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### **“Pay, Protection, and Professionalism”: The History of Domestic Worker Organizing and the Future of Home Health Care in the United States**

Julia R. Gruberg

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“PAY, PROTECTION, AND PROFESSIONALISM”:  
THE HISTORY OF DOMESTIC WORKER ORGANIZING  
AND THE FUTURE OF HOME HEALTH CARE IN THE UNITED STATES

by

JULIA R. GRUBERG

A master's thesis submitted to the Graduate Faculty in Liberal Studies in partial fulfillment of  
the requirements for the degree of Master of Arts, The City University of New York

2017

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This manuscript has been read and accepted for the Graduate Faculty in Liberal Studies in  
satisfaction of the thesis requirement for the degree of Master of Arts.

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## ABSTRACT

“Pay, Protection, And Professionalism”: The History of Domestic Worker Organizing and  
the Future of Home Health Care in the United States

by

Julia R. Gruberg

Advisor: John Goering

With a multidisciplinary approach, I analyze the socio-economic, political, and historical factors that led to the current state of home health care in the United States. The legacy of slavery and the devaluing of so-called “women’s work” explain how the field of domestic work has been historically excluded from protection and regulation in the United States. Caring for children and keeping house have been women’s work for centuries, regardless of whether women were paid to do it or it was outsourced to an employee. Domestic work is sometimes referred to as “the work that makes all other work possible,” but this phrase silences the fact that the home has historically been the main site of work for women, and reinforces the idea that the private sphere and its labors are apolitical and not “real” work. The gendering of the male public sphere and the female private home has hampered efforts at regulation, because the home is not seen as a site of productive labor.

The story of domestic work in the twentieth century is a crystal lens through which to view the creation of whiteness and reification of Other. The low status of domestic work as an

occupation is rooted in who has traditionally done domestic work for others: women, often Black or otherwise considered non-white. I examine the mutability of whiteness throughout the late 19<sup>th</sup> and 20<sup>th</sup> century, and describe the demographics of the current workforce – mostly immigrant women of color – as well as the aging population served by eldercare workers.

As the population ages and more Americans find themselves in the Sandwich Generation – caring for parents and children simultaneously – society will face a care crisis. This crisis bridges multiple issues that affect every level of civil society and government: children, parents, the elderly; independent contractors, for- and non-profit agencies, trade schools; and state-run licensing, regulations, and enforcement. We must figure out how to help families afford quality care, empower workers, and close the wage gap for women who, in the prime of their careers, are caring for their parents and children.

New York State is a good case study for regulations of domestic work. We can compare it with a successful reorganization of domestic work in Belgium. Yet the United States government's move towards austerity in the current moment does not bode well for regulations, protections, enforcements, and supports for workers and employers, all of which would require the state to step in as a key player.

I propose an idea for a public-private partnership to support the eldercare community. Such a partnership, between the city, the state, and home care agencies, would facilitate high quality care and care jobs. Domestic workers would form a cooperative agency, meaning workers would do different tasks to keep the organization running. Structured as a co-op, the workers can rotate between direct care and management, including website design and development, customer service, fundraising, accounting, and human resources. A liaison would work with the department for the aging, workforce development organizations, and advocacy

groups to streamline the process of finding and hiring a qualified domestic worker – and for the workers to find safe and respectful employment. Such a program would provide some redress to the workers who are grappling with the racist and sexist legacies of the field, as well as current prejudices.

## ACKNOWLEDGEMENTS

A very hearty thank-you to everyone who helped me through this process. My advisor, John Goering, was always encouraging, graceful, and thoughtful, and never impatient. My Sarah Lawrence don, Linwood Lewis, has been my steadfast supporter since 2004, and I would honestly not be at the Graduate Center without him. Linwood, thank you for the many hats you have worn in my life. My thesis workshop colleagues, especially Chelsie, George, Ivona, Luis, Marcus, Margaux, and Mickie, were the fuel to my fire and I could not have done this without your insightful comments and our weekly meetings. Kathy Koutsis, the MALS Assistant Program Officer, was warm, accessible, and always willing to help. Thank you for never making me feel like I was intruding (even though I'm sure sometimes I was). I am grateful that I could rely on you to be the calm, capable anchor of my Graduate Center experience. Niko and Scarlett, thank you for study dates; Emmett, thank you for your cheerleading; Megan, thank you for being the best; Hannah, thank you for being my other half across the sea; Mom, Dad, Laura, Minda z'l, Nana: thank you for believing in me and being proud of me; Caroline, my wife, who never doubted that I could do this, thank you for your enthusiasm when I could muster none and thank you for your care.

Thank you also to the domestic workers and organizers whom I was privileged to work alongside. Your dedication and radical love inspire me to keep working towards our collective liberation.

Any errors are mine alone.



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## **Introduction**

Throughout United States history, domestic work has often not been considered “real” work for sociological, political, and economic reasons. Domestic work has in the past and into the present day been seen as the chore and duty of women. Even women who worked outside the home for pay came home to work “the second shift” inside the home – for no pay.

The meaning and position of domestic work has been constructed to have multiple meanings depending on who is performing it: the person who lives in the house, or the paid worker. This work has also been racialized, with major roots in the US practice of slavery and race-based oppression of women. Most women in the second wave feminist movement were arguing for the right to work outside the home, and in doing so they diminished the value and difficulty of home work as well as the women doing the work, mostly women of color.

As the Baby Boomers age, and elders live for longer, the need for paid domestic labor in the United States will only increase. For example, my 101-year-old grandmother, known as Nana, had refused any help until she was 98, when she realized she could not comfortably cook for herself anymore. So she allowed my mom to hire someone to live with her, do her grocery shopping, cook for her, and help her pay bills.

The person living with Nana is really a good person, but he is not a home health care worker. He is actually a graduate student, living rent-free in exchange for taking care of Nana. He is not a professional caregiver or home health aide, which means he is not trained to care for an elderly, frail person with mild dementia. Frankly, his duties are not very well defined. Is he supposed to provide emotional support and companionship for Nana as well as household duties? When is his time off? I believe the person caring for Nana should be getting paid enough that they can afford to live on their own.

I would much prefer a professional home care attendant, someone who understands the aging process and whose job it is to care for Nana. There are countless home health agencies in Los Angeles, but my mom – like most other Americans – cannot tell which one to choose. There is no way to tell if each agency operating online is a nation-wide franchise or a reputable non-profit, or what specific services they provide. Does the agency exploit its workers by employing them below benefits-eligible hours? Would the agency send a new, different person every week? Plus, 24-hour care at \$30/hour is not affordable, even for those who, like Nana, have sufficient resources. Medicaid-eligible seniors can access some subsidized home health care, and after surgery, Medicare will cover some home health care. Some states allow consumer-directed care, in which the client can appoint a home health aide to be paid through the client's Medicaid coverage. Nana, who is not eligible for Medicaid, is spending every last cent on home care so she can age in place, in the home she has lived in since 1964. What happens when her money runs out?

The purpose of this thesis is to analyze the historical and sociological conditions that gave rise to the current state of home health care in the United States, and to propose a new model for home health care in New York City. My methodology includes research on labor history, theoretical analysis of race and migration, and discussion of current legislation and policies around domestic work. In this thesis, I trace the history, successes, and failures of domestic worker organizing in the 20<sup>th</sup> century to a new model for home health care. I present an idea for a public-private partnership to support the eldercare community in creating a worker-run cooperative. This would bring domestic work into the public sphere, allow older New Yorkers to age in place, and provide quality jobs to a long-overlooked workforce.

With a multidisciplinary approach, I analyze the socioeconomic, political, and historical factors that led to the current state of home health care in the United States. The legacy of slavery and the devaluing of so-called “women’s work” help explain how the field of domestic work has been historically excluded from protection and regulation in the United States. Caring for children and keeping house have been women’s work for centuries, regardless of whether women were unpaid slaves, paid to do it, or it was outsourced to a firm or employee. Domestic work is sometimes referred to as “the work that makes all other work possible,” but this phrase obscures the fact that the home has historically been the main site of work for women, and reinforces the idea that the private sphere and its labors are non-political and not “real” work. In addition to the formative role of slavery, the gendering of the male public sphere and the female private home has significantly hampered efforts at regulation, because the home is not seen as a site of productive labor.

The story of domestic work in the twentieth century is also a crystal lens through which to view the creation of whiteness and reification of Others. The low status of domestic work as an occupation is rooted in who has traditionally done domestic work for others: women, often Black or otherwise considered non-white. I examine the persistence and mutability of whiteness as it relates to domestic labor in the United States. Today, mostly immigrant women of color comprise the current home care workforce. As such, domestic work today cannot be discussed without also discussing international migration and the global care chain.

As the United States population ages and more Americans are in the Sandwich Generation, caring for parents and children simultaneously, we find ourselves at the beginning of a substantial care crisis. New York State is a good case study for both this crisis and for the regulation of domestic work. I examine the successful reorganization of domestic work

undertaken by Belgium and take it as a starting point for a new model for home health care. The US government's move towards fiscal austerity over the last several years does not bode well for regulations, protections, enforcements, and supports for workers and employers, all of which would require the state to step in as a key player. Yet in the face of opposition, domestic worker organizing over the past 100-plus years prevailed, notably in the 1970s and 2010s. By learning from the robust and intersectional domestic workers' movement of the 20<sup>th</sup> and 21<sup>st</sup> centuries, activists of today can create a movement that will effect legislative change to provide workers and employers better quality jobs and better quality care.

## **Chapter 1. Theorizing Domestic Work in the United States**

### **1.i. Early Accounts of Paid Domestic Work**

As far back as the antebellum North, there are records of employers' views of their rights and responsibilities – as well as their grievances. “[American] employers’ diaries and letters of the 1830s complained constantly about their difficulty in finding and keeping servants” and their dismay at employing immigrants instead of American women (Lasser, 1992, p. 122). Immigrant workers preferred live-in service, because it meant their room and board expenses were taken care of and they could send the majority of their pay back home (Lasser 1992). Yet moneyed New England matrons in the 1850s were loathe to hire Irish workers – evidence of the timelessness of the mutability of whiteness. One woman lamented that before 1850 her servants were “always American,” but “when no more American servants could be found, like everyone else we had Irish” (Lasser, 1992, p. 124).

