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New York Domestic Workers: Non-Profits, Community Organizing and the Implementation of the Domestic Workers' Bill of Rights

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NEW YORK DOMESTIC WORKERS: NON-PROFITS, URBAN
COMMUNITY ORGANIZING AND THE IMPLEMENTATION OF THE
DOMESTIC WORKERS' BILL OF RIGHTS

By

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Table of Contents

Acknowledgements.....	2-3	
Table of Contents.....	4	
Chapter I: Introduction		
1.1 Background Information.....	5 -10	
1.2 Community Organizations Working for those Excluded from Labor Laws.....	10-13	
1.3 Purpose of Study and Thesis Statement.....	13-14	
1.4 Chapter Overviews.....	15-16	
Chapter II: Literature Review		
2.1 Urban Studies Review.....	17-23	
2.2 Domestic Workers.....	23-34	
2.3 Exclusion of Domestic Workers under Federal Law.....	35-37	
2.4 Non-Profits Organizing as a Medium for Social Change.....	37-45	
Chapter III: Methodology		
3.1 Connection.....	46	
3.2 Domestic Work Experience.....	47-48	
3.3 Interning with Domestic Workers United.....	48-52	
3.4 Data Collection Overview.....	52-55	
Chapter IV: Case Study		
4.1 Domestic Workers United Organization.....	55-58	
4.2 Domestic Workers' Bill of Rights Campaign.....	58-65	
Chapter V: Organizing Models: Coalition Partnerships		
5.1 Organizing Models and Strategies of Domestic Workers United.....	66-70	
5.2 Solidarity between International Unions.....	70-72	
5.3 Employers Who Care.....	72-74	
Chapter VI: Implementing the Domestic Workers' Bill of Rights.....		75-80
Chapter VII: Conclusion.....		81-84
Bibliography		
Appendix A: Research Questionnaire		
Abstract		
Vita		

Chapter 1: Introduction

1.1 Background Information

The complex struggle of balancing work and personal life is inevitable in the modern economy since the increasing demand to spend hours on the job has taken time away from family life. This is especially true for professionals living in urban communities within global cities such as New York City. To meet the pressures of professional and personal life, many people of certain means such as financiers and doctors have taken to employing domestic workers to help them manage their home and family needs. In New York City there are over 200,000 domestic workers.¹ Domestic workers allow professionals to spend more time at work, while the incomes that these domestic workers earn also play a vital role in the larger, global economy. This global exchange is a result of domestic workers sending remittances back to their home countries, highlighting the essential contribution that domestic workers make to a thriving world economy. According to sociologist Saskia Sassen, “[Global cities like New York] ... nee[d] an array of low-cost service workers who would meet the day-to-day needs of

¹ Because many domestic workers are undocumented immigrant women, it is a very difficult task to approximate a number. The number is certainly in the millions nationally, gauging from what can be known. In 1989, between 250,000 and 450,000 undocumented domestic workers were estimated to work in New York City alone. For further reading on domestic workers in New York City see Peggie R. Smith, *Regulating Paid Household Work: Class, Gender, Race and Agendas of Reform*, 48 *American University Law Review*. 851, 923 n.437 (1999). A more recent estimate is calculated in Domestic Workers United & Datacenter (2006). *Home is Where the Work Is: Inside New York's Domestic Work Industry*, accessed January 6, 2013, <http://www.datacenter.org/reports/homeiswheretheworkis.pdf>

the sort of white-collar workers who were operating the global economy.”²

Unfortunately, for these laborers, while they are a crucial element of the modern workforce, their employment is organized in many informal ways, which leads to them being denied benefits or exposed to unhealthy working conditions. Informalities throughout New York’s domestic workforce include unregulated work hours, lack of access to Social Security benefits, and hazardous working conditions.

While domestic work makes a vital economic contribution to society, this type of work is not recognized for its important role in the larger economy.³ Subjected to unfair labor standards with employers holding exclusive power over the hiring and firing process, domestic workers are put in vulnerable positions. Regulating domestic labor would not only validate the importance of domestic work within the economy, but it would also grant much needed protection to domestic workers. An essential strategy of organizing urban communities around domestic work is acknowledging the need to legalize labor protections for these workers.

