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# The Grand Maple Dream: Fulfilled, fading or failed?

## Filipino women nurses in Manitoba and their struggles against harassment and discrimination

The Philippines is a tiny archipelago in Southeast Asia with over one hundred million people wallowing in a third world economy kept afloat for decades by Overseas Filipino Workers (OFW). In 2017, OFWs collectively sent home cash remittances amounting over \$28 billion—roughly \$645 million came from Filipinos in Canada. This amount is the eleventh biggest contributor to the Philippine economy (Bangko Sentral ng Pilipinas, 2018).

On the other hand, the Philippines has become the top country for new immigrants to Canada in recent years, surpassing India and China (Friesen, 2018). According to the 2016 Census of Population Program, there are over half a million Filipino immigrants born in Canada, with approximately 10% residing in Manitoba (Statistics Canada, 2017). They are overwhelmingly concentrated in the City of Winnipeg, where they form the largest visible minority community (City of Winnipeg, 2016).

As of 2016, more than 10,000 of these Filipinos are employed in the regulated nursing professions (Canadian Institute for Health Information, 2016), where practically 9 out of 10 are women (Canadian Nurses Association, 2016).

These women experience various forms of discrimination and harassment in the workplace. For instance, bullying from colleagues range from facial expressions showing subtle disgust (e.g., rolling of eyes, raising of eyebrows, or giving off heavy sighs) over trivial matters like their preferred cutlery (spoon and fork instead of knife and fork) or the peculiarity of the food that they pack for lunch (rice and meat or fish instead of cold sandwiches); to more loathsome actions directly related to work functions such as refusal to render assistance or withholding of important information. Discriminatory treatment also come from patients and family members who openly express discontent for their service simply because of the color of their skin or their distinctive accent even as they speak English more fluently than other internationally-educated nurses. Discrimination can also come from supervisors or doctors who doubt their capabilities because of their foreign education and training. Moreover, sexual harassment in various forms often go hand in hand with such acts of discrimination. These instances happen not only while they are temporary foreign workers, but even after they have already secured the status of permanent residents or have acquired Canadian citizenship.

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These women should not be without remedy in light of the vast network of human rights promotion and protection in Canada. Cases of workplace discrimination outside federally regulated businesses and industries fall squarely within the jurisdiction of human rights systems in the various provinces and territories. On the other hand, the Philippine Commission on Human Rights has been mandated by no less than the Philippine Constitution to provide appropriate legal measures for the protection of every Filipino even when located outside the country. Nonetheless, Filipinos have more experiences of frustration than stories of succor to tell (e.g., Bonifacio, 2013; Coloma, 2012; Gupta, 2009).

This paper is a work in progress. The totality of this research project endeavors to examine the various forms of discrimination and harassment experienced by Filipino women in Canada, more specifically, women nurses in Manitoba. It analyzes the legal remedies available but often inaccessible because of the many barriers that prevent Filipinos from seeking legal remedies. In particular, it looks at the policies, procedures, and programs of the Manitoba Human Rights Commission and examines whether these have been able to effectively address the needs of the fast-growing Filipino community in the province. It also explores how the Philippine Commission on Human Rights, despite its inherent structural weaknesses, can possibly engage in collaborative efforts with the Manitoba Human Rights Commission to make both institutions more responsive to the needs of Filipino migrant workers.

### Filipino nurses in Manitoba

Filipino immigrants to Canada were first recorded in small numbers as early as 1930 but the pioneers that settled in Manitoba were four women nurses who came in 1959 (Sanders, 2009). By the end of the decade of the 60s, Filipinos in Canada numbered about 800 with almost all of them residing in Winnipeg (CIC News, 2014). By 2016, this figure would balloon to 61,950 while a total count of 588,305 is scattered across the country (Statistics Canada, 2017).

53.5% of Filipino immigrants in Winnipeg are women (Statistics Canada, 2017). A good number of them, like the four pioneers, came to Manitoba equipped with a nursing degree from the Philippines and hopeful of pursuing a career in that field in their new home. However, not everyone is fortunate to get admitted to the regulated nursing professions in Canada as the complicated process of registration has become more difficult to navigate as years go by. Many are constrained to settle for alternative careers (i.e., healthcare aides, childcare assistants, respite workers) either temporarily, for purposes of economic survival while their application for registration is pending for a couple of years or so, or permanently, when such efforts fail due to a variety of reasons that do not necessarily point to lack of competency.