In 1869 Catharine Beecher, a prominent writer on women's issues, expressed surprise and dismay at the newly arrived Irish and German “girls” who believed they understood and were entitled to American democracy. Her advice to her fellow employers: “...It is much better to regulate [workplace negotiations] by cool contract in the outset than by warm altercations and protracted domestic battles” (Lasser, 1992, p. 126). Unsurprisingly, servants viewed this “benevolent maternalism” as anachronistic and unequal to the rights granted to other workers (Lasser, 1992, p. 130). The difference is that domestic workers are in the private sphere; workers in the public sphere would expect (and receive) a less familial workplace environment. Edward Godkin, editor of *The Nation*, pointed this out in his commentary in the January 1873 issue, explaining that although it may be inconvenient to employers, servants were acting based on

their own best interests and participating in the free market as other workers were becoming able to do.

Employers were expected to provide both maternal caretaking for the servant as well as material training in housekeeping, as the “girl” was basically an apprentice at housewifery (Lasser 1992; Palmer 1989). Lasser cites several examples of maids and servants who were unhappy with their employment situations and decamped for a better job; some employers were sad when their “girls” left, implying their maternal inclination was hard to shake. Even as employers, women were expected to do the (unpaid) emotional labor of caring for their workers. How could the home be seen as a public workplace in that situation? Ultimately, domestic servants did not desire apprenticeship, but employment; Lasser argues this affected the homemaking skills of the next generation of wives as they were not trained in housekeeping.

While data needed to clearly characterize domestic service over time is missing, Lucy Salmon’s widely-cited work from the 1890s supposedly proved domestic workers made as much or more than women employed in other jobs. Her conclusion was based on specious data, though: respondents were interested in maintaining their image and/or were ignorant of the amount of hours actually worked; a generous calculation of the value of room and board; a discounting of the hourly breakdown of the weekly wage, given that domestics worked many more hours than factory or shop workers; and servants’ wages were the last item on the budget list and so the first to go if expenses exceeded the budget (Berch 1992). The economic turndown of 1890-1920 would have made it a worker’s market, yet workers could not be found. Berch argues the “servant crisis” of those years was due to inadequate wages and poor working conditions, not the stigmatization of domestic work, as Salmon had claimed. Berch shows that



the income of domestic servants was not, as commonly thought in the late 1800s-early 1900s, equal to or better than jobs in other industries, such as factories, shops, or pubs.

The census data from which scholars estimate the proportion of women working in “domestic and personal service” is difficult to parse. From 1890 to 1920, the labor force participation of married women jumped across all races (Brownlee 1992). The percentage of women working in the “domestic and personal service” category of the census dropped from 52% in 1870, to 22% in 1920 (Palmer, 1989, p. 12). “Native white” married women’s rates of participation in the labor force grew from 2.4% in 1890, to 3.1% in 1900, to 6.3% in 1920; “Negro” married women’s rates of participation in the labor force over that same period grew from 22.7%, to 26%, to 32.5% (Brownlee, 1992, p. 205). In 1920, around 16% of all employed women were laundry or domestic workers, while close to 50% of employed Black women were laundry or domestic workers – compared to 22% of employed foreign-born white women and 8% of employed native-born white women (Palmer, 1989, p. xiii). From 1920 to 1940, Palmer estimates that domestic work constituted one-fifth of women’s employment. For the Black women workforce, employment as domestics rose to 60% in 1940 (Palmer, 1989, p. 12). But, as Brownlee points out, its census figures do not provide a wholly accurate picture of women’s labor force participation, especially over such a short time period, because the definitions of census categories and occupations frequently changed.

### **1.ii. Domestic Work and Whiteness**

The massive emigration to the United States in the decades before 1910 altered the cultural and domestic landscape in which middle-class urban white women lived. This group, the most common employer of domestic workers, saw their duties shift from arduous home labor to

a more leisured lifestyle (Palmer 1989). The availability of white foreign-born domestic workers decreased as emigration from Europe ceased during the First World War. Due to restrictions imposed in 1921 and 1924, immigration did not resume to the same extent after the war. After World War I, most white domestic workers were native-born, not foreign-born, but whites still constituted a minority of all domestic workers. (Palmer 1989). Each wave of immigrant groups, from the 1880s until much of immigration was first restricted in the 1920s with the Chinese and Asian exclusion orders, was considered non-white and was relegated to the most dangerous, lowest-paid labor: food processing, textile mills, and domestic work.

Whiteness in the United States was defined and limited by the “one-drop” rule: that even “one drop” of “non-white” blood made someone non-white. At the same time, whiteness was a mutable designation, dependent on other factors, including class. Society could not support a white class without an Other; whiteness and non-whiteness are mutually constructed. Thus, race-based subordination – in the form of institutional racism – requires the willing and tacit cooperation and support of white persons (Mullings 2005). The definition of whiteness and who is considered white in the United States has changed greatly over the past 400 years.

Meanings and constructions of race are historically dependent. Anthropology earned legitimacy as a discipline through its intense biologization of race in the early twentieth century, with such tactics as correlating skull size to racial characteristics or aptitude. The backlash to this biologization was the belief that, as Harrison writes, “race is a dangerous fallacy and the ethnic group concept has more heuristic value” (1995, p. 53). As a result, “ethnicity” became the term of choice. Although race is a social construct with no substantive basis in biology, its effects are very real.

Populations that had been considered non-white were gradually offered the privileges of whiteness through both assimilation and affirmative action programs. Though Affirmative Action is most often associated with the Black population post-Civil Rights Era, there were government and social programs that helped lower classes of all races become socially mobile. From Roosevelt's labor programs during the New Deal – the Works Progress Administration, national photography projects – to the GI Bill and better housing opportunities through federal home loans, white ethnic immigrants were gradually absorbed into white Americanness and privileges. Affirmative Action programs such as these have always worked much less well for Black populations, due to the racism that makes whites bristle at and politically oppose almost any kind of reparative policy. Prior to the New Deal, the efforts of Reconstruction were bearing fruit – the election of Black Congressmen and Senators, the success of “Black Wall Street” in Oklahoma – before the program was aggressively dismantled by Southern whites.

The linkage of race to labor has “structural consequences” in ways ethnicity does not (Harrison, 1995, p. 48). Ethnicity may be voluntary and self-assigned, while race and racism are always “imposed from above but experienced from below” (Mullings, 2005, p. 682). Ethnic identification is often chosen, whereas racial identification is almost never optional. Research, initiatives, identity groups, or equal opportunity programs focusing solely on ethnicity – a chosen identity – underplay historical oppression based on race. This is the difference between ethnoracial assignment, which is imposed, and ethnoracial identity, which is chosen (Brodkin 1998). Today, whiteness includes all white ethnicities. To be Irish, Italian, or German today is simply to be white. But one hundred years ago, newly arrived immigrants of these ethnic categories were not seen as white, and were treated accordingly. Godkin, editor of *The Nation*, said in the same passage referenced above that Irish women were ignorant of “civilized domestic

life” and differed “in race and creed” from American women (1873, p. 7). Believing ethnicity to be truer than race is playing into a dangerous fallacy, as not all ethnic white immigrants at the turn of the 20<sup>th</sup> century were able to reap the same social citizenship benefits.

One example of a group who entered the United States decidedly non-white and achieved whiteness through Affirmative Action programs is Ashkenazi Jews. Arriving in waves beginning the 1860s, Jews set up successful ethnic enclaves in several US cities. In her eponymous book from 1998, Brodtkin discusses how Jews became white. The first option Jews had to combat their racialization was through higher education. Jews earned entrance, but not social access, to Ivy League and other elite universities by high academic achievement. The true point of college in the early 20<sup>th</sup> century, though, was to join the old boys’ club, and Jews could not gain access to that club with intelligence or hard work alone. Through gaining admissions to selective occupational schools – dental, medical, law – and being able to afford it from the benefits of the GI Bill, Jews could join the middle-class workforce. Their housing options opened up, too, with access to new suburban Levittowns and low-interest mortgages in the mid-century. Living a secular Judaism in the suburbs among Protestant families granted a sort of whiteness by proxy; regardless of their at-home practice of Judaism, leaving the urban ethnic enclave was an important step in the appearance of mainstream American whiteness. Combined with the entrance of other racialized immigrant groups, and through embodying white behaviors and situations, Jews gradually assimilated. But there remained discrimination and religious bias, antisemitism, and a sense of Judaism as an unsheddable ethnicity, so Jews never obtained a full and permanent whiteness. Hiring a domestic worker allowed Jews to transcend their ethnic label and more firmly grasp a place with white Protestants in the suburbs (Brodtkin 1998).

### **1.iii. Urbanization and Consumerism**

As the US population urbanized throughout the later part of the 19<sup>th</sup> century, women's daily work changed. In urban centers, middle-class white women no longer needed to do the traditional work of the nineteenth century: making soap and candles and clothing, growing and canning food, keeping animals, and other highly physical activities (Palmer 1989). Instead, with the advent of electric products for the house, shifting demands of wives and mothers, and, later, their entrance to the workforce, women hired servants to do this care and keeping work.

“...[W]hite female domesticity and the racial division of domestic labor have been historically constructed through consumerism,” writes Roberts (2010, p. 802). Race cannot be separated from capitalism and imperialism, he continues: “Indeed, the confines of the domestic space and its technologies bring the colonial project of whiteness into rehearsal in the home” (2010, p. 802). By the 1920s, consumerism was the bargaining chip women cashed in to experience satisfaction in the domestic realm. The modern woman employed a servant to keep the house tidy, look after the children, and help serve the husband. Being a boss of a servant was the closest she came to autonomy, for contemporary guidebooks emphasized women's duty to the home as the highest calling (Palmer 1989).

