

## Nanny sent to work as underpaid servant

Catherine Manuel came to Canada as a live-in nanny to care for 8-year-old Brent of Toronto.



DALE BRAZAO / TORONTO STAR

Nanny Catherine Manuel tells of her illegal work in Canada.

By: Dale Brazao Staff Reporter, Published on Mon Sep 22 2008

*Note: This article is subject to legal complaint*

Catherine Manuel came to Canada as a live-in nanny to care for 8-year-old Brent of Toronto.

She ended up changing beds, cleaning toilets and painting the decks at the Whispering Pines bed and breakfast in Jackson's Point, on the shores of Lake Simcoe.

Manuel was promised about \$420 a week to care for young Brent, with weekends and holidays off. Instead, she was underpaid and worked "morning, noon and night" as a cleaner, servant and handywoman.

Brent and his mother never surfaced. Today, four months after she arrived in Canada, Manuel wonders if they really exist.

On her days off, the skilled caregiver was driven to Toronto to clean the apartment belonging to the innkeeper's boyfriend, a part-time lecturer at York University.

When the innkeeper suggested she would eventually have to crawl into the attic to insulate the century-old 11-bedroom inn in Jackson's Point, Manuel had had enough. She gave notice and quit.

"I just couldn't take it anymore," Manuel said at the home of a neighbour who has been looking after her. "I never wanted this. I did not come here to work illegally."

What Manuel endured happens all too regularly, according to critics and social workers. With more than 34,000 nannies and caregivers entering the country each year, most settling in the

GTA, there is plenty of room for abuse.

Too often they are forced to work as domestic servants, as Manuel did, or in the worst cases, pressed into service at sweatshops and massage parlours.

Manuel is in limbo now because Canadian rules state she must work for the person who hired her. Heron Lloyd Tait of Jinkholm International, the Toronto recruitment agency that charged her \$4,500 in placement fees, can't produce Brent and his mother, either.

In an interview, Tait said "we dropped the ball on this case." He said he recruits about 24 caregivers a year and maintains one reason he started Jinkholm was out of disgust for the exploitive practices of other firms. "I didn't set out to defraud anybody. My reasons for doing this was to help these people."

An experienced caregiver in Hong Kong for 12 years, Manuel, 39, was lured to Canada by the federal Live-in Caregiver Program, which allows her to become a permanent resident after two years of full-time employment.

Like many Filipino women, Manuel, a divorced mother of two boys, sought work overseas to support her family. Manuel's parents in the Philippines have largely raised her sons, now 17 and 19.

"Permanent residency in Canada was the bait for me," Manuel said of the chance to one day sponsor her kids. "Lloyd Tait promised me that my life would be better here."

Tait's company has been in business nine years. Its website states it is dedicated to finding the right caregiver and is founded "on the principles of service, care and dignity."

A friend in Canada put Manuel in touch with Tait last year. Her employment contract states she would be working for a Toronto woman named Terra Holman. Her job was to "care for Brent, including awakening and assisting in preparing breakfast, preparing lunches, supervision of homework and school projects, TV viewing."

To get the job, Manuel was told by Jinkholm she had to pay a \$4,500 placement fee.

Placement fees are banned in the four Western provinces, but not in Ontario. Federally, the law is ambiguous on the fees, though critics have suggested Ottawa should outlaw them because they lead to exploitation of foreign workers.

Manuel's Canadian friend paid the first \$750 instalment to retain Tait last fall.

"My only concern is that you stay with the employer with whom I place you," Tait wrote in an email. "I can assure that your employer will not overwork you," he said, addressing Manuel's worst fears.

She was then asked to sign a loan agreement at 12 per cent interest with a financing company – Pineway Financial Services – to cover the full placement fee. Tait told Manuel it was an unrelated company. The *Star* determined that Pineway is Tait's company, registered to his home on Pineway Blvd. in the Finch Ave. E. and Leslie St. area. Tait is the president.

This April, Tait flew to Hong Kong to give another recruiting seminar and collected the second \$750 instalment in cash just before he and Manuel got on the plane. Tait did not give receipts.



In the days before leaving Hong Kong, Manuel was nervous because she could not reach Brent's family.

Tait reassured her everything would be all right.

When the plane arrived in Toronto April 29, Manuel presented her documents to Canada Immigration. One document, a Labour Market Opinion (LMO), described the job, pay and working conditions, and gave two telephone numbers for employer Terra Holman.

Immigration could not reach Holman. Tait, who was on the flight, did not intervene. But his assistant appeared and vouched for Holman.

Immigration allowed Manuel into the country. She was driven to the assistant's home, wondering where Holman and son Brent were.

A week later, Danya Scott, a consultant who works for Tait, drove Manuel to Whispering Pines.

Manuel said she was turned over to innkeeper Shirley Bollers who worked her "morning, noon and night, and then some." ] 8(g)

Her chores included making beds, preparing and serving breakfast for guests, cleaning the bathrooms and doing the laundry, which required taking a cab to the local laundry then bringing the wet clothes back to the inn to hang out to dry.

