

Foreign worker in sex harassment case tells others to 'speak up'

Former employer, Jose Pratas, says he did not have enough opportunity to defend himself in the case

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One of two temporary foreign workers who were abused by the former owner of Presteve Foods, a fish processing company in Wheatley, Ont., says that going through the process of a human rights tribunal was difficult, but worth doing to defend her dignity.

- [Temporary foreign workers' vulnerability noted in sexual harassment case](#)

The woman, who cannot be identified due to a publication ban on her identity, spoke exclusively to CBC News in Windsor through her interpreter, who is also her community legal worker.

"It's affected me emotionally," she said. "Now almost anything will make me cry. I hope that there will be a difference ... that people will be able to talk and that they will not be silent."

One woman in the case was forced to perform sex acts under threat of being sent home and both were sexually harassed in other ways, the tribunal found. They both had their work permits revoked and were sent back to Mexico after resisting sexual advances from their employer.

A ruling handed down by the Ontario Human Rights Tribunal awarded \$150,000 to one complainant and \$50,000 to another in the case.

"The money that I won doesn't heal me," said the woman. "The work I did was as a fish filleter, but the manner that we were treated was very, very ugly," she said. "He was always angry, we were yelled at, we were humiliated."

"I think those who hear of this decision, including employers, should understand that people who come to work here are poor people and they come to work," she said.

She has some advice for other women coming to work here as temporary foreign workers who may find themselves in a similar situation.

"They should speak up, they should not be silent," she said. "I hope that there will be a difference, that people will be able to talk, and that they will not be silent."

Call for open work permits

Community legal worker Cathy Kolar said in order to prevent this kind of abuse from happening again, the workers should be issued open work permits, since current work permits are tied to their employers.

"As long as workers are tied to employers and are basically dependant on the goodwill of the employer to keep hiring them to ensure their status in the country, they can't come forward," said Kolar.

Currently if a foreign worker reports suffering abuse in the workplace, it could result in them not being able to work, leading to deportation.

Employer criminally charged in 2009


Jose Pratas, the former owner of Presteve Foods, was charged criminally with those abuses and others, but pleaded guilty to assault. He received a conditional sentence and three years' probation in 2009.

CBC News in Windsor spoke with Pratas on the phone briefly. He said he doesn't feel he had enough of an opportunity to defend himself at the human rights tribunal because he never got notification by mail they were happening. He said he hasn't seen the decision.

Gino Morga, the lawyer who represented the company at the hearings, told CBC by email that when it comes to appealing the decision all options are being considered.

The lawyer representing the new owner of Presteve Foods Ltd. also provided CBC with an email statement.

"Presteve Foods Limited has been under new ownership since 2010. The events referred to in the HRT0 decision occurred before the current ownership and are in no way connected to the current ownership, which has been committed to respecting human rights and dignity in and out of the workplace."

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