Women were primarily defined as wives and mothers – that was not new, or unique to the Cult of True Womanhood – but as the demands on them in terms of manual labor were decreased, the demands in terms of social and emotional labor expanded. Brownlee locates one reason for white women's limited work outside the home in the “unusual cultural heterogeneity” of late-19<sup>th</sup>-century urban life. Because of increased diversity in urban life and exposure to different cultures, middle and upper class women had a “powerful preoccupation...with the value of the family as an integrative institution and the role of women as protectors of traditional

values” (Brownlee, 1992, p. 210). Thus, servants were cheap and therefore became necessary. Servants could keep house while the wife tended to the needs of her husband, “developed the moral and intellectual capacities of her children” (Palmer, 1989, p. 5), and engaged in charity work.

The expense of novel household equipment was justified because it lightened the workload of the housewife, even though middle-class women were expected to have servants (Palmer 1989). The allure of appliances was a tradeoff based in capitalist consumption. The idea that buying something will bring happiness – that indeed, happiness is just one more purchase away – was sold to women homemakers as a solution to their desire for a more meaningful life outside the private home and their duties to the Cult of True Womanhood. “Women had the proper tools available, and they needed only to manage them properly to create leisure time for themselves,” Palmer writes (1989, p. 33). Fulfillment was promised via women’s management of other women employed to use the newly purchased, modern equipment. “[O]nly the ability to turn over much of the work to other women – less powerful in age, class, or race and ethnicity – sealed their acceptance” of the tradeoff of modern appliances for a life at home (Palmer, 1989, p. 3-4). The role of a housewife in consumer culture was not just buying products, but *choosing* which products to buy and use. Her choices and decisions on products and appliances reflected her standard of living, the modernity of her household, her up-to-date knowledge of technological changes, and communicated her household’s social connections to her peers (Palmer 1989).

The capitalist ideological justification from the 1920s was spun as a project for freedom: women were not trapped in the home by the heavy duties of the rural 19<sup>th</sup>-century housewife – tending farm animals, making clothing and soap – but were free to *choose* to remain in the home

to better the household. The modern woman's "demands for self-fulfillment were appropriated and applied to marriage," according to Palmer (1989, p. 22). In the 1920s, middle-class women were only seen as middle-class if they had hired help. Otherwise, they were no different from working-class women who did their own housework. Because even though they had household help, their main work was buying household appliances and telling the worker how, when, and where to use them. "Indeed, only the ability to hire some work kept the middle-class woman from looking like a working-class wife whose days were absorbed by housework," Palmer writes (1989, p. 4). Palmer distinguishes between middle-class *woman* and working-class *wife*: the implication is that womanhood is not available to the working class, only wifedom. Womanhood is contingent upon class, and class came with the capitalist consumption of goods and services.

The marketing of these household appliances to middle-class women ensured that housework was entirely privatized. Housework and employment could have been centralized and distributed by a public or private company. For example, communal ovens were in use throughout England, France, Italy and many other countries since the Middle Ages. The workers – even the equipment – could have come from a state or private organization, with the organization as the intermediary between the homemaker and the domestic worker coming into her home. Indeed, agencies had been placing workers with employers since the 1850s (Lasser 1992). But just as each household had its own vacuum cleaner and icebox, many had their own domestic worker. The private sphere was both an economic and an ideological formation (Altman & Pannell 2012). The secluded nature of domestic work, the isolation of the work, and that the workplace itself was someone else's home, stunted domestic worker organizing efforts.

## **Chapter 2. Labor and Domestic Worker Organizing in the 20<sup>th</sup> Century**

### **2.i. World War I – 1930s: Early Organizing**

In the early 20<sup>th</sup> century, social groups and civic society organizations existed to try to facilitate upward mobility of various oppressed groups, including women, African-Americans, immigrants, and laborers. The labor movement in the United States was started by workers at textile and garment factories on the East Coast. After labor injustices, including quashing steel strikes, mining tragedies, and the Triangle Shirtwaist Factory Fire, communities organized themselves into unions to establish baseline worker protections.

Domestic workers, home economics experts, and labor reformers advocated for higher cash wages, fewer hours of work, a professionalization of the field of domestic work, and working contracts – similar to demands of the mainstream labor movement at the time (Nadasen 2012). The predominately white mainstream labor movement was focused on organizing in the public sphere: garment factories, food production, and women’s suffrage (Orleck 1995). Black women workers were seen as unorganizable by Big Labor, partly due to the racism of union chiefs and partly because they were invisibilized in the private sphere of white women’s homes (Orleck 1995). Though some domestic worker groups did affiliate with the American Federation of Labor or the Congress of Industrial Operators, the groups could not bear the financial burden of paying dues to the AFL or CIO at the same rate as locals comprised of better-paid workers (Palmer 1989). Because Big Labor and mainstream women’s movements for suffrage were justifiably associated with racist behavior and beliefs, independent domestic worker groups played down the union-like quality of their organizations. These worker groups termed themselves “associations” and focused on “pay, protection, and professionalism” (Boris & Nadasen, 2008, p. 423).



The dispersal of domestic workers into thousands of individual worksites, often with more than one employer per worker, was and is not conducive to traditional union organizing. “Most mainstream labor unions never identified domestic workers as part of their constituency,” Nadasen writes (2012, p. 77). Domestic worker groups turned instead to Young Women’s Christian Associations (YWCA) for institutional support and national reach (Palmer 1989). The YWCA was used by domestic organizers to unite women across class boundaries and from various work sites and viewpoints. “This model...gathered together scattered laborers and created bonds of solidarity through nonworkplace activities,” claim Boris and Nadasen (2008, p. 419). This gathering of workers and employers relied on the privileging of gender over race. The organizers brought workers and employers together based on their identity as women, setting aside the different consequences Blackness and whiteness has on womanhood. As domestic workers knew their work was labor that deserved to be recognized as such, just as factory workers, they created public legislative lobbying campaigns to pressure the state.

When the state failed to consider domestic workers as workers and protect them as such, some worker and employer groups promoted and adopted voluntary standards. Additionally, separate groups founded by employers worked to organize themselves to adopt an employer identity and encourage best practices. One good example of this is the National Committee on Household Employment (NCHE), organized in 1928 by the YWCA, which promoted a Code of Standards among domestic employers. To dignify the work and have it be recognized as real work rather than unskilled labor, the NCHE adopted more professional-sounding titles (such as “household technician”) and attempted to create a class of paraprofessional occupations (“elder companion, cook, clothing specialist, child care provider, and home manager”) that were regarded as “real” labor and regulated by the state as such (Boris & Nadasen, 2008, p. 421). The

NCHE also worked with private groups, such as the Urban League, to run education and training programs. The NCHE ran in this capacity until 1945, and then was re-started in the late 1960s as an organization by and for women of color (Palmer 1989; Boris & Nadasen 2008).

By the 1920s, after the passage of the 20<sup>th</sup> Amendment in 1916, the United States saw itself as completing the promise of democratic ideals it brought to WWI on the domestic front (Palmer 1989). Black women, however, remained effectively disenfranchised for another 40-plus years. Participation in a worker organization gave Black women access to the benefits of citizenship that they could not access in traditional ways. “Union organization was the norm for self-respecting workers during the 1930s,” writes Palmer (1989, p. 126). The the explicit exclusion of domestic workers from the Wagner Labor Relations Act in 1935 was discouraging for domestic worker organizers.

## **2.ii. 1938 – 1945: Fair Labor Standards Act and World War II**

In 1938, at the height of the New Deal and the Great Depression, President Roosevelt signed into law the Fair Labor Standards Act (FLSA). FLSA created basic minimum wage and overtime pay standards, regulated the employment of minors, set recordkeeping standards for all workers involved in interstate commerce, and enacted other labor laws. FLSA did not establish requirements for maximum number of hours worked per day or week, vacation days, meal or rest time during the workday, severance or sick pay, holiday pay or time off, raises, or an explanation of termination (US DOL 2014). House opposition to the bill stemmed from the conservative influence of Republicans and Southern Democrats. Southern Congressmen argued for a lower minimum wage in their region, and Northerners said that without a federal nationwide minimum

wage, they would not be able to compete with the lower prices Southern factories could offer as a result of lower wages and operating costs (Grossman 1978).

Because of Southern pressure, the Fair Labor Standards Bill was altered to delay the enforcement of the increased minimum wage, and the labor board to be created was mandated to consider cost differentials of the South when recommending future wage increases (Grossman 1978). But all these machinations were really a concession to the South to keep Black workers subjugated and impoverished. Most of the new protections did not apply to railroad, agricultural or domestic workers – a majority of whom were people of color. “The white male industrial employee became the prototypical worker,” Nadasen writes, “and that model informed assumptions about what constituted legitimate work” (2012, p. 76). As a result of passing FLSA, the Department of Labor estimated that up to 50,000 workers in the South lost their jobs, 90% of who worked in a select few industries (Grossman 1978).

The intent of FLSA was to regulate hours, wages, and child labor as permitted by the interstate commerce clause of the United States Constitution. “Interstate commerce” was defined quite rigidly in the 1930s, and “domestic workers seemed the quintessential case of intrastate employment,” Palmer writes (1989, p. 121). As of 1938, FLSA covered 39% of male workers, but only 14% of women workers (Palmer 1998). The Southern Concession – a political deal cut to appease white southern lawmakers – meant that in most states, agriculture and domestic workers were to be excluded from labor regulation (Nadasen 2012; Palmer 1989).

With the passage of FLSA, the rights associated with national citizenship, including access to healthcare, education, and housing, became incontrovertibly linked to employment. These rights comprise social citizenship, a concept that includes civil, economic, political, and social rights. Because the Southern Concession determined who FLSA covered in its national

codification of labor standards, women and African-Americans were excluded from the benefits of social citizenship, as their main form of paid work – domestic work and agricultural work – were excluded from FLSA (Nadasen 2012). Nadasen characterizes FLSA as providing “exclusionary citizenship” (2012, p. 77).