This can be achieved by pairing disadvantaged urban communities in need of advocacy with non-profit community-based organizations. Partnerships between urban communities and non-profit organizations would benefit a movement for domestic workers’ justice since these communities are related to domestic work in several ways. Since domestic workers are often mothers, care providers, and neighbors in their own

² Sassen, Saskia. (1991). *The Global City: New York, London, Tokyo*. New Jersey: Princeton University Press, p. 281.

³ See Anderson, Bridget. (2001). Just another paying job? Paying for domestic work. *Gender & Development*, 9.1, 25-33. Also Anderson, Bridget. (2000). *Doing the Dirty Work?: The Global Politics of Domestic Labour*. London and New York: Zed Books.

right, they often come in contact with a variety of people within their own communities. At the same time, non-profits' connection to urban neighborhoods often puts these organizations in a position to gain members from and advocate for vulnerable communities.

If local policy makers can acknowledge domestic work, social activists can push for better working conditions for domestic workers. The participation of policy makers' and social activists in the fight for domestic workers is important. Domestic workers' conditions will only change nationally once enough local state laws are changed to reflect the inclusion of domestic workers in labor protection laws. Governing institutions, like city councils and state legislatures, can establish fair standards that will protect domestic workers from abuse.

However, for many reasons it is difficult to organize domestic workers. This is because many of them hold a vulnerable status in society. Many are immigrant women of color, and there are challenges to implementing laws that would create fair labor standards to protect them. Though it is difficult to get an exact estimate, it is known that many of these women lack legal documentation of their immigration status.

The value of domestic work across the nation is often overlooked, but this problem is most prevalent in major cities. The change from industrial to service economies has produced a professional middle class that demands domestic services. At the same time, the demand for domestic service attracts a large immigrant population in need of work. New York, a city built on commerce, is home to many high-profile companies, and includes many top executives, lawyers, doctors, and financial professionals who employ cheap domestic workers. In New York City most of these

workers are immigrant women.⁴ As sociologist Saskia Sassen notes, “Global cities have become places where large numbers of low-paid women and immigrants get incorporated into strategic economic sectors.”⁵ Data from a 2005-2009 survey by the National Domestic Workers Alliance shows that 46 percent of domestic workers in the United States are foreign-born. Moreover, in fourteen selected metropolitan areas, the number of foreign-born domestic workers was found to be 76 percent.⁶

Immigrant workers who fill these positions perform essential roles, yet they are often underpaid and forced into working in poor conditions. Immigrant workers often fill jobs such as housekeepers, food deliverers, and care providers. In cities like New York, the high demand for low cost, informal labor attracts a steady stream of immigrant laborers.⁷ Despite substandard labor practices, there is still a constant abundance of laborers in this workforce. The informalities in this workforce heighten the systemic abuse of domestic workers, because workers often believe they are dispensable and -thus settle for substandard treatment. However, as long as there is a consistent demand for

⁴ *Home is Where the Work Is* p. 10.

⁵ Sassen, Saskia. (2009). Global Cities and the Survival Circuits. *American Studies: An Anthology*. Ed. Janice A. Radway, Ed. Kevin K. Gaines, Ed. Barry Shank and Ed. Penny Von Eschen. Oxford: Blackwell, pp. 185-194.

⁶ National Domestic Workers Alliance. Burnham, Linda & Theodore, Nik. 2012. *Home Economics: The Invisible and Unregulated World of Domestic Work*. New York, p. 41. The fourteen different metropolitan areas surveyed include: Atlanta, Boston, Chicago, Denver, Houston, Los Angeles, Miami, New York, San Antonio, San Diego, San Francisco, San Jose, Seattle, and Washington, D.C.

