

# Injured temporary foreign worker determined to work again if allowed to stay

BY SHEILA PRATT, EDMONTON JOURNAL FEBRUARY 23, 2015



Temporary foreign worker Maria Venancio, photographed Feb. 20, 2015, was injured in collision with a vehicle while riding her bike and is now in a wheelchair. She's hoping to stay in Canada under compassionate grounds.

**Photograph by:** Ed Kaiser, Edmonton Journal

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EDMONTON - After a few months behind the counter at McDonald's, Maria Venancio received a promotion to team leader and was about to take management training.

But the week before training started in June 2012, the Filipina temporary foreign worker was hit by a car as she rode her bicycle to work at the Mill Woods fast food outlet.

Her case, brought up last week in the House of Commons, raises serious questions about Canada's obligations to the workers it brings from abroad.

Venancio was shocked last week to receive a deportation order after her work permit expired.

She is now waiting to make an appeal on compassionate grounds to the Canadian Border Service Agency that will execute the deportation.

While confined to a wheelchair due to spinal cord injuries, Venancio says she's determined to re-train herself, get a job and start paying taxes again.

"I'm not asking to stay and sit in a wheelchair," she says. "I want to be useful to society."

These days, Venancio is living with friends, spending the last of the money from a court settlement after the accident and not costing taxpayers much.

But she's desperately worried about the future — her aging parents back home depend on her.

St. Albert MP Brent Rathgeber, who raised the issue in the Commons, says there's no question Venancio, 29, should be allowed to stay on compassionate grounds.

"There has to be some accommodation for people in these perilous situations." Any comments that Canadian taxpayers shouldn't take on the burden of supporting the disabled worker are "just callous," he says.

"She came here to work and she was on her way to work."

Rathgeber asked if the government would intervene in her case.

A government official replied it must consider the interest of Canadian taxpayers at all times and could not discuss individual cases.

The immigration system is already generous, Costas Mengers, parliamentary secretary for citizenship and immigration, told the Commons.

"We must continue to welcome newcomers while respecting the Canadian taxpayer at all times."

Rathgeber called that "a terrible answer."

If she had been injured on the job, Venancio would be entitled to workers' compensation benefits like any Canadian worker, even if she left the country.

"Eligibility for benefits and services does not change whether the worker remains in Canada or returns home," Workers' Compensation Board spokesperson Danya Therien says.

"Our goal is to support the worker to achieve fitness to return to work here or in the home country."

From 2000 to 2014, about 13,630 temporary foreign workers had WCB claims approved and about half were claims for time lost "due to the injury or illness," she says.

Venancio's lawyer, Chris Bataluk, says Canadians should think hard about this case, knowing Venancio will have a much more difficult life as a disabled person in the Philippines.

The young woman came in good faith, but was let down by her employer, who did not offer disability insurance as required, he says.

Her Alberta health care expires with her work permit. Venancio is making remarkable progress and can now stand on her own thanks to the University of Alberta rehabilitation clinic, Bataluk says.

That improvement will not likely continue if she is sent back, which would be unfortuante, especially as she may be able to work, he says.

“She’s making progress, she’s minimizing cost to taxpayers and she hopes to work and pay taxes again,” Bataluk says.

“Morally we have an obligation to people we bring here to work.”

No date is set for the final appeal.

But Venancio is determined to recover.

“Some people say I will be a burden, but I want to work so I won’t be a burden. I hope I can stay.”

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