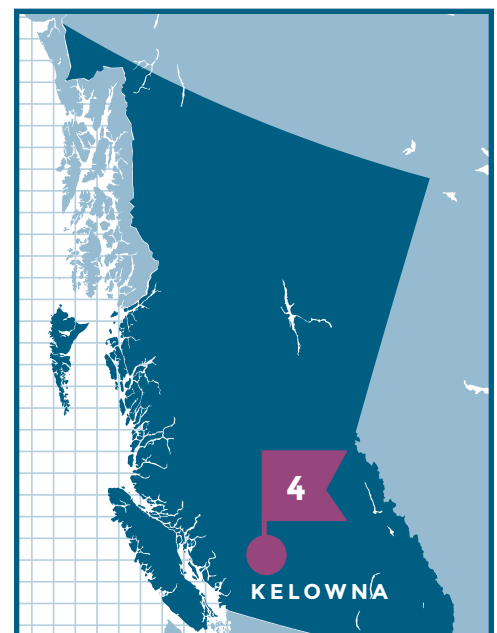


LEGAL ADVOCACY PROGRAMS

(for low-income immigrants, refugees and migrant workers)

Referral Protocol



LEGEND

- | | |
|---|---|
|  1 Archway Community Services |  4 Migrant Workers Centre |
|  2 Immigrant Services Society of BC |  5 MOSAIC |
|  3 Kinbrace Community Society | |

Legal Advocacy Programs in this referral protocol document are funded by The Law Foundation of British Columbia. Programming is targeted specifically to low-income immigrant, refugee and migrant workers.

ISSofBC has recently been funded for the Legal Advocacy Program in April 2019. ISSofBC has administered this initiative to help provide program and referral protocol clarity among the agencies mentioned in this document to foster a collaborative working model.

1. Archway Community Services

Legal Advocacy Program for Agricultural Workers



Website:
fvfarmworkers.ca

Contacts:
Gurcharan Dhillon, Program Supervisor
604-859-7681 Ext 307 gurcharan.dhillon@archway.ca

Sarb Gill, Legal Advocate, *Punjabi*
604-859-7681 Ext 315 legaladvocacy@archway.ca

Claudia Stoehr, Legal Advocate, *Spanish*
778-808-8883 claudia.stoehr@archway.ca

Hours of Operation:
Monday, Wednesday and Friday 9:00 am–5:00 pm

Appointments should be made as advocates may have another appointment in office or out of office. Walk-ins may be taken if advocate is available.

Location:
2420 Montrose Avenue, Abbotsford

Eligibility Criteria:
Farm worker includes green house, nurseries, fruit & vegetable production plants, poultry, or any other agricultural-related field

Areas of Law Covered in the Program:
The Legal Advocacy Program (LAP) assists Farmworkers in Punjabi, Spanish, English, Hindi, Mandarin, and Vietnamese. LAP provides full representation on a variety of issues including:

- ▶ Employment Standards/Unpaid Wages
- ▶ Residential Tenancy
- ▶ Employment Insurance Regular and Sickness Benefits
- ▶ Canada Pension Plan Disability
- ▶ WorkSafeBC
- ▶ Social Assistance
- ▶ Canada Pension Plan
- ▶ Old Age Security Pension
- ▶ Human Rights

Specific Services Provided:
Paper work, advocating for client, referring clients to other organizations, education sessions, one-on-one assistance.

Referral Procedure:
Clients can refer themselves or can be referred by settlement agencies, government offices, employers, friends or relatives. This can be done by calling the office. Information will only be provided to the clients once they come see one of the legal advocates.

2. Immigrant Services Society of BC (ISSofBC)

ISSofBC Legal Advocacy Program



Website:
issbc.org/legaladvocacyprogram

Contact:
Tien Tran, Lawyer
778-222-7568 tien.tran@issbc.org

Hours of Operation:
Monday to Friday 8:00 am–4:30 pm
Client meetings are held on Tuesday and Wednesday

Location:
2610 Victoria Drive, Vancouver

Eligibility Criteria:
This program serves clients that meet the low-income criteria. Clients who are eligible for legal aid coverage will be referred to legal aid. This program serves those who do not qualify for legal aid coverage.