There are plenty of stories of frustration woven around the Filipino nurse's application for registration in the various nursing regulatory bodies in Canada, the most common being the perceived inequitable assessment of their Philippine nursing degree as incomparable to Canadian nursing education (de la Cruz, 2016). This almost always results in the need to go back to school to undertake courses as part of mandatory bringing programs. The magnitude of effort and expenses that this entails for a newcomer, added to the usual difficulty of compiling required documentation and the pressure of hurdling language proficiency examinations are best described as mere preliminaries, because the struggle must still culminate in a comprehensive competency examination that one must successfully challenge (Hawkins & Rodney, 2015).

Indeed, the Office of the Manitoba Fairness Commissioner found "significant fairness issues" in its 2012 review of the registration process of the College of Registered Nurses of Manitoba (Office of the Manitoba Fairness Commissioner, 2012). The review was conducted pursuant to The Fair Registration Practices in Regulated Professions Act that aimed to ensure that registration practices in regulated professions are "transparent, objective, impartial and fair." According to the Fairness Commissioner, "[a]spects of the College's assessment and registration practice are clearly less than ideal; creating real barriers and delays" for internationally educated nurses. An extensive list of recommendations was set forth by the Fairness Commissioner to address the "absence of a pathway for the assessment and registration of recruited IENs" as well as the "problematic application, documentation and appeal policies" of the College. The action plan submitted by the College in response to the recommendations was still found to be inadequate by the Fairness Commissioner who expressed disappointment over the failure of the College to acknowledge the negative impact of its policies on internationally educated applicants who "will continue to face an unnecessarily extended and delayed registration process" as a result of excessive documentation policies, or will be blocked altogether "due to problematic registration requirements". Thus, the Fairness Commissioner concluded that the assessment and registration practice of the College was not wholly compliant with The Fair Registration Practices in Regulated Professions Act.

In any event, the sad stories of Filipino nurses do not end with successful admission to the regulated nursing professions. As a matter of fact, it may just be the beginning of even more difficult experiences.

Many published accounts of Filipino nurses in Canada speak of discriminatory treatment from patients, families of patients, supervisors and even colleagues, because of their peculiar accent (Bonifacio, 2013). They often find themselves at the receiving end of various forms of racial epithets such as being told by white patients "to go back to where [they] came from".

Unfortunately, these are often ignored by hospital management and nurses of color are even warned that name-calling and insults are “expected”. Families of patients also tend to bypass their authority by choosing to approach white nurses when inquiring about the status of their relative apparently due to a preconceived notion that the latter are superior in knowledge and skills (Stasiulis and Bakan, 2005). On the other hand, some Canadian colleagues perceive them as competitors for the good jobs in the cities and harbor strong sentiments for them to be sent to work up north (Gray, 1994). Never mind that they are already being given the most challenging work assignments; i.e., least desirable work shifts on floors with most number of critically ill and difficult to manage patients, but seldom those that involve exercise of leadership or supervision over other nurses (Stasiulis and Bakan, 2005).

Personal interviews of Filipino nurses in Winnipeg confirm that the foregoing accounts are likewise common occurrence in Manitoba health facilities. An officer of the Philippine Nurses Association of Manitoba pointed out that promotion is elusive for Filipino nurses who need to work much harder to prove their competencies before they are entrusted with management positions. Those who do get promoted find themselves in the midst of resentful colleagues who sometimes become too aggressive for the typically gentle-mannered Filipino nurse. Stories of very competent Filipino nurses refusing promotion to management positions are typical buzz at Filipino social gatherings.

Filipino nurses in Winnipeg also experience all sorts of racial slurs. An operating room nurse shared how she deliberately refrained from eating lunch at the nurses’ lounge where her white colleagues would repeatedly question the ingredients in her packed meals. A long term care facility nurse shared how rude colleagues laugh when Filipino nurses mispronounce various medications, or ignore them when delivering shift reports. There are also accounts of ill-mannered patients who demand Filipino nurses to “speak in English” even when they are already speaking in English. A nurse manager recalled having a patient who once told her that, “you Filipinos are only here because you don’t have food to eat in your country”.