A major point of domestic worker resistance was the expectation of a worker’s constant availability. “In [domestic service] there is no real end to the day; and in small households, the pursuit and oversight, and often the ‘nagging’ of the employer, or, in other words, the presence of an exacting, semi-hostile, and slightly contemptuous person is constant,” explained Godkin (1873, p. 7). Workers were not granted set hours off, were expected to be on-call during their informal breaks, and were paid 50% less while on break (Palmer 1989). In the 1930s workers pushed for a more regimented schedule, with set start and end times, set break times, and set days off, for both live-in and live-out workers (Palmer 1989). Employers resisted the so-called “mechanization” of the household and claimed that strict hours of work and rest were incompatible with childrearing and accommodation of children and men’s needs (Palmer 1989). Domestic workers were simultaneously invisible and viewed as the personal property of employers; the racialized othering of the workforce allowed employers to reconcile their abusive treatment of workers with their own “sense of fairness,” writes Nadasen (2012, p. 78). One early pamphlet distributed to housewives suggested a timeline for a domestic servant’s day and emphasized the need for flexibility to adapt to the husband’s last-minute request for a dinner party or, alternatively, a night out (Palmer 1989).

The home continued to be seen as a private place where government could not or should not intervene. Especially with care work – nannying, elder care, and caring for those with disabilities – the state, private companies, and private employers generally resisted attempts at

regulation. To care was to love, and love could not be regulated. Care was (and is) understood to be a natural outgrowth of maternal tendencies and is a lifetime requirement of being a wife, mother, daughter, sister.

During World War II, with the entry of women into other forms of work, domestic work hit a new low of 9.5% of all women workers (Palmer 1989). Supply and demand meant that wages increased, and more domestic worker locals were able to affiliate with the CIO (Palmer 1989). Still, the push for formal recognition of domestic work as work was stymied. Federal government bureaus, state employment offices, the Urban League, and organizations such as the YWCA pressed for voluntary adoption of standards, knowing that legislative victories were out of reach (Palmer 1989). But the idea of the home as a workplace was incompatible with the elevation of the housewife and the commitment to the home as a sanctuary; the home was still considered “the 24-hour center of emotional support and physical nurturance” (Palmer, 1989, p. 134). Thus, not for the first time, two deserving groups were pitted against each other in the service of the capitalist project: the needs of women workers and the needs of women employers. The YWCA and other interracial, cross-class organizations were unable to elevate one value (work regulations) over another (home as sanctuary), and could not create a robust legislative campaign around a singular issue (Palmer 1989). Domesticity won out over dignity for workers. Though some domestic workers did become eligible for Social Security through laws passed in 1950 and 1954, the next upswell in organizing was not until the early 1970s (Boris & Klein 2012).

In the mid-century, demographic and political changes led to the rise in specialized paid care work (Boris & Nadasen 2008). Elders began to live longer and women worked more outside the home. Men did not do housework to cover for what the women could no longer do while

working outside the home. Women had been hiring household help for domestic service, such as cleaning, cooking, and watching children, but the move to hire help to care for elders did not take root until the middle of the 20<sup>th</sup> century (Boris & Nadasen 2008).

### **2.iii. 1960s – 1970s: Legislative Wins**

The revitalization and transformation of the National Committee on Household Employment (NCHE) in the 1960s and 1970s was due largely to the influence of Edith Barksdale-Sloan, who was hired as the executive director in 1969 and transformed the organization and its local affiliates (Boris & Nadasen 2008; Nadasen 2012). The NCHE began as an organization concerned with the needs of liberal employers, but became a Black feminist workers' organization. Barksdale-Sloan believed “the rights of social citizenship were precisely that – rights – rather than privileges or benefits,” writes Nadasen (2012, p. 80). Under the leadership of Barksdale-Sloan, the NCHE evolved from an advocacy organization that helped employers find “‘better’ maids” and trained “welfare mothers” to be economically independent to a membership-based organization committed to, in her own words, “winning good wages and benefits, raising consciousness and educating consumers of domestic services” (Boris & Nadasen, 2008, p. 422). This kind of organizing modality, which centers the experiences and strengths of those directly affected by the issue at hand, is more likely to succeed in meeting its goals.

Several other domestic worker organizations appeared in the late 1960s: National Domestic Workers Union of America, the Household Workers Organization, the Household Technicians Union, Domestic United, and others. Similar to the focus of domestic worker organizing at the turn of the 21<sup>st</sup> century, these groups sought work contracts, political power,

access to standard labor rights, coalition-building with privileged groups, and recognition of their inherent dignity and the respectability of the work (Boris & Nadasen 2008).

The domestic workers' movement was part and parcel of the larger Civil Rights Movement of the 1960s and 1970s. The Household Technicians of America (HTA), founded in 1972 to be the national activist arm of the NCHE, lobbied Congress to include domestic workers in a major minimum wage package being voted on that year (Nadasen 2012). The HTA won the support of the House and the Senate, remarkably, and the bill passed, but Nixon vetoed it in 1972. The movement continued, though it took a slightly different form: rather than trying to pass another separate minimum wage bill, activists focused on amending FLSA to include domestic workers among its covered workers. In 1974, the HTA and the NCHE secured a short-lived victory: Congress amended FLSA to cover private household workers. In 1974, there were 37 local domestic worker groups with 25,000 members (Boris & Klein 2012). The HTA and the NCHE created a cross-sector alliance with labor unions, civic and faith-based groups, and women's organizations, including Service Employees International Union, the National Organization for Women, and the National Women's Political Caucus, to pressure Congress (Nadasen 2012). In addition to lobbying by this diverse alliance, New York Representative Shirley Chisholm was a major force in securing the votes to pass the amendments to FLSA. She materially united all of the Black caucus and almost all of the women's caucus in Congress to support the amendments, and in doing so, symbolically united the Black liberation movement and the women's movement (Nadasen 2012).

The business lobby and disability rights' groups were deeply opposed to the 1974 FLSA amendments. They argued that the financial burden on business owners and individual direct employers would be too great to shoulder; they would have to either lay off workers or go

without care. Also opposed were government officials – men – who were committed to maintaining the division of labor in the home. The officials saw the connection between the civil rights of domestic workers and the expectations they placed on their wives. Nadasen quotes Secretary of Labor Peter Brennan in 1973: “Your wife will want to get paid [for doing housework]. ... So we have to be very careful unless we are ready to do dishes” (Nadasen, 2012, p. 82). They were threatened by what legitimizing domestic work as work would mean for their own lives as men.

The assumption that women had an innate ability or proclivity for housework continued, as did the connection between “dirty” work of house keeping, diaper changing, and toileting elders, and lower-class women workers of color, thus ensuring the power structure of the status quo was unchanged. “Women tend to see themselves as *consumers* of immigrant labor (as buying services) rather than employers...and most men do not see themselves as involved in the labor circuit of the private sphere at all,” write Altman and Pannell (2012, p. 301). The absurdity of this view does not need to be stated. Men (and women, in dual-income households) work in the public sphere for income that women use to buy the labor of other women as domestic workers. The duality of labor and capital is also linked to the racialization of domestic work. Labor is valued differently than the capital (and the capital holders) that produces and requires it. Those with capital are white, while those who work are off-white.

All told, the domestic worker movement had a mixed record of success in the legislative battles of the 1970s. Though the 1971 minimum wage bill was vetoed by Nixon, Congress passed the 1974 amendments to FLSA, which gave most domestic workers more rights as workers, including the right to the federal minimum wage. Yet, the amendments excluded vital sub-categories of domestic workers: babysitters, live-in workers, and home health aides



(Nadasen 2012; Boris & Klein 2010). The exclusion of these groups of workers has been deemed the “companionship exemption,” based on the occupation providing equal parts companionship and supportive domestic services, including washing and cooking, in the past. Another rationale for excluding babysitters and eldercare workers was that they supposedly did not support themselves and their families with this work (Boris & Klein 2010).

In 1975 the Department of Labor’s Wage and Hour Division acted independently from Congress and removed home care workers – termed “elder companions” – from FLSA, effectively undoing the 1974 amendments (Boris & Klein 2010; Boris & Klein 2012). “What distinguished the companion from the domestic,” write Boris and Klein, “was the amount of time spent in housework not directly related to care” (2012; p. 132). This calculation did not consider the range of activities required to keep an elder or disabled person living in their own home. The 1975 rule ignored 1974’s re-classification of home care workers and excluded workers employed by agencies as well – essentially excluding all workers whose site of labor was the home.

As Altman and Pannell write, “It is hard to make sense operationally of a job category that includes both skilled nursing care and scrubbing toilets. What ties the category together is not the type of work involved but the fact that women (paid or unpaid) are the ones...who are expected to do it” (2012, p. 305). The underlying commonality among domestic work is that it is done by women, in other women’s homes. Yet domestic employment was not taken up as a major feminist issue; most of the focus of the feminist movement in the 1970s, when it did focus on housework, was on the division of labor between the sexes in the home (Boris & Klein 2012).

Noted domestic labor historians Eileen Boris and Jennifer Klein contend that “the conflation of home care with domestic labor...is historical and not merely some categorical equivalency” (2010, p. 188). By classifying care work as domestic work and thus linking it with

women and their innate skills, policymakers were able to keep care workers separate from skilled workers. Because they did perform some housekeeping tasks, such as laundry and cleaning, home care workers were “classified as domestic servants” and easily excluded from the protections and benefits skilled workers in the public sphere could expect: overtime, minimum wage, maximum hours, sick leave, unemployment, collective bargaining, and other labor laws (Boris & Klein, 2010, p. 188).

The increasing privatization of the welfare state, with the federal government shifting responsibility to local governments who then contracted with agencies, has also limited domestic workers’ rights. In most cases the state classified home care workers as independent contractors. Those employed by agencies would have previously been employed by the state, which would have been obligated to grant collective bargaining rights. In some cases, the county became the official employer for collective bargaining reasons, such as with California’s In-Home Supportive Services (Boris & Klein 2012). Employment agencies, legally exempt from FLSA after the 1975 rule, had no obligation to honor unionized workers or the rules of FLSA (Boris & Klein 2010). Confusion around who employed workers (the consumer, the government, or a private agency), different interpretations of FLSA, and successive amendments and repeals to FLSA created “a continuously uncertain legal situation” that resulted in conflicting court rulings (Boris & Klein, 2012, p. 133).

