



## **BILL ON EMPLOYMENT PROTECTION FOR FOREIGN NATIONALS INTRODUCED IN ONTARIO, CANADA**

On 21 October 2009, the Ontario Provincial Government introduced Parliament Bill 210 entitled “The Employment Protection for Foreign Nationals (Live-In Caregivers and Others) Act 2009 which has passed the First Reading. The proposed legislation, which was sponsored by the Provincial Minister of Labour Peter Fonseca, has the support of Liberal Party members which control the majority of the Ontario Provincial Parliament.

Parliament Bill 210 has the following features:

- Applies to foreign nationals who are employed in Ontario Province as live-in caregivers or in such other positions or sectors as may be prescribed by the regulation. It also applies to foreign nationals who are attempting to find employment as live-in caregivers or other prescribed employment;
- Persons who act as recruiters in connection with the employment of above-mentioned nationals are *prohibited* from charging the foreign national or other prescribed persons a fee for any good, service or benefit provided to the foreign national;
- Employers of the foreign nationals are prohibited from recovering from the foreign national or other prescribed persons any costs incurred by the employer in connection with arranging to employ the foreign national, and from recovering other costs that may be prescribed by regulation;
- Employers and recruiters are *prohibited* from taking possession of, or retaining, properties such as passport or work permit, that the foreign nationals are entitled to possess;

- Prohibitions against reprisal by the employer or the recruiter are set out;
- Employers and recruiters are required to give the foreign national copies of documents published by the Director of Employment Standards containing information about their rights as well as the duties of employers and recruiters; and,
- Employment standards officers are permitted to undertake inspections and investigations and can require employers and recruiters to post notices.

The Philippine Consulate is closely monitoring developments on this proposed legislation which will be beneficial to live-in caregivers in Canada.

*Source: DFA-Office of American Affairs*