### Human rights protection in Manitoba

The various forms of abusive comments endured by Filipino nurses in Manitoba fall squarely within the definition of harassment on the basis of race and / or national origin, a prohibited conduct under Section 19(2)(a) of the Manitoba Human Rights Code. Their experiences of workplace discrimination on the same bases are likewise actionable wrongs under Section 14(1) and 14(2)(b)&(c) of the Code. It is very interesting to note that the Code does not stop at simply declaring that harassment is prohibited; it likewise puts the burden of prevention upon hospital administrators or facility managers by declaring it similarly unlawful to knowingly

permit, or to fail to take reasonable steps to terminate, such harassment. On the other hand, the Code punishes both active and passive forms of discrimination regardless of intention. Thus, acts or omissions whether consciously or unconsciously resulting in discrimination are equally prohibited.

The Manitoba Human Rights Code is administered by the Manitoba Human Rights Commission, an independent agency of the Government of Manitoba with a twin mandate to promote and protect human rights. The first is carried out by providing training, conducting conferences and developing education tools to promote awareness of human rights principles. The second is achieved through the administration of a complaint process where cases of discrimination are accepted, investigated and resolved either through mediation or adjudication. Among the various human rights commissions across Canada, the Manitoba Human Rights Commission stands out in terms of its very high percentage of cases resolved through mediation and the correspondingly low number of cases sent to adjudication. More specifically, its procedure for board-directed mediation is considered a best practice that has in fact been copied in Saskatchewan. In 2016 for instance, the Commission reported that a total of 104 cases were settled in various stages, from pre-complaint intervention to board-directed mediation, while only ten cases were referred to adjudication (Manitoba Human Rights Commission, 2017).

Notwithstanding the avenue of redress provided by the Manitoba Human Rights Commission, it turns out that Filipinos in Manitoba almost always never come forward to commence a complaint. In the past ten years, for instance, the total number of complaints instituted by Filipinos before the Commission is eleven.

### Human rights protection in the Philippines

Art. XIII, Sec. 18(3) of the 1987 Philippine Constitution created a Commission on Human Rights with a mandate to “provide appropriate legal measures for the protection of human rights of all persons within the Philippines, including Filipinos residing abroad,” as in the case of migrant Filipino nurses in Canada.

In 2009, the Philippine legislature passed Republic Act No. 9710, otherwise known as the Magna Carta of Women, which designated the Commission as Gender and Development Ombud. As such, the Commission was vested with additional statutory authority to formulate and implement “programs and activities related to the promotion and protection of the human rights of women including the conduct of investigation of cases involving discrimination and violations of their rights”, and to establish “guidelines and mechanisms that will facilitate access of women to legal remedies”. More specifically, the Magna Carta assured that the State shall promote the rights and welfare of women migrant workers regardless of work status and that they shall be protected against discrimination in wages,

conditions of work, and employment opportunities in host countries. While primary responsibility for these duties rests upon the Department of Foreign Affairs as well as the Department of Labor and Employment and its attached agencies specially catering to overseas employment (e.g., Philippine Overseas Employment Administration and Overseas Workers' Welfare Administration), the Magna Carta has put the Commission on Human Rights at the helm of these state agencies with specific authority to monitor compliance and recommend appropriate administrative sanctions for non-fulfilment of the said statutory duties.

Unfortunately, the Philippine Commission on Human Rights had always been plagued by budgetary problems that affect its ability to perform some of its constitutional and statutory mandates. For instance, in its 2011 submission for the Universal Periodic Review of the United Nations Human Rights Council, the Commission admitted considering its additional functions under the Magna Carta as an “overburden” that will “impair its effectiveness” because of limited resources. It further claimed that the Magna Carta will not help unearth and stop discriminatory practices in places of employment because of its failure to establish the means to pursue and reform offenders (Commission on Human Rights, 2011).

To make matters worse, the Commission recently found itself at the receiving end of the ire of the current Chief Executive when it vigorously objected to his bloody drug war that led to thousands of extrajudicial killings of suspected drug traffickers and users. As a result, the President’s allies in the House of Representatives slapped the Commission with a token budget of P1000.00 for 2018 (Morillo, 2017). Public indignation eventually forced the legislature to reconsider, but not without sending a clear message that threatened not only the independence, but also the very existence of the Commission.