Barksdale-Sloan left the NCHE in 1975, and in 1977 the NCHE became part of the Urban League (Boris & Nadasen 2008). The NCHE had created workforce development programs with the support of federal money and foundation grants, training women in skilled housekeeping and eldercare, and presenting certificates of training, which professionalized the field and supported workers’ sense of dignity and pride in their work (Palmer 1984). These organizations achieved

real success, but “a poor women’s movement could not sustain itself without foundation grants, [and] funding agencies were fickle” (Boris & Nadasen, 2008, p. 424). The pilot projects were funded primarily through a multiyear federal Manpower training contract and the Ford Foundation. Although none of the NCHE pilot programs created a self-sustaining business, nonprofit organization, or worker cooperative, the projects did achieve their goals for education, training, and improved wages and working conditions for participants (Boris & Klein 2012).

Boris and Nadasen (2008) argue that a different kind of domestic workers’ movement was needed to guarantee the rights and respect domestic workers deserved. “It would take a new social movement to place private household workers under the labor law,” Boris and Klein write (2010, p. 420). It took years for this movement to materialize and gain traction.

## **Chapter 3. Domestic Work in Late Capitalism**

### **3.i. Late 20<sup>th</sup>- & Early 21<sup>st</sup>-Century Domestic Work Legislation**

Recognizing the effects of globalization and neoliberalism on the family and work, domestic workers, allies, and employers changed tactics to include citizenship and immigrant rights as part of the domestic worker rights movement. Domestic worker organizers saw the link between the inflow of migrant women workers and the localized oppression of women in general. “Migration maintains deep-seated social (and thus economic) iniquities because it relieves pressure on men: they do not have to do housework because low-paid migrant women do their share and more,” write Altman and Pannell (2012, p. 302). Allying with migrant women was a tactic not just for a stronger domestic worker movement, but toward equitable distribution of housework and thus liberation for all women from the confines of traditional labor expectations.

The Hart-Celler Immigration Act of 1965 loosened immigration regulations and brought more competition to the field of domestic work (Nadasen 2012). The 1970s saw an increase in immigrants working in domestic service, which meant that employers had more opportunities for cheaper labor and often took advantage of that. “Despite the tangible way that immigration empowered employers and weakened the bargaining position of domestic workers, the leaders of the NCHE refused to buy into a larger discourse promoting deportation,” writes Nadasen (2012, p. 87). They recognized that working in concert would be more beneficial than combating immigrant workers; an unwinnable battle, given the United States’ historical, unwavering demand for cheap labor. The NCHE transitioned their organizing goals from obtaining national coverage under FLSA to local legislative campaigns.

In 1976, domestic workers in New York State who were employed by a third-party, such as an agency, rather than directly by the person they worked for, won the right to collective bargaining (Boris & Nadasen 2008). But outside of unionization of home health aides in particular, a union of domestic workers has yet to be realized. Consumer-directed personal assistant programs (CDPAP) became available to Medicaid-eligible individuals in the 1980s, thanks to organizing by disability rights activists who wanted to manage their own home care and avoid unnecessary institutionalization (Bogart 2003). This innovation allowed families to select who would be their home health aide, paid for through Medicaid disbursements to local Departments of Social Services (Bogart 2003).

After more than ten years of community organizing, the New York State Domestic Workers Bill of Rights became law in 2010. New York was the first state to enact legislation that protected individual domestic workers and recognized them as workers. The Bill of Rights provides the following: time-and-a-half overtime pay after 40 hours for live-out workers or 44 hours for live-in workers, protection against retaliation for complaining about violations of the law, one day of rest per week, three paid days off after one year of work, and minimum wage protections (NYS DOL n.d.). Additionally, employers must provide unemployment insurance and workers' compensation for some workers depending on how long they have been employed and how many hours they work (Young 2010/2011). When the bill was passed, these protections did not apply to eldercare workers employed by an agency, as the 1975 rule voiding the 1974 FLSA amendments was still in effect; not until 2015 were agency workers brought under FLSA and the NYS Domestic Workers Bill of Rights (US DOL n.d.). Combined with the decline in union power and membership nationally, the conflicting and confusing legislation around domestic work has made unionization difficult, and enforcement is even harder.

The coalition that worked to pass the NYS Domestic Workers Bill of Rights included workers' groups, immigrants' groups, and allies in positions of power, including the organization Jews for Racial and Economic Justice (JFREJ), of which I was a part. I joined in fall 2011, a year after the Bill of Rights was passed, when JFREJ was working with its allies to figure out the next steps in the Shalom Bayit: Justice for Domestic Workers campaign. With small-scale initiatives like kitchen table conversations and living room gatherings, we brought employers together to discuss the ways in which they could adhere to the Bill of Rights and teach their friends and neighbors about it. The domestic worker justice movements of the early 21<sup>st</sup> century include vocal resistance to xenophobia from workers, immigrant groups, consumers/clients, scholars, artists, and allies. The movement rejects the scapegoating of any one group in favor of the larger movement for justice and equality, good care and good jobs for all.

### **3.ii. Domestic Workers and International Migration**

Because of the demand for foreign workers, whose presence enables middle-class women to leave the private sphere for work in the public sphere, and who do myriad other tasks that support middle-class life (landscaping, construction, restaurant work, farming, etc.), there is a deep ambivalence among policymakers and the American public about immigration policy. On the one hand, Americans continue to regard immigrants as Other, and relegate them to a second-class status. On the other hand, they depend on immigrant labor. This ambivalence leads to “intentionally vague or arbitrarily enforced” immigration policy (Altman & Pannell, 2012, p. 295).

Some migration policy proposals are framed around increasing the number of “skilled migrants,” but does not consider domestic work to be skilled, even though employers often

prefer women who have advanced education or multi-lingual abilities. This “educational capital,” according to Altman and Pannell, may be desired by employers but does not fit within the definition of skilled labor put forward by policymakers (2012, p. 298).

“When governments act in ways that undermine their own stated goals,” write Altman and Pannell, they generate a “policy gap” (2012, p. 291). The companionship exemption in FLSA is a prime example of a policy gap or failure: a confusing, restrictive labor rule that is contrary to other government policies and legislation. Immigrant domestic workers fall into two policy gaps: the regulation of immigration and the regulation of work. Without policies to address both labor law and immigration law, immigrant workers – particularly those at the intersection of non-regulated work and migration, such as domestic workers – will be more vulnerable to exploitation. Domestic worker advocacy groups have shown many instances of employers holding workers’ immigration documents or passports as a way to coerce them to work in unsafe conditions or to tolerate other forms of exploitation (Hafiz & Paarlberg 2017; Young 2010/2011). The policy gap results in the invisibilization of immigrant workers, the discounting of the vital contribution immigrant women workers make to the economy of the host country, and the eroding of democratic values by not honoring immigrant women for the work they do. Altman and Pannell call this a “specifically gender-inflicted [form] of racism” (2012, p. 302).

The undeniable link between the increase in women’s labor force participation in host countries and the international migration of women to do paid domestic work cannot be ignored (Altman & Pannell 2012). Most women with children who can enter the public workforce in the United States rely on some kind of domestic work. “The upward mobility of women in host countries [is] dependent on the geographical mobility of women from elsewhere,” Altman and

Pannell write (2012, p. 300). Global inequality, particularly in the realm of care, is both a cause and effect of international migration. “Mutually constitutive global forces...produce the need for cheap domestic labor while simultaneously creating the conditions that make care work invisible, exploitative, and devalued,” writes Hankivsky (2014, p. 253). Women migrants contribute to the changing face of reproductive labor; it can also be said that the reorganization of reproductive labor contributes to women’s international migration. An increase in women migrants and an increase in labor force participation among women in receiving countries are co-constitutive.

This leads to an analysis of migration: what factors cause women to migrate? Douglas Massey (1999) outlines six major theories of international migration, which can be separated into two groups: neoclassical economics and new economics; and segmented labor market, world systems, social capital, and cumulative causation.

Neoclassical economics views migration as based on a cost-benefit analysis made by migrants dictating movement to wherever economic returns on migration are highest. This overly simplistic view is contrasted with the new economics of migration, which is a more well-rounded approach. Similar to neoclassical economics, it recognizes that multiple factors are at work in determining migration, including family units, relative wealth, and other options to increase income. These two economic theories are at odds in a subtle but important way: Neoclassical believes the cause for migration originates in the geographic income and labor disparity: people leave because they can get more lucrative work in other places. New economics believes that multiple factors, including relative income, relative social status and general financial security, contribute to the decision to leave.

The other four theories of migration include economic factors in their reasoning, of course, but also consider the wider social and political landscape of sending countries.



The segmented labor market theory is broader than either of economic theories, and understands migration to be caused by forces larger than the individual or family unit: so-called “pull forces” of consistent, cheap, flexible labor (Massey, 1999, p. 37). This is the labor that allows middle-class women to work outside the home. Massey describes four reasons that modern industrial societies always need this kind of labor: structural inflation, inherent duality of labor and capital, difficulty in attracting ‘native’ workers, and the necessity of a constant flow of new workers to do this undesirable work.

World systems theory sees the preceding three theories as part of a larger “dependency theory” (Massey, 1999, p. 40): Migration is a result of the spread, demands, and allure of capitalist economies and societies. This historical-structural explanation draws on geographic distribution of labor, capital, and unequal power to explain that migration is a consequence of global capitalist development and exploitation. Borders – i.e., modern nation-states – reinforce capitalism and inequality in the labor market and regulate immigration based on ideas of nationhood and belonging (Zolberg 1999).

Social capital theory, or the social networks migrants establish, determines that interpersonal connections facilitate migration. Communication, transportation, housing, social and political support systems or affinity groups, ethnic enclaves, employment – all are augmented by a robust social network. When people have relatives or friends who have already migrated who they can turn to for help or resources, the ensuing cost and risks of migration are lowered. In fact, the strength of the social networks of migrants can eclipse the original financial incentives of migration (Portes & Rumbaut 2006).