Areas of Law Covered in the Program:
Housing, income security, debt, family, employment and immigration. This program provides full representation on the following:

- ▶ Immigration:
 - Family reunification (family sponsorships, one-year window opportunities, H&C Applications, excluded family members, etc.);
 - Convention refugees or settled refugees (Refugee Travel Documents, Permanent Residency Applications, PR travel Documents, Work Permit Applications, etc.)
- ▶ CBSA Investigation/Enforcement
- ▶ Citizenship Applications
- ▶ Detention Reviews at the Immigration Division
- ▶ Admissibility Hearings (criminality, medical, membership in an organization, misrepresentation, lack of finances, etc.)
- ▶ Appeals to Immigration Appeal Division (various issues)
- ▶ Residential Tenancy
- ▶ Human Rights
- ▶ Convention refugees or settled refugees – Work permit applications
- ▶ Permanent residency applications for caregivers and temporary resident permit holders (victims of trafficking), applying for new work permits, restoration of status, temporary resident permits as victims of trafficking, open work permits for vulnerable workers, re-entry visa applications and judicial reviews of the above
- ▶ Refugee claim hearing and RAD Appeal Division preparation

Where legal aid coverage has already been exhausted:

- ▶ Refugee claims
- ▶ Appeals to the Refugee Appeals Division
- ▶ Application for leave and judicial reviews

Specific Services Provided:

The level of assistance varies from referrals, to summary advice, and to full representation.

Referral Procedure:

Clients can refer themselves or can be referred by settlement agencies, government offices, employers, friends or relatives. This can be done by completing the referral form on our website. Information will only be provided to the clients once they come to meet with the lawyer.

3. Kinbrace Community Society

Accessing Refugee Protection Program

(READY Tour, Refugee Hearing Preparation Guide, Refugee Appeal Division Information Session)

Website:

refugeeclaim.ca

Contact:

Fran Gallo, Program Coordinator
604 328-3132 ready@refugeeclaim.ca

Hours of Operation:

Monday to Friday 9:00 am–5:00 pm. No office hours.

Location:

READY Tours and RAD Info Sessions meet at 300 W. Georgia Street, Vancouver—date, time and precise location provided at time of registration confirmation.

Eligibility Criteria:

READY Tour: Service providers working with refugee claimants and refugee claimants who have been found eligible to make a refugee claim by IRCC or CBSA (claimants in possession of a refugee claimant protection document). All participants must be registered and confirmed by the program coordinator to attend. RHP Guide available to all. RAD Info Session: Available to appellants & service providers on request of appellant.

Areas of Law Covered in the Program:

Refugee claim information only. The Accessing Refugee Protection Program is not a legal advocacy program, it is a refugee hearing preparation program.

Specific Services Provided:

The READY Tour is a collaboration between Kinbrace and the IRB-RPD. The READY Tour provides an opportunity for participants to attend a 2.5 hour information session in a hearing room of the IRB-RPD provided by a Case Management Officer of the IRB and coordinated by Kinbrace. At the session participants will:

- ▶ See a hearing room at the IRB-RPD
- ▶ Learn about the hearing process

- ▶ Learn about the hearing participants and their roles
 - ▶ Understand legal issues addressed at the hearing
- RAD Info Sessions are about the appeal process at the IRB-RAD and are provided by an officer at the RAD.

The RHP Guides provide claimants and service providers with information to assist claimants in preparing for their refugee hearing in multiple languages.

Referral Procedure:

Claimants and service providers can self-refer by registering at refugeeclaim.ca or by e-mailing or calling the program coordinator. Advocates, government reps, counsel, mental health service providers, housing providers and other service providers can register interested claimants (with their permission) as well.