With such domestic backdrop, the ability of the Commission to address the needs of Filipinos overseas becomes all the more limited.

### Barriers to seeking effective remedies

The published accounts of Filipino nurses who experienced harassment and discrimination in Canada show that most of them have not filed grievances with their unions nor instituted any formal legal action. Some felt that it is their duty to be more tolerant when racial slanders come from patients suffering from dementia or psychiatric problems. Some feel the need to live up to the expectation that Filipinos are more caring and compassionate than nurses of other nationalities, a stereotype they even seem to be proud of (Stasiulis and Bakan, 2005).

In general, Filipinos in Canada are perceived to have brought with them a “specifically Filipino culture of work” that include

practices such as accepting responsibility for all tasks assigned to them including those already beyond their official job description, submissiveness to authority figures, non-assertiveness despite their abilities, and modesty with respect to their accomplishments (Kelly, 2012). In particular, Filipino women also bring with them their traditional roles as “*ilaw ng tahanan*” or caretakers of the home. The belief that women are divinely designed for marriage and motherhood comes with the expectation that they are naturally loving, patient and self-sacrificing, qualities that have made them a perfect fit for the nursing profession, in the very first place.

Over three centuries of subjection to Spanish colonial rule provides some historical explanation for the deeply entrenched caregiving role of women in Philippine culture. The Catholic religion introduced by Spain brought with it ardent veneration of the Blessed Mother of Jesus. The Virgin Mary and her unwavering faith and unconditional love became the role model for every Filipino woman.

While the Spanish clergy inculcated religious doctrines that exalted the virtues of the Virgin Mary, they also preached against the sinful ways of Mary Magdalene. The profound veneration of the Virgin Mary resulted in admiration for women who possess her qualities - purity, humility, loyalty and self-sacrifice - and ostracism for those who defied these ideals. Henceforth, submissiveness has become a distinctive hallmark of the ideal Filipino woman. It has become natural, even appropriate for women to sacrifice and cry in silence, creating the fiction of the “non-complaining Filipina”. (Medel-Añonuevo, 1994)

The “non-complaining Filipina” who is subservient to the authority of her father, husband and priest begins her indoctrination at home (Dionisio, 1994). Filipino children are expected to respect and obey elders and those in authority. Children are not supposed to answer back when in disagreement with their parents and elders. Public signs of disrespect such as dominance and aggression are out of place and frowned upon (Torres, 1985). This entails greater imposition on daughters who are expected to be demure and refined in manners, than on sons, who are groomed to be strong and brawny in character and physique, in preparation for their future roles as caregiver and breadwinner, respectively (Medina, 2015). Sons are given greater freedom to participate in community affairs and are thus encouraged to be more outgoing, while daughters who generally stay at home to take care of younger siblings and perform other domestic chores tend to become more reserved because of the restrictions they have grown accustomed with. These gender role expectations at home eventually extend to society’s members at large and get entwined in structures of race and class. After all, authority figures in the community often belong to the propertied elite that in turn traces lineage from the

colonizing race. The tendency for unqualified deference is thereby reinforced for working class women.

Filipino women nurses bring this kind of societal upbringing when they work in foreign countries. They refrain from instituting formal complaints despite experiences of harassment and discrimination because assertiveness is not considered a valuable feminine trait for Filipinos (Dionisio, 1994). They probably fear that what happens at home is even more likely to happen in a foreign land, that is, a woman who stands her ground risks becoming the object of hostility rather than respect. The fear is compounded by reduced self-esteem as they are primarily harassed due to their perceived linguistic deficiencies in comprehension and expression. In any event, they know that keeping a stable source of income, regardless of it coming from a stressful and oppressive work environment, is an absolute necessity for personal and family survival.

Nonetheless, the barriers that confront Filipino women nurses are not limited to culture and language because there are also significant political, legal and institutional barriers along the way.