⁷ The informal economy is defined as the combination of workers within urbanized area that are off the books, goods produced in unregulated factories with non-unionized and undocumented laborers, goods and services produced and exchanged for in kind goods (i.e., food and housing) and services sold without regulation on the streets.

low-cost service labor, immigrant women will continue to seek out cities like New York and search for jobs in the domestic workforce.

Many immigrant women in the domestic service sector lack higher education and most do not have secondary degrees and or vocational skills in areas such as medicine or finance. Although some may have degrees and professional skills, many of these skills are non-transferrable when they arrive to New York. According to research conducted by Linda Burnham and Nik Theodore, only 15 percent of foreign-born domestic workers have some college experience, compared to 43 percent of American-born domestic workers, whom have a formal college education.⁸

Immigrants flock to cities with an '*advanced social infrastructure*' which I define as personal networks of relatives and friends. Additionally, opportunities such as options for work regardless of their legal or illegal status helps to attract immigrants to cities. Potential domestic workers migrate to cities like New York seeking jobs; however, these sought-after jobs are marginal and workers sometimes find themselves on the periphery of the labor market, unable to advance or negotiate for better conditions. Many domestic workers are also immigrant women of color, compounding the issue and making them doubly marginalized. Domestic workers are often subjected to long hours, little economic stability, and almost no financial security, since they can be fired at the drop of a hat.⁹

The focus of this thesis is on domestic workers who reside in New York City, including both immigrants and non-immigrants. Nevertheless, a large part of this study involves research on immigrant workers and the challenges they face in trying to

⁸ *Home Economics: The Invisible and Unregulated World of Domestic Work*, p. 41.

⁹ *Ibid*, p. 17.

organize domestic workers and labor groups. Immigrant workers merit special investigation because New York's domestic workforce is significantly comprised of these laborers and quite often their illegal status prevents public displays of activism, which in turn inhibits any kind of reform.

Organizing New York's domestic workforce is difficult. According to one advocacy group, Domestic Workers United (DWU), immigrant women of color comprise the majority of New York City's domestic workforce. This creates many difficulties for labor organizers because of the historic plight of this group in society (i.e. racism and discrimination). In the following sections of this thesis, I examine some of the obstacles to advocating effectively for domestic labor rights. Some of these problems include domestic workers' fears of termination and deportation, vulnerabilities present within the domestic workforce, and federal exclusionary laws.

One strategy to solving these difficulties is through community organizing. Groups such as domestic workers and labor rights' activists work together as coalitions to empower and inform domestic workers of their rights, and allow them to build a powerful network to penetrate legislative barriers. For example, non-profits such as the Ms. Foundation for Women and Restaurant Opportunities Center of New York have shown unprecedented success in community organizing around women and workers' rights. These organizations advocate for the advancement of women and restaurant workers' rights, respectively, and their movements have resulted in positive social safety and well-being for women nation-wide, and workplace justice for restaurant workers in New York City.

1.2 Community Organizations Working for those Excluded from Labor Laws

Non-profit organizations working in coalitions are fundamental to organizing domestic workers. Coalitions use partnerships among community organizations to reach out to populations that may be difficult to reach, this practice is similar to how worker centers connect to members from varying socioeconomic backgrounds and ethnicities in order to fight for workers' justice. These partners in organizing domestic workers include domestic employers, government agencies, and domestic workers themselves.

However, recruitment of domestic workers to community organizations has its challenges. As sociologist Tamara Mose Brown explains, “[workers’] reluctance to join [organizations] may also have been due to fear.”¹⁰ The fear Brown writes of stems from the insecurities that undocumented domestic workers have of being seen by Immigration and Naturalization Service agents. Fear of deportation is a constant anxiety felt by undocumented workers. Even if the difficulties of recruiting domestic workers to community organizations are solved, the implementation of laws governing fair labor standards comes to the forefront, and is a significant issue that needs to be addressed.