4. Migrant Workers Centre

Migrant Workers Centre Legal Advocacy Program



Website:

mwcbc.ca

Contacts:

Silvia Duran, Legal Support Coordinator
Karen Bation, Legal Advocate
Tess Van Weelden, Legal Advocate
Jeanne Robert, Legal Advocate
Jorge Siller, Legal Advocate (Kelowna)
Julianna Dalley, Staff Lawyer
Natalie Drolet, Executive Director, Staff Lawyer
604-669-4482 or 1-888-669-4482
info@mwcbc.ca or silvia@mwcbc.ca
Workplace sexual harassment advice line: 604-404-1931
For migrant agricultural workers in Kelowna: 778-392-7905

Hours of Operation:

Vancouver:
Tuesday–Friday, 9:00 am–5:00pm
Saturday Drop-in Legal Clinic 9:00 am–5:00pm
Tuesday Help Line 5:00 pm–8:00 pm
Workplace Sexual Harassment Advice Line:
Tuesday and Thursday 9:00 am–8:00 pm
Wednesday, Friday and Saturday 9:00 am–5:00 pm
Kelowna:
Wednesday and Thursday 9:00 am–5:00 pm
Friday, Saturday and Sunday 1:30pm–9:00pm

Locations:

302–119 West Pender Street, Vancouver
620 Leon Avenue, Kelowna

Eligibility Criteria:

Clients under the low-wage streams of the TFWP, and other migrant workers under other immigration programs who are not PR or have lost status in Canada who have experienced labour exploitation or trafficking

Areas of Law Covered:

- ▶ Immigration law (full representation): permanent residency applications for caregivers and temporary resident permit holders (victims of trafficking), applying for new work permits, restoration of status, temporary resident permits as victims of trafficking, open work permits for vulnerable workers, re-entry visa applications and judicial reviews of the above
- ▶ Immigration law (summary advice): BC PNP applications, H&C applications, enforcement
- ▶ Employment law (full representation): Employment Standards complaints, Human Rights complaints, Small Claims Court cases, Employment Insurance applications, and judicial reviews or appeals of the above
- ▶ Employment law (summary advice): Occupational Health and Safety
- ▶ Other (summary advice): access to MSP, T1 adjustments

Specific Services Provided:

Paper work, advocating for client, referring clients to other organizations, one-on-one assistance. Referrals are provided if a client's issue falls outside of scope of practice, or if clients are not eligible for the program.

Referral Procedure:

Clients can self-refer by calling 604-669-4482 or 1-888-669-4882 or be referred by another organization.

Intake is done over the phone by the Legal Support Coordinator. Clients can also come to the office on Saturdays for the drop-in Legal Clinic from 9:00 am–5:00 pm without an appointment and/or can call the Evening Help Line on Tuesdays from 5:00 pm–8:00 pm and receive advice.

Notes:

Additional supports offered include workshops on the topics of caregivers applying for PR (twice per month), workplace sexual harassment, labour trafficking, immigration law and employment law. In partnership with New Hope Outreach Services, offer case management and wraparound support to migrant workers who have experienced labour exploitation or trafficking.

5. MOSAIC

MOSAIC Legal Advocacy Program

Website:

mosaicbc.org/services/settlement/legal-advocacy-program

Contact:

604-254-9626 legaladvocacy@mosaicbc.org

Hours of Operation:

Monday to Thursday 9:00 am–4:00pm

Location:

5575 Boundary Road, Vancouver



Eligibility Criteria:

Priority assistance is given to individuals who have low income, have difficulty speaking or understanding English, have little/no knowledge of the Canadian legal system and have issues not covered by other legal agencies. Financial assessment guidelines are used to determine client eligibility. Although legal advocacy services are provided free of charge, filing or application fees are at clients' expense.