To begin with, the Philippines has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families which specifically provides that migrant workers shall not be treated less favorably than nationals of the State of their employment in respect of remuneration and other conditions of work. However, the great majority of the countries that ratified the Convention are countries of origin of migrant workers and rarely countries of destination. Canada, for instance, has not signified assent to this Convention. At best, the Philippines has a Memorandum of Understanding with the Province of Manitoba which provides that its participants, the Department of Labour and Immigration of the Province of Manitoba and the Department of Labor and Employment of the Republic of the Philippines, “intend to allow” the Philippine Overseas Labor Office in Toronto to “monitor” the workers recruited under the said Memorandum “with the view to ensuring the[ir] protection and welfare” under existing federal and provincial laws and regulations.

Clearly, the Memorandum of Understanding by itself does not provide much of a protection against human rights violations. Even the designation of the Philippine Overseas Labor Office as some sort of a watchdog is of doubtful effectivity considering that it is based in Toronto and not really within arm’s reach. The Philippines maintains an Honorary Consulate General in Winnipeg but the nature of services that it can provide is obviously limited in scope and in fact even intermittent due to recurring vacancies in the position of Honorary Consul General.

For over ten years, a Filipino-Canadian had been sitting as one of the Commissioners of the Manitoba Human Rights Commission which should somehow give the Commission an

image of accessibility and availability to the Filipino community in the province but recent statistics show otherwise. Of the 2,493 complaints of human rights violation lodged before the Commission during the period from January 1, 2009 to December 31, 2017, only eleven were instituted by complainants who identified themselves as Filipinos. Of this small number, eight claimed differential treatment in employment on the basis of race or ancestry. Of these eight, three have been dismissed for insufficient evidence, one was abandoned by the complainant, two were settled during pre-investigation mediation, and two remain pending as of this writing. This author sought permission for an interview with the Filipino-Canadian Commissioner to gain a better understanding of this phenomenon but was ignored which is a sad scenario not only because an explanation from his point of view could not be obtained but also because such lack of interest to explain could be the explanation itself, or part of it.

In any event, a complainant before a Canadian human rights commission or tribunal is actually confronted by a significant evidentiary burden. Dismissals due to insufficient evidence are often a result of the reality that most complaints of racial discrimination are based on circumstantial evidence which must be of considerable degree in order to substantiate the claim.

For instance, in the case of *Parsonage v. Canadian Tire Corp.* (28 C.H.R.R. D/42 [Ont. Bd. Ins.][1995]), a single racial joke where the word “nigger” was used was considered insufficient evidence of racial discrimination. In *Nimako v. Canadian National Hotels* (8 C.H.R.R. D/42 [Ont. Bd. Inq][1987]), the Ontario Board of Inquiry likewise rejected a complaint of discriminatory termination on the basis of “one epithet in the heat of passion”. In *Fuller v. Candur Plastics Ltd.* (2 C.H.R.R. D/419 [Ont. Bd. Inq.][1981]), an “isolated offensive outburst” was regarded as insufficient evidence of discrimination under the Ontario Human Rights Code. In *Nahal v. Globe Foundry Ltd.* (21 C.H.R.R. D/136 [B.C.C.H.R.][1993]), despite “some evidence of racial name-calling” in the workplace, the British Columbia Council of Human Rights still found insufficient evidence of harassment. Moreover, in *Dhanjal v. Air Canada* (28 C.H.R.R. D/367 [Can.Trib.][1996]), a racial slur becomes insignificant when an apology is promptly given. In sum, the discriminatory language or treatment must be of such oppressive nature and significant severity and frequency before protective human rights remedies can come into play. “[S]omething more than the occasional insult is required to create a racially poisoned workplace”(Zinn, 1996).

Other pieces of jurisprudence are also discouraging. In the case of *Grover v. Alberta* (28 C.H.R.R. D/318 [Alta.Q.B.][1996]), the Alberta Human Rights Commission refused to consider employer bias in favor of hiring applicants who obtained educational credentials (Ph.D.) from one country over another as prohibited discrimination on the basis of a person’s place of origin. Interestingly, 20 years later, the Alberta Human Rights

Commission in the case of Association of Professional Engineers and Geoscientists of Alberta v. Mihaly (30 Alta. L.R. (6th) 125 [2016]), found that the Association discriminated on the same basis - place of origin - against a foreign-trained engineer when it refused to recognize his education as the equivalent of an engineering degree from a Canadian university and in requiring him to write examinations to confirm his credentials. The Alberta Court of Queen's Bench upheld the decision of the Alberta Human Rights Commission in Grover and overturned in Mihaly.

