caregiver Program (LCP).

OWWA provides its members education and training benefits, on-site assistance and services, social services and family welfare assistance and disability and death benefits. *(Cont'd on page 3)*

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## CDWCR AGM Highlights

Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR) held its annual general meeting (AGM) at the South Vancouver Neighbourhood House, Victoria Drive, Vancouver on May 27, 2012. Julie Diesta, CDWCR's Coordinator, presented the annual coordinator's report highlighting the activities of the organization in the previous fiscal year, 2011. Lorina Serafico, CDWCR's Secretary/Treasurer discussed the organization's financial reports.

The following Steering Committee (SC) members for fiscal year 2012 were elected: Maribel Aloria, Cenen Bagon, Lotis Caluza, Judith Diesta, Julie Diesta, Evelyn Ferrera, Ludivina Inting, Angelina Lisao, Renneth Sanchez, Lorina Serafico, and Cecilia Tumolva. CDWCR members acknowledged the contributions of the outgoing SC members and welcomed the addition of Renneth Sanchez and Lotis Caluza to the Steering Committee.

The fiscal year 2011 had been a successful year for CDWCR. Following are some highlights of its 2011 activities:

- Completed eight Care-Net Project workshops;
- Increased membership;
- Successfully reached out to its members and their families, CDWCR friends and supporters through social activities like summer picnics, fundraising dance and Christmas Party/Anniversary celebration;
- Continues to actively engage in various coalition works such as the BC Employment Standard Coalition;
- Organized an information session about the Regulatory Changes to the TFWP;
- Produced and circulated three newsletters;
- Updated CDWCR website;
- Organized annual retreat and workshop on feminism, and conducted writing sessions to build political and organizing capacity of its core members and steering committee members; and
- Provided counseling and referrals. *(Cont'd on page 3)*

## Q&A on Domestic Workers' Issues

**Question:** *I am a Filipino foreign worker under the Live-in Caregiver Program in Canada. I recently lost my job, and decided to go back to the Philippines, but my former employer is not willing to pay for my airfare. Can I request the intervention of the Philippine Overseas Labor Office (POLO) in Vancouver to negotiate with my former employer? As a member of OWWA, are there any benefits I can avail of when I arrive in the Philippines?*

**Answer:** As discussed in the presentation made by POLO Vancouver during CDWCR's Information Session on OWWA, one of OWWA's on-site assistance and services is the repatriation program. This includes negotiation with employers and legal assistance. They also indicated that OWWA provides reintegration program for overseas foreign workers (OFWs) members. The program provides economic and social reintegration through business counseling, community organizing, financial literacy seminars, networking with support institutions, social preparations programs and livelihood loans. We advise you to contact the POLO Vancouver office at (604) 682-5770 for more information on how you can avail of their services.

**Question:** *How long does it take for a Filipino worker in Canada to get the assistance that she needs from the Philippine Consulate when she is at-risk (e.g. physical assault)?*

**Answer:** According to Consul Mandap, any Filipino in need of Consulate assistance can contact the 24-hour emergency phone number at 604-613-0942 - the Consulate will open its offices to accommodate the worker in distress.

## Care-Net Updates: Two More Workshops Completed

The Care-Net Project, developed and organized by the Vancouver Committee for Domestic Workers and Caregivers Rights (CDWCR) completed two more workshops in 2012. These were workshops on Elderly Care and on Employment Standards; both were held at the South Vancouver Neighbourhood House, in Vancouver, BC.

The workshop on Elderly Care was completed last April 22, 2012. Michelle Kowtoski, a part-time teacher at Stenberg College, facilitated this workshop. She had been facilitating this workshop since 2010. Kowtoski has been working in Health Care industry for almost 20 years. About 16 participants attended the workshop. The workshop helped identify issues commonly experienced by caregivers who do elderly care. Some of the topics presented included how to do self-care and avoiding burn-out, how to establish boundaries between family and caregiver, scope of practice, and how to communicate effectively.

The workshop on employment standards was held on June 24, 2012, with the following as the resource speakers:

- Rod Bianchini, Regional Manager of the Lower Mainland Region, Employment Standards Branch (ESB);
- David B. Fairey, Policy Researcher & Worker Advocate of the Trade Union Research Bureau and representing the BC Employment Standards Coalition; and
- Lisa Guevara, Legal Advocate of West Coast Domestic Workers Association (DWA)

Chris Johnson, Executive Director of Employment Standards Branch attended and observed during the workshop. About 45 attended this workshop.

Like the previous year's Employment Standard workshop, Rod Bianchini of ESB presented the different rights of live-in caregivers as mandated by the Employment Standard Act. The goal of his presentation was to familiarize live-in caregivers about their rights relating to their wages, hours of work, entitlement for overtime pays and holidays.

Liza Guevara discussed common issues and problems encountered by live-in caregivers in relation to



Resource Speakers during the ESB Workshop

employment standards. Following are some of the highlights of her presentation:

- The immigration status of caregivers does not affect the right to recover unpaid wages. The caregiver can file an ESB complaint even if she does not have valid work permit or does not meet the requirements of Live-in Caregiver Program (LCP) (e.g. her duties are not primarily caregiving; working for an employer not named on her work permit; or working only part-time for the employer named on her work permit).
- When filing ESB complaint - ESB will ask for proof of employment (T4, ROE, etc.)
- Caregivers can only recover unpaid wages for the six (6) month period prior to filing of the complaint.
- BC Compensation for Length of Service (CLOS) – if caregiver is forced to resign due to change in terms of conditions of employment without notice, the caregiver can recover CLOS.