Areas of Law Covered:

- ▶ Family Law
 - Filling out appropriate court forms:
 - Application for an Order
 - Application Respecting Existing Orders or Agreements
 - Financial Statements
 - Notices of Motion
 - Affidavits
 - Assistance with preparing for mediation or court
 - Uncontested Divorce Applications
 - Guardianship where one parent is missing
 - Family Maintenance Enforcement Program (FMEP)
 - Providing information or assisting with peace bonds and restraining orders.
- ▶ Immigration Law
 - Permanent residency for Convention Refugees or Protected Persons
 - Citizenship issues for former refugees and people with disabilities
 - Difficulties in obtaining or renewing PR card for refugees and people with disabilities
 - Permanent residency for permit-holder class
 - Work permits for refugees and others needing a work permit to qualify for income assistance
- ▶ Poverty Law
 - Income Security (social assistance)
 - Canada Pension Plan and Old Age Security
 - Employment Insurance
 - Employment Standards
 - Housing (Residential Tenancy)
 - Debt (such as Canada Revenue Agency, Medical Services Plan)

MOSAIC provides support to Temporary Foreign Workers through programming and the TFW Pro Bono Clinic.

Specific Services Provided:

Paper work, advocating for client, referring clients to other organizations, one-on-one assistance.

Referral Procedure:

Clients can refer themselves or can be referred by settlement agencies, government offices, employers, friends or relatives. This can be done by emailing legaladvocacy@mosaicbc.org calling 604-254-9626. An eligibility assessment is done over the phone. An intake assessment with a legal advocate will be scheduled at the MOSAIC Vancouver office.

AREAS OF LAW COVERED BY PROGRAM

	Archway	ISSofBC	Kinbrace	Migrant Workers Centre	MOSAIC
Employment Standards/Unpaid Wages	✓			✓	✓
Occupational Health and Safety				✓	
Employment Insurance Regular and Sickness Benefits	✓			✓	✓
Residential Tenancy	✓	✓			✓
Canada Pension Plan Disability	✓				✓
WorkSafeBC	✓				
Social Assistance	✓				✓
Canada Pension Plan (CPP)	✓				✓
Old Age Security Pension	✓				✓
Human Rights	✓	✓		✓	✓
Canada Revenue Agency				✓	✓
Medical Services Plan (MSP)				✓	✓
Family reunification (family sponsorships, one-year window opportunities, excluded family members, etc.)		✓			
Convention refugees or settled refugees – Permanent Residency Applications		✓			✓
Convention refugees or settled refugees – Refugee Travel Documents, PR travel Documents, Work Permit Applications, etc.)		✓			✓
Convention refugees or settled refugees – Work Permit Applications		✓			
BC PNP applications				✓	
H&C applications		✓		✓	✓
PR applications for caregivers and temporary resident permit holders (victims of trafficking), applying for new work permits, restoration of status, temporary resident permits as victims of trafficking, open work permits for vulnerable workers, re-entry, visa applications and judicial reviews		✓		✓	
CBSA Investigation/Enforcement		✓			
Citizenship Applications		✓			✓
Detention Reviews at the Immigration Division		✓			
Admissibility Hearings (criminality, medical, membership in an organization, misrepresentation, lack of finances, etc.)		✓			
Appeals to Immigration Appeal Division (various issues)		✓			
Refugee Claims (claimant must have already exhausted legal aid coverage)		✓			
Refugee Appeals to the Refugee Appeal Division		✓			
Application for leave and judicial reviews		✓			
Refugee Claim hearing preparation and RAD Appeals process		✓	✓		
Family Maintenance Enforcement Program (FMEP)					✓
Family Law - Filling out court paper work including: Application for an Order; Application Respecting Existing Orders or Agreements; Financial Statements; Notices of Motion; Affidavits					✓
Family Law - Providing information or assisting with peace bonds and restraining orders; assistance with preparing for mediation or court; uncontested Divorce Applications; Guardianship where one parent is missing					✓