Closer in circumstances is the case of De Leon v. Teachers' Qualification Service (37 C.H.R.R. D/433 [B.C.C.H.R.][2000]) where the claim of an elementary school teacher educated in the Philippines that the assessment of her educational credential discriminated against her place of origin was rejected. Of central focus was the ten-year basic education curriculum in the Philippines consisting of six years of elementary education and four years of secondary education which was considered insufficient equivalent to the twelve-year system in British Columbia. This ruling effectively settled the issue that Philippine education is not sufficient equivalent to Canadian education on the mechanical basis of counting the years that a person spent in school in his childhood without further consideration for the value of a university degree, or even a postgraduate degree, that such person may have obtained thereafter.

Finally, some important lesson must be learned from the case of Caliao v. College of Nurses of Ontario (CanLII 90733 [ON HPARB] [2011]), which involved a nurse whose nursing degree earned in the Philippines and extensive experience acquired in Saudi Arabia were considered insufficient by the College of Nurses of Ontario for her to be accepted as a registered nurse because she failed an additional requirement, that of passing the Canadian Registered Nurse Examination, even after three attempts. The Health Professions Appeal and Review Board ruled that the duty of the College to "serve and protect the public interest" makes the requirement for applicants to demonstrate baseline competencies through standard testing "reasonable and bona fide." The decision was sound on this respect but was notably naive on the underlying reasons for Caliao's failure to pass the required examination. At best, it said that if Caliao felt that she needed accommodation for her special circumstances, it was her responsibility to communicate the same to the College and having failed to do so, no duty on the part of the College to accommodate the applicant under the Human Rights Code was engaged.

The preservation of high standards of competency among registered health professionals in view of their duty to serve and protect public health and welfare is the same ideal that fuels the registration requirements implemented by the College of Registered Nurses of Manitoba but, to reiterate the Manitoba

Fairness Commissioner's disappointment, the various practices identified as barriers to internationally educated nurses "have little bearing on the integrity and rigor of the assessment process" and the Commissioner's recommended reforms, which continue to fall on apparently deaf ears, "will not compromise the College's professional standards".

### Fulfilled, fading or failed?

Filipinos are by nature non-litigious and averse to adversarial encounters specially when put in a position where it might be more beneficial to suffer in silence instead of raising a complaint that would inevitably lead to strained relations with their employer, put their right to remain in Canada at great risk, and renege on the promise of a better life that they gave to the loved ones they have left behind.

Moreover, Filipinos deeply cherish the value of "*utang na loob*" or debt of gratitude. Thus, it is no surprise that Filipinos will go an extra mile to express appreciation for the country that "adopted" them which may include an attitude of submission even when they receive treatment tainted with discrimination from some Canadians.

Has the grand maple dream been fulfilled? Or is it fast fading if it hasn't failed as of yet?

The odds against migrant Filipino nurses in Manitoba are admittedly overwhelming especially with its capital city, Winnipeg, earning the unfortunate title, "most racist city in Canada" in 2015. But, there seem to be some glimmer of hope from the Manitoba Human Rights Commission.

First is an ongoing initiative called "Making Connections" under which the Manitoba Human Rights Commission is currently engaged in public consultations to identify systemic issues that underlie discrimination on the basis of race and to determine the Commission's role in facilitating reconciliation among indigenous communities, newcomer communities and the general public. The Filipino community should take advantage of the opportunity to "make that connection" with the Commission not only in view of the steady influx of Filipino immigrants to Manitoba but also for the sake of those who have long considered themselves as *Winnipeggers* but continue to experience treatment as if they are outsiders. The Philippine Human Rights Commission should throw its support for the Filipino community by offering collaborative efforts with the Manitoba Human Rights Commission on this project and by forging similar initiatives in the future.