Cumulative causation is a deep and broad analysis of the causes of international migration. This model describes eight aspects or results of migration that build on each other to

increase the incidence of future migration: social capital vis-à-vis social networks, relative income, land ownership, agricultural opportunities, evolving customs and culture, the ‘brain drain,’ the changing meaning of work, and a reduction in the migrant class itself (due to said migration). The compounding of these elements generate “social infrastructure” that in turn facilitates smoother processes of migration for the next generation (Massey, 1999, p. 49).

A deep understanding of migration cannot be restricted to just one of the above-mentioned theories; all six may be complementary. A single unifying theory of migration, according to Massey (1999), must incorporate five elements: the forces that promote emigration, the forces that attract immigrants, who migrates and why, what connects the sending and host countries, and the role of the state. When considering migration and care work, scholars and policymakers must engage in an intersectional analysis of care and care workers (Hankivsky 2014). The lived experiences of migrant workers cannot be separated from their experiences of their identities, which are further compounded by the intersections of their identities. Employing an intersectional analysis of identity will lead to a more nuanced understanding of migrant care workers’ experiences and more comprehensive care and migration policies.

Demand for foreign workers – or other easily oppressed workers, those who tolerate low wages and unsafe conditions – is built into the societal fabric of the United States (Altman & Pannell 2012; Foner 1998). The demand for, acceptance of, and reliance on these workers, along with the simultaneous vilification of immigrants, serves to invisibilize the workers whose labor is the very foundation of the country. The narrative of the mainstream women’s movement in the 1960s and 70s projected the idea that liberation for women was linked to their liberation from the home; by entering the public sphere and joining the workforce, women will have “made it.” Yet

without the work of immigrant laborers who take over the work of women in the private sphere, middle-class women cannot leave the home for the public workforce.

The middle-class woman in the 2000s who chooses to stay home and raise children may not see her choice as part of systemic oppression of women, but this choice is made in a gendered context and has gendered consequences. Women still receive less compensation than men for work in the public sphere. This is caused by and causes women to drop out of the formal labor force. One consequence of this is that wages for domestic labor are also low (Altman & Pannell 2012). However, the problem of low-paid women cannot be solved on an individual level. One woman, or several, choosing to act one way or the other does not make a dent in the systems of institutional oppression that cause and uphold women's lower pay in the formal labor market, patterns of migration, or pay scales and benefits for domestic workers. Altman and Pannell liken tackling these issues on an individual basis to "walking to work [to] solve the problem of global climate change" (2012, p. 303). A systemic oppression calls for a systemic solution; to get there, middle-class women should leverage their privilege to effect policy changes. This does not mean that individual efforts are entirely inconsequential; on the contrary, initiatives like the Fair Care Pledge, in which domestic employers pledge to honor labor laws and common-sense suggestions, are raising the public's awareness of domestic work as a real job and encouraging women to see themselves as employers. In tandem with legislation like the NYS Domestic Workers Bill of Rights, these efforts will legitimize domestic work and break down the fallacy of a private sphere free from regulation.

### **3.iii. International Domestic Work Policies**

In the United States, the lack of regulations and supports for domestic workers and employers can be directly linked to the legacy of slavery and gender essentialism as manifested as institutional racism and sexism. The US federal government is primarily concerned with productivity, and fostering it to grow the country's capital. To counter the government's and society's focus on economic production, "Tronto (2013) has called for societies to put responsibilities for care at the center of their democratic political agendas" (Hankivsky, 2014, p. 253). As a country that is founded on the primacy of individual liberty rather than collective wellbeing, US policy will always skew towards protecting the individual over the group. Compared to lifetime measures of success in other industrialized nations, the United States pales. From high infant and maternal mortality to shorter life expectancy, the US lags. The US is the only industrialized nation without paid family leave or national healthcare. These fundamental parts of human existence – to live healthfully, to receive care, to provide care, to rest – are not guaranteed, and are certainly not funded, in the United States. Radical changes in state thinking would be required if we are to engender a caring society. The United States stands in contrast with "welfare states" of Europe, who prioritize the health and well-being of their residents over the capital they create.

In 2004, the city of Brussels launched a system in which individual employers may hire domestic workers through a local employment agency ("ALE") that hires and trains workers. Employers receive a tax break in exchange for using the agency. This tax break incentivizes sourcing employment through ALE, which provides workers with training, steady employment, an annual salary, on-the-job insurance, and job placement (City of Brussels n.d.[a]). One must be unemployed for a fixed amount of time to become an agency employee (City of Brussels

n.d.[b]). Use of this voucher system disincentivizes reliance on the black market and pays workers a living wage. If enacted in New York, it would also ensure that workers' wage benefits are being contributed to Social Security.

In Belgium, domestic workers fall under the scope of "joint committees," which are part of the Christian trade union confederation. Any regulation or protections the joint committees succeed in obtaining also cover and apply to domestic workers. Every two years, the joint committees meet and negotiate for better protections for their workers. Then they send out an update to all affected workers – including domestic workers – to inform them of their increased protections and new rights. The joint committees operate as a kind of collective bargaining unit on behalf of many informal and trade workers (Greatti 2011).

The Christian trade union confederation was initially against the ALE voucher program. One reason for opposition given by Pia Stalpaert, president of the food and services union affiliated with the trade union confederation, was objection to unemployed persons being forced to do housekeeping work (Greatti 2011). This illustrates the still common opinion of housekeeping as lacking prestige or skill, and being unvalued. In fact, only negative views of the profession diminish its dignity, not the work itself; a high level of expertise is required to be a good housekeeper. Stalpaert's attitude shifted when the workers in the trade union were enthusiastic about being part of the committee, but her objection still betrays the imbalance of power and respect within the committee system towards domestic workers.

The ALE voucher system also includes an essential provision: full legal citizenship for workers. Without this, the system could never obtain its goal of protecting all workers and bringing workers out of the shadows. The current climate in the European Union against international migrants and refugees has created an analogous movement *against* the rights of

foreigners to become citizens. Stalpaert described the benefits of the voucher system (Greatti 2011):

...[T]he service voucher system breaks with the ‘master and servant’ relationship of subordination. The workers are grouped together within an agency that becomes their legal employer and households in turn become customers rather than bosses. As a result, the workers are part of an actual company, they have colleagues and belong to a group. They have access to training and their rights are defended by trade union representatives.

Domestic work comes out of the private sphere and begins to be seen as public because the grouping of workers ameliorates isolation experienced by both workers and employers.

Part-time domestic staff, and possibly those who are not employed through the agency system, are not entitled to social security or employment contracts. This is where the Belgian joint committee organizers are focusing their efforts now, as well as ratification of the International Labor Organization’s Convention 189, which provides these and other benefits (ILO 2011).

Stalpaert tacitly identifies some of the most difficult aspects of organizing for domestic workers: an isolated workplace, the emotional component of the work, and the power and privilege most employers do not recognize. Because, as Stalpaert says, “the workers are part of an actual company,” they are able to relate to their employers as customers, and the power dynamic shifts. For many employers, accepting the identity of “employer” is a fraught process, especially because the owning class is not taught to identify its privilege (Hand in Hand 2017). When workers are not able to bargain collectively, manipulation, exploitation, mistreatment, and wage theft are much more likely to occur, and there is a reduced opportunity for career development or professionalization.

In 2011, the International Labour Organization, a specialized agency of the United Nations, drafted Convention 189 to provide protections for domestic workers around the world.

C189 includes protection from child labor, freedom to bargain collectively, basic human rights protections, protection from abuse and retaliation upon reporting abuse, the right to a written contract, privacy protections, decent wages and living conditions, occupational safety and health, remuneration, access to precise terms of employment, and more (ILO 2011). Though hundreds of countries, including the United States and Belgium, have signed on to the convention, its ratification is not widespread. Finland, Germany, Ireland and Italy are the only EU countries to have ratified the convention (Normlex 2016).

Pressure for reforms is building. International unions and community organizing groups are pressing for its ratification in Belgium and the United States. Solidar, a conglomeration of social justice NGOs in Europe, presented their 2015 Silver Rose Award in Organizing International Solidarity to the International Domestic Workers Federation (Solidar 2015). Conferences on domestic work and collective bargaining initiatives abound, and these increase international pressure to ratify C189.

## **Chapter 4. A Closer Look at Home Health Care: A New Model for New Yorkers**

### **4.i. Home Health Care Workers and Consumers**

Home health care has been a burgeoning industry in the United States for almost 20 years. Consistently ranking among the top fields of growth, home health care services are going to continue to be in demand as Baby Boomers age. With increased life expectancy and the independence Baby Boomers expect and are used to, the market for home health care and for aging in place initiatives will surely, necessarily, increase. The Bureau of Labor Statistics estimates that nationally, one million new direct care jobs will be needed by 2024 (Espinoza 2017).

The think tank PHI estimates that nationally, there are 2.2 million homecare workers, including those counted by the Bureau of Labor Statistics and around 800,000 who are employed directly by consumers or through consumer-directed programs (PHI 2016). In New York City, and nationally, about 90% of the workforce is women (ACS 2015; PHI 2016). The median hourly wage for healthcare support workers in NYC is \$13; for those specifically working as personal care aides and home health aides, hourly wage decreases to just under \$11 (Weissman Center 2015). However, fully 50% of direct care workers leave their job within a year of starting (Espinoza 2017). This is due to poor working conditions, low pay, and the lack of career advancement or salary increases.

Domestic workers are the most trafficked population in New York City, comprising 80% of reported cases (Hafiz & Paarlberg 2017). Findings from the National Domestic Workers Alliance's Beyond Survival Campaign indicate a terrible rate of abuse. Among trafficked domestic workers, 45% report being in fear of physical harm if they were to try to leave their employment situation; 62% report having their passports or other ID taken away from them by



employers; 66% report having experienced physical or sexual abuse, either by their employer or a family member of their employer; and 85% of domestic worker trafficking survivors report having pay withheld or being paid well below minimum wage (Hafiz & Paarlberg 2017).

A 2006 report on domestic workers in New York City found that over two-thirds of workers surveyed did not receive overtime pay, one-third experienced verbal or physical abuse, and almost 40% could not afford medical care when they needed it (DWU & DataCenter 2006).

Over the past ten years, these figures have changed, but not necessarily for the better.