The need to implement fair labor standards for even undocumented workers might seem obvious to some workers' rights activists, but it has come under scrutiny from anti-immigrant reformers that are against immigration reforms that might aid undocumented aliens. Many anti-immigrant reformers, such as John Tanton who created the Federation for American Immigration Reform, seem to prefer to condone workers abuses rather than

¹⁰ Brown, Tamara Mose. (2009). *Raising Brooklyn: Nannies, Childcare, and Caribbeans Creating Community*. New York: New York University Press, p. 133.

advocating for protocols that will allow legal status to immigrants.¹¹ Although stories of workers' abuse are common, the injustices that domestic workers face highlight the potent intersection where immigration reform and labor law come together – an area of law that, despite much debate, remains disputed and unresolved. Strategies such as community activism and partnerships with legal and government entities are remedies that workers' rights activists use to overcome federal limitations on labor laws for immigrants.

Coalitions involved with these types of communities have found success with the workers' rights movements for taxi drivers and greengrocers.¹² Like domestic work, these industries are often part of informal sectors and lack protection under federal labor regulations. Many informal workers are subjected to working long hours without benefits. One hope is that partnerships between community activists and coalitions will give power and support to persons working within the informal, underground sectors of the labor force – people like domestic workers – and that if these groups are successful, they will be able to improve workers' rights through legislative actions.

Advocating for domestic workers' rights is very complex, in part because the informality of domestic work leaves workers vulnerable to issues of racism and sexism. Several regional organizations have worked to organize local domestic workers with the hope of pushing local governments to adopt favorable policies for regulating domestic

¹¹ A network of non-profit organizations that has profoundly shaped immigration debate in the United States, members believe the nation's immigration policies must be reformed to reduce the number of immigrants coming into the country.

¹² Ness (2005) and Milkman, Bloom, and Narro (2010) researched immigrant labor movements and analyzed their partnerships with groups who are in power (unions, legal firms, and government agencies).

work. Domestic Workers United (DWU), a non-profit organization based in New York City, has been in the forefront of advocacy and lobbying for the rights of domestic workers by bringing their needs to the attention of government officials who can address needed policy reforms. DWU is an organization of Caribbean, Latina, and West African nannies, housekeepers, and elderly caregivers in New York. Their main goals are to organize for power, respect, and fair labor standards. The organization seeks to build a movement to end exploitation and oppression for all [workers].¹³

Though DWU is not the only community-based non-profit fighting for workers' rights of domestic workers, it is to date the primary organization credited for successfully passing the Domestic Workers Bill of Rights (DWBR). The DWBR law in New York State provides domestic workers the right to overtime pay at time-and-a-half after 40 hours of work in a week, or 44 hours for workers who live in their employer's home; a day of rest (24 hours) every seven days, or overtime pay if they agree to work on that day. It also calls for three paid days of rest each year after one year of work for the same employer, protection under New York State Human Rights Law, and the creation of a special cause of action for domestic workers who suffer sexual or racial harassment.¹⁴ Even with this major victory, passing the law is only the first step, and the challenge remains to ensure the law is sufficiently enforced so that workers' rights are protected. In this thesis DWU serves as a case study of non-profit organizations unifying urban communities that seek to implement reforms for workers' justice.

¹³ Domestic Workers United. *History & Mission*. Accessed on March 23, 2012, <http://domesticworkersunited.org/index.php/en/about/history-mission>.

¹⁴ New York State Department of Labor Legal. "Domestic Workers' Bill of Rights." Accessed March 23, 2013 << <http://www.labor.ny.gov/legal/domestic-workers-bill-of-rights.shtm> >>

1.3 Purposes of Study and Thesis Statement

By using DWU as a case study to understand how non-profits organize urban communities around workers' rights, this research shows the challenges faced by the immigrant labor rights movements. When vulnerable urban communities are subjected to unfair practices by government agencies and domestic employers, non-profit organizations can act as a mediator and catalyst for social change. To understand how these social changes occur, this study investigates how DWU successfully campaigned for New York's DWBR despite legal provisions denying domestic workers fair labor protections. In addition to investigating DWU's campaign I also explore how DWU implemented the DWBR. This case study will facilitate a better understanding of the relationships between (a) non-profits and their members' needs, and (b) government agencies and methods used for building an effective intersection between non-profits and domestic workers. It will also further establish an awareness of DWU's mission. These understandings will reinforce the need to have laws such as DWBR, as well as the need to intensify outreach efforts to those workers who are most vulnerable, and show how communities can come together to establish standards not yet enforced by local or state laws.