Second, there is a very encouraging case recently decided by the Manitoba Human Rights Commission entitled *Ross v. 488970 Manitoba Ltd. (o/a Gillam Motor Inn)*. The decision generously compensated the complainant for damages suffered as a result of

injury to dignity, feelings and/or self-respect and declared, in part that -

*[r]acial attacks and insults about a person's ancestry cut to the very core of a person's identity. It is sometimes difficult to put into words the effect of such racial attacks, attacks upon the foundational constructs of the individual that such insults engender. The attack is not merely against the individual, but also against their family, culture, and the root of their being. For the target of such attacks, historical wrongs and atrocities can be dredged up, potentially forcing them to confront a dark past of historical and sometimes recurring wrongs, potentially feeling isolated, hurt, and ashamed.*

*Left unremedied the corrosive effect of this type of working environment on the individual is heinous. There are also negative effects on society as a whole of permitting such comments to subsist. Permitting such commentary, if not normalizing it, creates or enables an environment in which decency, kindness, civility, productivity, and humanity are sacrificed.*

*Our legislature has made it unambiguously clear that such behaviour is not acceptable in our province (Ross, 2017).*

In the above-mentioned case, the complainant, who self-identified as part-black and part-aboriginal, was subjected to racial epithets very similar to those endured by many Filipino nurses in Manitoba. Her employer's failure to take reasonable steps to terminate the harassment and discrimination that she suffered from her general manager and substitute manager resulted in an additional award for exemplary damages. The employer was found to have acted with recklessness when it "buried its head" and failed to rectify the situation despite having ample opportunity to do so. This ruling amplifies the Manitoba Human Rights Code which provides that employers are equally responsible with their officers or employees who contravene the Code when they fail to take all reasonable steps to prevent the same, or to mitigate its effects.

## Conclusion

At their port of entry, every newcomer to Canada receives a welcome publication entitled "Welcome to Canada: What You Should Know." The said publication reiterates the promise that "[i]mmigrants... are a valued part of Canada's multicultural society." It likewise adopted "seven success secrets for Canadian immigrants" based on an article written by a marketing professional who migrated from India, with the third tip being-

*Embrace Canada. Remember your dreams about coming to Canada? Well, they have come true. Now go out and*

*enjoy all that is Canadian, from its outdoor lifestyle to its multiculturalism to its freedoms.*

Filipino immigrants should hold Canada to its word.

## References

- Bangko Sentral ng Pilipinas. (2018). *Filipinos' Cash Remittances*. Retrieved from <http://www.bsp.gov.ph/statistics/keystat/ofw2.htm>
- Bonifacio, G.T. (2013). *Pinay on the Prairies: Filipino Women and Transnational Identities*. Vancouver, Canada: UBC Press.
- Canadian Institute for Health Information. (2016). *Regulated Nurses, 2016: Indicators*. Retrieved from <https://www.cihi.ca/en/regulated-nurses-2016>
- Canadian Nurses Association. (2016). *Registered Nurses Profile*. Retrieved from <https://cna-aicc.ca/on-the-issues/better-value/health-human-resources/nursing-statistics/canada>
- CIC News. (2014). *The Story of Filipino Immigration to Canada*. Retrieved from <https://www.cicnews.com/2014/01/story-filipino-immigration-canada013193.html#gs.qwWNIDk>
- Citizenship and Immigration Canada. (2013). *Welcome to Canada: What You Should Know*. Retrieved from <https://www.canada.ca/content/dam/ircc/migration/ircc/english/pdf/pub/welcome.pdf>
- City of Winnipeg. (2016). *Population, Housing and Economic Forecast 2016*. Retrieved from <http://winnipeg.ca/finance/files/CoW-Population-Housing-and-Economic-Forecast.pdf>
- Coloma, R.S., McElhinny, B., Tungohan, E., Catungal, J.P.C., & Davidson, L.M. (2012). *Filipinos in Canada: Disturbing Invisibility*. Toronto, Canada: University of Toronto Press.
- Commission on Human Rights. (2011). *A Road in Search of a Map: The Philippines' Human Rights Compliance*. Retrieved from <http://www.ombudsman.gov.ph/UNDP4/wp-content/uploads/2013/03/UPR2-Philippines-Publication.pdf>
- De la Cruz, J. (2016, April 27). Filipino nurses want equal education recognition in Canada. *Philippine Daily Inquirer*. Retrieved from <http://globalnation.inquirer.net/139018/filipino-nurses-want-equal-education-recognition-in-canada>
- Dionisio, E. (1994). Sex and gender. In E. Eviota (Ed.), *Sex and gender in Philippine society: A discussion of issues on the relations of women and men* (pp.1-34), Manila, Philippines: National Commission on the Role of Filipino Women.
- Eliadis, P. (2014) *Speaking Out on Human Rights: Debating Canada's Human Rights System*. Montreal, Canada: McGill-Queens University Press.
- Friesen, J. (2018, April 29). The Philippines now Canada's top source of immigrants. *The Globe and Mail*. Retrieved from <https://www.theglobeandmail.com>