Nationwide in 2012, 20% of domestic workers surveyed reported that there were times in the previous month when there was no food to eat in their homes because of lack of funds; 23% were paid below the state minimum wage; and 70% were paid less than \$13 per hour (Burnham & Theodore 2012). New York State increased the minimum wage so that all workers in NYC, regardless of field of employment, will receive \$15 per hour by 2021 (Cook 2017).

### Home Care Industry Revenue Source, National

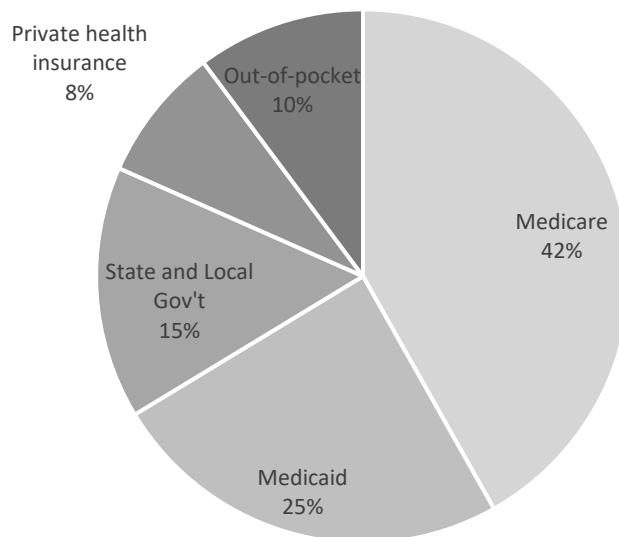


Figure 1. Data from US DOL 2013.

As the above figure shows, almost two-thirds of the revenue of the home care industry comes from government funds in the form of Medicaid and Medicare. More revenue comes from individual out-of-pocket spending than private health insurance, so the state should make long-term care insurance a worthwhile investment.

The New York State Partnership for Long Term Care (NYSPLTC) is an insurance program run by the NYS Department of Health. The program allows individuals and couples to protect their assets and avoid the Medicaid “spend-down,” which is often required to use Medicaid-funded services, like staying in a nursing home or accessing Medicaid-funded home care. The spend-down is required because Medicaid only serves financially destitute seniors. This program allows individuals and their spouse to keep some of their assets and monthly income and still use Medicaid-run programs. “If an individual/couple purchases a Partnership insurance policy and keeps it in effect, the State will protect them, if otherwise eligible, against the costs of extended care situations through the Medicaid program” (NYS DOH 2017). In other words, the assets of Medicaid-eligible qualified Partnership policyholder (ME QPP) are disregarded in determining eligibility for Medicaid Extended Coverage. Thus, the policyholder does not need to engage in a spend-down. The program is limited in what it allows for assets and monthly income, as illustrated by the table below.

<b>New York State Long Term Care Financial Allowance</b>			
<b>Long Term Home Care</b>	<b>Resource Allowance</b>	<b>Monthly Income Allowance, Individual</b>	<b>Monthly Income Allowance, ME QPP</b>
Applicant	\$14,850	\$825	\$1,490
Applicant with spouse	\$21,750	\$1,209	\$3,022.50

*Table 1. Data from NYS DOH 2017*

The New York State Department of Financial Services has requirements for long-term care insurance policies offered in NYS. They must cover, at a minimum of 24 consecutive

months, at least \$100 per day for a nursing home in the NYC Metropolitan area (five boroughs, Long Island, and Rockland and Westchester Counties) and \$70 per day in the rest of the state. For home care, the programs must cover at least 50% of the “daily indemnity amount” (NYS DFS n.d.[a]). Some policies offer more than these amounts. The NYSPLTC has a nursing home daily benefit allowance of \$304 and a home care allowance of \$152, significantly higher than long-term care offered through private insurers. In NYC, the NYS Department of Health has estimated average nursing home costs to be \$395 per day in 2015, and the NYS Department of Financial Services puts average home care costs at \$20 per hour in 2011, as reported by home care agencies (NYS DFS n.d.[b]; NYS DOH 2015).

New York City’s Department for the Aging (DFTA) is tasked with implementing Age Friendly NYC, a policy initiative launched by Mayor Michael Bloomberg in 2009, which proposes 59 strategies to make the city more livable for seniors. In 2010, NYC became the first member of the World Health Organization’s Global Network of Age-Friendly Cities (Corrado 2016). Though DFTA has a strong plan for improving the quality of life for the city’s aging residents in Age Friendly NYC, it does not specifically address the issue of home health care. Examining the demographics of the eldercare workforce and the population it serves in New York City will help legislators, advocates, and community members create a home health system that works for everyone.

In 2015, the American Community Survey (ACS) counted 8.55 million New York City residents. 1.1 million (13%) are 65 or older. Of these, 668,000 (59%) are women (ACS 2015). According to the DFTA 2017 Annual Plan, New Yorkers aged 60 and older will comprise 20.6% of the total population by 2040, with a 15.6% increase from 2000. By 2040, New York City’s

60+ population is projected to reach 1.86 million, a 48.5% increase from 2000. By 2040, women over 85 will outnumber men in the same category by almost two to one (Corrado 2016).

The percentage of minority older New Yorkers is increasing, in some cases dramatically, as the percentage of white older New Yorkers is decreasing (Corrado 2016). About 50% of New Yorkers 65 and older speak only English, but over 100,000 older New Yorkers do not speak English at all (ACS 2015). The percentage of minority elderly living in poverty is significantly higher than white elderly. Data indicate that a substantial proportion of minority older people live in poverty: 30% of Hispanics, 26% of Asians, and 18% of Blacks (Corrado 2016).

<b>Race and Poverty for NYC Population 65+</b>				
<b>Race</b>	<b>65+ 2000 Census</b>	<b>65+ 2015 ACS</b>	<b>% Change</b>	<b>% Below Poverty 2014</b>
White (Non-Hispanic)	534,000	1.2m	44%	12.9%
Black	185,000	300,000	62%	18.1%
Hispanic	139,000	276,000	50%	30.2%
Asian/Pacific Islanders	59,000	151,000	39%	26.1%

*Table 2. Data from Corrado 2016 and ACS 2015*

New York City’s older adults experienced an increase in poverty from 16.5% to 19.3% from 1990-2014 (Corrado 2016). 4% of all city households receive some form of public assistance. Nearly 200,000 city residents over age 65 are living in poverty; this represents 2.5% of NYC’s entire population, and close to 20% of New Yorkers over 65 (ACS 2015). Poverty rates among older women are higher than men, regardless of race: 21% of all women live below the poverty level, compared to 16.8% of all men (Corrado 2016). This is because of women’s lower Social Security earnings, due to lower wages throughout their lives and time taken off from paid work to care and work for family.

Median income for New Yorkers over 65 also varies significantly by race. In 2014, the median household income for older New Yorkers was \$32,000, lower than the nation’s median of \$39,200 (Corrado 2016). In 2014, the median income of Hispanic households was 59% less

than whites; Black households, 24% less than whites; and Asian households, 47% less than whites.

<b>2014 Median Income for NYC and National Population 65+</b>	
<b>Population Segment 65+</b>	<b>2014 Median Income</b>
White (Non-Hispanic)	\$42,500
Black	\$32,500
Asian/Pacific Islanders	\$22,500
Hispanic	\$17,500
All 65+ NYers	\$32,000
All 65+ Americans	\$39,200

*Table 3. Data from DFTA 2016 and ACS 2015*

ACS reports that of the one million New Yorkers 65 and older, 300,000 receive SNAP or other forms of means-tested social welfare (ACS 2015). This figure has risen by about ten thousand each year since 2011, the first year such data was collected (NYC Mayor’s Office of Operations 2016). But, it must be noted that not all older adults who are eligible for SNAP programs utilize them (Corrado 2016). Despite – and because of – this high rate of poverty among older New Yorkers, nearly 30% of those 60 and older are still working.

<b>NYC 60+ Population in Labor Force, by Sex</b>				
<b>Age</b>	<b>Men in Labor Force</b>	<b>% of pop</b>	<b>Women in Labor Force</b>	<b>% of pop</b>
60 and 61	59,000	68%	61,000	56%
62 – 64	64,000	56%	67,000	47%
65 – 69	55,000	37%	55,000	28%
70 – 74	22,000	21%	19,000	13%
75+	16,000	1%	11,000	4%
60+	216,000	34%	213,000	24%

*Table 4. Data from ACS 2015*

This data shows the vulnerability of the aging population in New York. Almost all – 96% – of the population 65 and older in NYC lives in households, while only 4% live permanently in a group housing situation (ACS 2015). Nine percent of men and almost 22% of women live alone (ACS 2015). What kind of support can 200,000 poverty-stricken seniors hope to receive?

Many times, support comes from family. Research reported in DFTA’s 2017 Annual Plan calculated that in New York, “approximately 3 million caregivers provide more than 2.6 billion hours of unpaid care to loved ones each year at an estimated worth of \$32 billion” (Corrado, 2016, p. 19). Nationwide, family caregiving amounts to \$470 billion – more than total out-of-pocket healthcare expenses or total Medicaid spending (Reinhard, Feinberg, Choula, & Houser 2015). These family caregivers report being late to work or missing work to care for family; nearly 70% have had to rearrange their work schedule, work fewer hours, or take an unpaid leave to accommodate caregiving duties. And, the future availability of family caregivers is declining, according to the AARP (Reinhard et al. 2015).

#### **4.ii. A New Model for Home Health Care in New York**

As the population ages and more Americans find themselves in the Sandwich Generation – caring for parents and children simultaneously – society will face a care crisis. About 10,000 people turn 65 every day (Cohn & Taylor 2010). This crisis bridges multiple issues that affect every level of civil society and government: children, parents, the elderly; independent contractors, for- and non-profit agencies, trade schools; state-run licensing, regulations, and enforcement; the healthcare industry as a whole. Society must figure out how to help families afford quality care, empower workers, and close the wage gap for women who, in the prime of their careers, are caring for their – and/or someone else’s – parents and children.