Guevara also mentioned that there is a recent trend that employers are considering live-in caregivers as "Live-in home support workers" to avoid paying overtime wages. Caregiver is paid minimum daily rate regardless of hours worked. These caregivers work for 24hrs a day and live-in during their shifts with no room and board charges. They are employed through a government-funded program; providing care for a person with acute or chronic illness or disability. **(Cont'd on page 4)**

**....OWWA, cont'd from page 1**

OWWA also offers the following on-site assistance and services: information, counseling, conciliation services, legal assistance, and community organizing. It also provides repatriation program which includes negotiation with employers and agents, repatriation of distressed workers, human remains and belongings, and airport assistance.

Important highlights about OWWA membership:

- valid only for two years.
- automatically terminates when worker changes employer or completes a contract.
- contact POLO for membership renewal.
- Filipino LCP participants with open work permits are required to provide proof of employment like pay stubs to support their membership application.

According to Consul Anthony Mandap, the Philippine Consulate provides the following services: processing of passport, visa processing for foreigners going to the Philippines, notarial services, authentication, civil registry functions, processing of dual citizenship, assistance functions, and diplomatic functions.

CDWCR has emphasized to the governments of the host country, Canada, and now, to the sending country, the Philippines, the need for a temporary safe house for live-in caregivers under the LCP. If workers know of a safe place to go, it will be easier for them to leave unsafe and unfair working conditions. Currently, due to isolation, most workers do not know where to go for assistance. POLO representative Casipit indicated that their local office has limited resources and does not have a temporary space in Vancouver to accommodate distressed employees. However, Consul Mandap indicated that they will be able to open the Consulate Office to temporarily attend to distressed workers who contact their 24-hour emergency phone number 604-613-0942.

CDWCR also relayed the need for the Philippine Consulate and POLO Offices to be open on Saturdays to serve workers who work during weekdays.

This Information Session provided Filipino LCP participants basic knowledge of Philippine government services available to them through OWWA. There will be similar sessions and dialogues to follow.

**....AGM, cont'd from page 1**

CDWCR encourages its members to join one or more of the following standing committees of the organization: Education, Newsletter/Media, and Social/Fundraising. The Education committee organizes the Care-Net Project workshops and updates the Caregivers Manual and CDWCR's brochure, as required. The Newsletter/Media committee is responsible for the production and distribution of the quarterly newsletter, while the Social/Fundraising committee is responsible for organizing the members' (and their families') social activities like local picnics and out of town activities during the summer season and the yearly Halloween Dance fundraising and Christmas/Anniversary events.

With the support and hard work of all its volunteers and active members— and with the continuing assistance from its allies and supporters, CDWCR hopes to continue working towards its mandate of improving the life and working conditions of domestic workers and live-in caregivers

## ***Summer is Here! CDWCR summer Activities***



CDWCR members and their family and friends during the Annual Canada Day Picnic (July 1, 2012) at the Burnaby Central Park.



CDWCR Summer Get-away at Splashdown Park in Tsawwassen, BC last July 22, 2012.



## ANNOUNCEMENTS

### 2012 CDWCR Care-Net Project Workshops

**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 49<sup>th</sup>  
Avenue,  
Vancouver, BC,  
1pm to 5pm.**

*Free lunch: 12pm- 1pm.*

*To register phone:  
(604) 874-0649*

### More CDWCR 2012 Activities

**October 27, 2012:** Halloween Fundraising Dance

**December 1, 2012:** CDWCR 20<sup>th</sup> Anniversary and Christmas Celebration

*Details will follow.*

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

### ....Care-Net, cont'd from page 2

David B. Fairey's presentation was focused on the current initiatives of the BC Employment Standards for the Next Decade Coalition. The coalition was initiated in November 2010 by the Trade Union Research Bureau and the Canadian Centre for Policy Alternatives (CCPA-BC) office. The purpose of the Coalition is to develop a model legislation to modernize the Employment Standard Act (ESA); in the interests of the vulnerable workers and to build a broad based coalition and public campaign in support of implementation of a modernized, progressive ESA in advance of the next provincial election, so that employment standards can be a well articulated campaign issue.

CDWCR is one of the organizations that endorse the coalition and participates in meetings and working groups.

Fairey highlighted the fact that although the special needs of live-in caregivers are recognized in the ESA, the provisions for "Domestic Workers" are minimal and inadequate.

According to him the special needs of Live-In Caregivers are included in the Coalition's Model Legislation. They are also developing a "White Paper" relating to the deficiencies and gap between federal and provincial legislation and enforcement. DWA has been contributing to this project.

His presentation indicated that the Model Legislation for Migrant Worker Recruitment and Protection will cover:

- Migrant worker recruitment and hiring practices (this will include the requirement for both migrant workers and their employers to be given orientation and information about rights and obligations at the start of employment).
- Housing regulations as provision of housing is a condition of employment, especially for live-in caregivers and Seasonal Agricultural Workers – consistent with International Labour Organization (ILO) convention and recommendations regarding domestic workers.
- Access to basic rights.
- Employment contracts – regulations that set out standard contracts for different types of migrant worker employment, contracts that go beyond the federal government's live-in caregivers contracts and address hours of work and overtime, standby time pay, vacation scheduling, sick leave with pay, etc.
- Pro-active inspections and enforcement of the Act, special migrant worker assistance centres, and financial assistance to migrant worker advocacy groups.

The two workshops were successfully completed. There will be more workshops scheduled for the remainder of 2012.

### 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)

**Date of Membership:** \_\_\_\_\_

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: \_\_\_\_\_

Telephone Number : Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Email address: \_\_\_\_\_