- Gupta, T.D. (2009). *Real Nurses and Others: Racism in Nursing*. Black Point, Canada: Fernwood Publishing.
- Gray, S. (1994, December). Hospitals & Human Rights. *Our Times*, 13(6), 17-20.
- Hawkins, M. & Rodney, P. (2015) A Precarious Journey: Nurses From the Philippines Seeking RN Licensure and Employment in Canada. *Canadian Journal of Nursing Research*. 47(4), 97-112.
- Kelly, P. F. et al. (2012). Filipino Immigrants in the Toronto Labour Market: Towards an Understanding of Deprofessionalization. In Coloma, R.S., et al. (Eds.), *Filipinos in Canada: Disturbing Invisibility*, (pp. 68-88) Toronto, Canada: University of Toronto Press.
- Lazatin, V.P. (2002) The Philippines. In Pryles, M. (Ed.), *Dispute Resolution in Asia*. The Hague, The Netherlands: Kluwer Law International.
- Macdonald, N. (2015, January 22). Welcome to Winnipeg: Where Canada's Racism Problem is at its Worst. *Maclean's*. Retrieved from <https://www.macleans.ca/news/canada/welcome-to-winnipeg-where-canadas-racism-problem-is-at-its-worst/>
- Medel-Añonuevo, C. (1994). Ideology and cultural practice. In E. Eviota (Ed.), *Philippine society: A discussion of issues on the relations of women and men* (pp. 35-51), Manila, Philippines: National Commission on the Role of Filipino Women.
- Medina, B. (2015). *The Filipino family*. Quezon City, Philippines: The University of the Philippines Press.
- Manitoba Human Rights Commission. (2017). Annual Report 2016. Retrieved from [http://www.manitobahumanrights.ca/v1/about-us/pubs/annualreports/2016\\_annual\\_report\\_en\\_fr.pdf](http://www.manitobahumanrights.ca/v1/about-us/pubs/annualreports/2016_annual_report_en_fr.pdf)
- Morallo, A. (2017, September 12). House gives CHR a ₱1,000 budget. *The Philippine Star*. Retrieved from <https://www.philstar.com/headlines/2017/09/12/1738419/house-gives-chr-p1000-budget>
- Office of the Manitoba Fairness Commissioner. (2012). *OMFC Registration Review: College of Registered Nurses of Manitoba Final Report*. Retrieved at <http://www.manitobafairnesscommissioner.ca/wp-content/uploads/CRNM-2012-Registration-Review-Report.pdf>
- Ross v. 488970 Manitoba Ltd. (o/a Gillam Motor Inn), December 13, 2017. Retrieved from <http://www.manitobahumanrights.ca>
- Sanders, C. (2009, March 14) 'Pioneer' carved new life in city; Among first Filipino nurses in Manitoba. Winnipeg Free Press. Retrieved from <https://www.winnipegfreepress.com/local/pioneer-carved-new-life-in-city-41251442.html>
- Stasiulis D.K. & Bakan, A.B. (2005). *Negotiating Citizenship: Migrant Women in Canada and the Global System*. Toronto, Canada: University of Toronto Press.
- Statistics Canada. (2017). *Immigrant Population by Selected Places of Birth*. Retrieved from <http://www12.statcan.gc.ca/census-recensement/2016/dp-pd/dv-vd/imm/index-eng.cfm>

- Torres, A. (1985). Kinship and social relations in Filipino culture. In A. Aganon & M.A. David (Eds.) *New directions in indigenous psychology / Sikolohiyang Pilipino: Isyu, pananaw at kaalaman* (pp. 487-511), Manila, Philippines: National Book Store.
- Zinn, R.W. (1996). *The Law of Human Rights in Canada* Volume (Toronto, Canada: Thomson Reuters).

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