In the face of proposed substantial cuts to social welfare programs from the Trump Administration, activist groups must take a lesson from domestic worker organizers in the past and unite through race, class, age, nationality, gender, and religious differences. Pressuring local officials and publicly shaming Trump and his supporters for their un-caring policies is the only

way to guarantee the survival of these marginalized groups – the aged and infirm, immigrants, women, the undocumented workforce that is the backbone of the United States – in the 21<sup>st</sup> century. A multi-issue campaign that centers care will be able to solve many of these problems and will increase many Americans' quality of life.

Based on the model in Belgium and recent domestic worker organizing successes in New York, California, Connecticut, Hawaii, Illinois, and Washington, I propose a new model for eldercare in New York City. The city has been a locus of domestic worker organizing since before the New Deal, and its current left-leaning government and population, combined with its robust civil and constituent services programs, make it a good case study for a new model for home health care.

Through a matching program for workers and employers, a public-private partnership financing training and electronic resources, and collaboration with public education workforce development programs, eldercare can be envisioned as a skilled, dignified, well-paid form of labor. Care work is demanding physically and emotionally. The emotional labor of care, something that is almost universally ignored, can be as much of a burden as the physical labor. A worker-run care cooperative is one solution.

In New York City, there could be a single cooperative home care agency that is a public-private partnership. Maintained by the state with support from workers' groups and industry, such an organization would bring all workers "out of the shadows," as contemporary domestic worker organizers say, and require fair work contracts, adherence to local labor laws, on-the-job insurance protection, protection from employer retaliation, and more. Funding would come from several streams: the Federal government as part of Medicaid block grants; state government, in

allocations to the Department for the Aging and social welfare services; private non-profits, who can fundraise; and grants from philanthropies.

Workers would be guaranteed a living wage, and employers would pay on a means-tested sliding scale. The agency would be run as a co-op, meaning workers would do different tasks to keep the organization running. Home health care work is some of the most taxing work that people do: not only are there often injuries from physical tasks, there is also the emotional labor that goes into caring for someone. Structured as a co-op, the workers can rotate between direct care and management, including website design and development, customer service, fundraising, accounting, and human resources. This diversifies workers' skills and helps stave off burnout in this trying field.

Such an organization, a partnership between the city, the state, and home care agencies, would facilitate high quality care and care jobs. A liaison would work with the Department for the Aging, the Department of Education, workforce development organizations, and advocacy groups to streamline the process of finding and hiring a qualified domestic worker – and for the workers to find safe and respectful employment. Such a program would provide some redress to the workers who are grappling with the racist and sexist legacies of the field, as well as current prejudices.

Whether employed by an agency or directly, the worker's compensation, work hours, and labor protections should be uniform. All workers should be entitled to payroll tax benefits, like paying into Social Security and Medicare that they can access when they retire. If NYC adopts a centralized system of finding and hiring a worker, employers will not need to wring their hands in frustration at finding qualified caregivers, or worry about paying an agency a premium while the worker receives barely above minimum wage. Workers will know they are protected from



abuse and exploitation by the formal nature of the work agreement. The whole process will be public, with the city as the intermediary.

With the support of NGOs – including unions, religious organizations, and community organizations – greater policy and funding attention can be directed to this issue. There is no shortage of deep, meaningful, loving relationships between direct care workers and clients. The key is making sure that the quality of life and work for domestic workers is as good as what they provide to their clients.

## Conclusion

In 1675, wealthy white Englishman Nathaniel Bacon, living in the colony of Virginia, united indentured servants and slaves across racial lines with the goal of seizing Native American land. When the governor of Virginia refused to support Bacon and his vigilantes, he redirected his anger towards them, the powerful. Bacon's Rebellion showed that, with a common cause, poor whites and poor Blacks could be united. The class-consciousness Bacon developed, and his ability to catalyze this awareness into a tool that proved greater than the tool of racial projects, terrified those in power, and "hastened the transition to racial slavery" (WGBH 1999). In response to Bacon's Rebellion, elites granted certain privileges to whites only, ensuring that poor whites had a stake in maintaining racial divisions because they benefitted from this "racial bribe" (Alexander, 2012, p. 25).

The quelling of Bacon's Rebellion can be seen as the first time racism was used as a tool to unify whites across class lines. When poor whites realized they could gain something from their whiteness, racial difference won out over anything a cross-race alliance could offer them. The acceptance of the racial bribe, in which whites chose race-based power over class-based solidarity, has affected almost every aspect of life in the United States, from the emergence and negotiation of labor laws during the New Deal, to housing and affirmative action programs in the 20<sup>th</sup> century, to recognizing domestic and care work as true work.

Those in power have often pitted their subordinates against each other, deflecting the blame from themselves or from the institutional systems (i.e., capitalism) that are the true culprits of inequality. As Trump attempts to cut funding for the National Endowment of the Arts in order to grow the military, he switches the national conversation from the problem of imperialism towards the (ir)relevance of art. The suppression of Bacon's Rebellion was one way

whites in power, with a vested interest in the continued subordination of Blacks (or anyone they could underpay and overwork), were able to unite elites. The powerful framed class as something that could be neutralized or transcended, and inequality as a necessary byproduct of the economics of the new United States (Mullings 2005). The conversation switched from labor exploitation to immutable differences between whites and Blacks.

Racial reification “took root” in the New World via use of labor from sub-Saharan Africa (Harrison, 1995, p. 51). Though prejudice and structural discrimination existed before then, there was not the same rigid link between whiteness and superiority. Slavery in ancient Greece was not considered biological and did not have systemic implications (Harrison 1995; Mullings 2005). Racism is a socioeconomic consequence of capitalism in the New World. Though whiteness combined with other axes of identity can create an oppressed existence and whites can experience oppression, a marginalized white person is always still able to leverage white privilege. As Hankivsky argues, because the global care chain reflects and upholds racism, neo-colonialism, patriarchy, and classism, legislative policy to address care and migration must also address these issues (2014).

The enduring disrespect toward the industry of paid domestic labor can be directly traced to the origins of paid domestic labor in the United States. The shockwaves and legacy of slavery have not worn off. Though class and gender are also key components of maintaining the status quo, race is what was traded on by the Modern Woman of the 1920s, race is what led to the Southern Concession during the 1937 FLSA negotiations, race is what allows home care workers to be considered at the end of state budgeting, race is what the Modern Woman of the Aughts trades on when she enters the workforce and employs an immigrant nanny. Although other identities and realities, such as gender, disability, class, and education, interact with whiteness to

contribute to one's full sense of self and position in the social and political order. In the United States, race is the strongest marker of privilege, more durable and visible than class or other identifications. The historic, explicit exclusion of domestic workers from various labor laws can be directly traced to race-based oppression. Interracial movement-building gained a toehold with the coalition that fought for the New York State Domestic Workers Bill of Rights.

Aside from the legislative victory of the 2010 passage of the NYS Domestic Workers Bill of Rights, the most powerful initiative to emerge from Jews for Racial & Economic Justice's Shalom Bayit: Justice for Domestic Workers campaign was the Eldercare Dialogues. Held in coordination with the Bill of Rights campaign coalition members Domestic Workers United, Adhikaar, Damayan, and other activist groups, the Dialogues brought together workers and seniors to discuss their shared visions for just and quality care and care jobs. The Eldercare Dialogues met every other month for almost two years, often at the social hall of Congregation B'nai Jeshurun on the Upper West Side. The mix of Jewish and Black elders talking about their fears of aging, of stable work, of finding care and finding jobs and financial security, was formidable. Through sharing their stories, they developed relationships as allies, not just advocates. Hankivsky comments the success of this coalition: "Such coalition efforts do not erase the differences among workers, but they allow for resistance and activism based on overlapping concerns and experiences" (2014, p. 261).

As a means to resist racism and other hierarchies, Jews for Racial & Economic Justice (JFREJ) began to focus on developing the leadership of marginalized Jews. Instead of focusing on the largest pool of activist members, drawn from traditionally empowered young, white, middle-class Ashkenazi women, JFREJ focused on Jews of color, Mizrahi and Sephardic Jews, Jewish elders, Jews raised poor or working-class, and transgender Jews. This in turn shaped the

goals of the organization, and was one reason the domestic worker justice campaign in that particular form concluded in 2015.

Shalom Bayit: Justice for Domestic Workers had achieved its legislative goal five years prior, with the passage of the NYS Domestic Workers Bill of Rights, and was now a campaign without a concrete goal or end point. With JFREJ Board, staff, and members agitating for a transfer of resources and focus from the privileged Ashkenazi members to the marginalized members, a new campaign with new goals needed to be articulated. Thus Shalom Bayit was closed, and the Caring Majority campaign was introduced.

Based on the idea of tapping the silent national majority of Americans invested in transforming care, from the ideas of Ai-Jen Poo's eponymous book, the Caring Majority campaign was a multi-issue one, centering the needs and skills of the most marginalized in the Jewish and domestic worker communities: people of color, poor people, people whose housing and income were fragile, people who had to choose between paying for food and paying for medicine, people who worked to care for others and relied on social welfare to support their meager paychecks, people receiving care whose limits were stretched because they did not qualify for Medicaid but could not afford to pay out of pocket – living wage or no. This shift in focus, both campaign focus and membership focus, can be linked to Bacon's Rebellion. JFREJ and allied organizations saw the power of uniting marginalized whites with marginalized non-whites (i.e., elders & domestic workers). Bridging groups based on access to health care and quality jobs, across race and class lines but towards a common goal, led to an incredibly powerful movement base, one that is ready to mobilize during the Trump Administration for greater protections for workers and employers.

Even modest change toward funding progressive causes or greater funding for social welfare programs has been incredibly hard to eke out with a Democratic Congress. Codified labor protections for domestic workers and other vulnerable members of society did not come easily. With the current Republican supermajority, radical changes such as a worker cooperative, a public-private care partnership, and a rethinking of care as integral to the wellbeing of society will be nearly impossible to achieve for the next few years at least. Rather than focusing on federal legislation, a state-based approach to revamping the care system is the most likely route to lasting reform. Luckily, with a robust network of elders, workers, and activists, a new model is within reach.

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