Bollers would arbitrarily change her days off without notice. On two occasions she was brought to Toronto on her days off to clean an apartment belonging to Bollers' boyfriend, Peter Flaherty, for which he paid her \$60 each time. After spending the night on a couch, she was driven back to Whispering Pines the next day. ] 8(h)  
8(i)

Flaherty, a retired high school teacher and currently a lecturer at York University, was the NDP candidate in York Central in the 2004 election, losing to Liberal Ken Dryden. Flaherty would not discuss the case saying, "it has nothing to do with me." There's no suggestion Flaherty knew of the circumstances of Manuel's employment.

Manuel was underpaid at the inn compared to the Jinkholm contract that brought her to Canada. Her nanny contract (based on 45 hours at \$9.25 an hour) reveals she would have been paid about \$420 a week, minus roughly \$90 for room and board at Holman's home. She would have netted \$330 a week. At Whispering Pines, she received about \$250 a week after room and board, but worked many more hours with no overtime. ] 8(j)

Manuel said that when Bollers went on vacation for eight days in early August she left no food. "They even took all the fruit from the fruit bowl with them." ] 8(k)

When she complained to Tait about the heavy workload and not being paid, Manuel said he told her to keep quiet because she was working illegally. "He said, 'I don't talk about immigration matters on the phone. If you want to talk to me you'll have to come to Toronto.'" ] 8(l)

She did come to Toronto twice to pay her monthly placement fee instalments of \$500 to Tait. The trips cost her about \$200 in transportation, food and accommodation each time, money she could ill afford to spend.

"This man has no heart," a sobbing Manuel said. "This is money I desperately needed for my children."

The last time, on Aug. 14, Tait took her to a bank machine near his office at Wilson Ave. and Bathurst St. where she withdrew the \$500.

With no sign of Holman and Brent, and more and more non-nanny jobs piling up, Manuel walked away from Whispering Pines earlier this month with the help of newfound "Canadian" friends in the area.

"This girl was bawling her eyes out as she was telling us her story," said Edith Bell-Laflamme, a Jackson's Point neighbour who picked her up from the inn. "Her biggest concern is that she is not able to send money back to her children."

During the four months at the inn, Bollers never issued her a proper pay slip showing mandatory deductions for Employment Insurance or Canada Pension Plan. Neither did she issue a record of employment or separation slip when she left.

The *Star* interviewed Tait, who is also a real estate agent with Sutton Group, about this case. Tait admitted he charges caregiver clients a placement fee of \$4,500 and refers those who can't pay to Pineway Financial. (Tait tacks on a \$600 loan administration fee.)

A friend advised him recently his ties to Pineway might be seen as a "conflict of interest" and effective immediately, he said, Pineway was no longer in the loan business.

Although he makes it a point of personally meeting all prospective employers, he never met Terra Holman, entrusting that task to "consultant" Danya Scott. The *Star* found Scott is an entrepreneur who sells several products, including nannies, videophones and financial services, via Internet ads.

In one ad, Scott calls herself a "Placement Consultant" for Jinkholm, offering clients a live-in nanny for as little as \$250 a week.

Tait said he sent Manuel to Jackson's Point because Scott told him Holman had moved there. Scott did not respond to telephone and email messages.

Although he knew Manuel was working illegally at Whispering Pines, Tait did not alert Citizenship and Immigration Canada, nor did he apply for a new LMO that would allow her to work legally. His office also applied for a social insurance number and OHIP for Manuel after she arrived in Canada, using Holman's bogus address.

When Manuel complained about being overworked and not being paid for six weeks, Tait said he offered to place her with another family but she refused to move. "(Manuel) is lying, and telling half truths," Tait said.

Manuel said the offer of a new employer is news to her.

The *Star* interviewed innkeeper Bollers, also known as Shirley Browne. She first explained that Terra Holman was her sister and was out of the country on contract work and had asked her to look after Manuel until she returned.

In the span of a three-minute interview, Bollers went from referring to Holman as her sister, to "half sister" to "we may not be blood relatives but we call each other sisters."

Then she ushered the reporter out the door saying: "I don't have time for this nonsense."

In a subsequent phone call seeking Holman's whereabouts, Bollers replied: "You're the investigative reporter, you find her."

Another area woman has offered Manuel a job looking after her sick husband, and has begun the process of obtaining a new LMO so she can work legally for them.

"People like (Catherine) are coming to Canada thinking this is the land of opportunity," said Bell-Laflamme. "They have the right to be treated with respect and dignity when they get here."

Pura Velasco, head of the Coalition for the Protection of Caregivers Rights, wants protections built into the program. While Immigration officers are quick to deport caregivers duped or trafficked into Canada, they take no action against the agencies that brought them in.

The Canadian Labour Congress says there is little or no monitoring or enforcement of employment conditions and these workers fall through the cracks between the federal government, which runs the program, and the provinces, which enforce labour law.

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