As mentioned before, coalitions are a vital strategy of non-profit organizations whose members are from varying socioeconomic backgrounds or ethnicities. In domestic work, mobilizing workers is difficult. However, implementing laws to govern fair standards is a significant issue that needs to be addressed with effective means for overcoming informalities within domestic work.

1.4 Chapter Overviews

In this chapter, I introduced and contextualize the importance of domestic workers in global cities, and lay out my research aims, thesis statement and questions of interests. In Chapter 2, I conduct a literature review in which I discuss the Urban Studies scope of my project and analyses of (a) the exclusion of domestic workers under federal laws, (b) non-profit organizations as a medium for social change, (c) urban community organizations, and (d) enforcing laws in informal workforce sectors. I will also analyze the global economic dynamics that contribute to the “push-pull” factors of service immigration. Understanding economic factors that contribute to a domestic worker’s decision to migrate to the United States also reveals insight into the domestic workforce in New York City. An in-depth look at domestic workforce demographics in New York City explains how international commerce and global economic policies influence the existence and well-being of domestic workers’ lives.¹⁵ Next, in Chapter 3, I review my research methodology, my experience as a domestic worker, and my internship at the case study site: Domestic Workers United.

In Chapter 4, I introduce my case study with Domestic Workers United, and explore in-depth on how DWU served a significant role in fighting for workers’ justice in New York. Here, I present my findings, which pave the way for Chapter 5, my case analysis. I examine the community organizing models and strategies utilized by DWU. In Chapter 6, I address questions regarding the types of mechanisms in place to enforce the

¹⁵ Misha, Neha. (2007). “The Push & Pull of Globalization: How Global Economy Makes Migrant Workers Vulnerable to Exploitation.” *Human Rights Brief* 14, no. 3, pp. 2-4.

laws and how DWU continues to bring awareness to workers' rights. I also address the challenges faced by both state agencies and non-profits. Additionally, I offer insight into the secondary aim of my research: What can DWU and the New York State Department of Labor do to meet the needs of domestic workers, especially those who are undocumented, immigrant workers? I review what has been done already by DWU and the Department of Labor.

In Chapter 7, I conclude by examining how the dynamics of the urban environment impact the way that non-profits organize urban communities, as well as a closer look at how the dynamics of the urban affect the passage and implementation of the DWBR. This is an important perspective to understanding New York City's unique urban scope on policies that not only affect its residents but international workers as well.

In this thesis, I explore the contemporary history of domestic workers in New York City in an effort to track the relationship between domestic workers and state regulation on urban labor markets. This involves current domestic work policies and community efforts that allow an open space for immigrant workers to address the conditions of their labor. It also includes comparative analyses of immigrant workers' rights movements and urban labor community organizing. Particular attention is given to the role of non-profit groups and their methods in organizing workers. I do so because this case study highlights important insights for assessing workers' attempts to overcome discriminatory workplace conditions based on immigrant status, gender, and race while organizing their community to implement the DWBR.

Chapter 2: Literature Review

2.1 Urban Studies Framework

My research is important for urban studies because my investigation furthers our understanding of the steps that non-profits use to organize marginalized communities.

Sociologist Ruth Milkman, writes:

[U]nion and community-based organizing and advocacy campaigns among low-wage [immigrant] workers have proliferated across the United States...although they have been unable to reverse the dramatic decades-long deterioration in working conditions...these economic campaigns have significantly increased public awareness of the plight of low-wage workers and have won some important victories on the local level.¹⁶

My research intends to shed light on how urban communities in New York City play a significant role in informal economies, and how these communities are mobilizing to implement the DWBR.

My exploration of the organization of domestic workers who live and work in urban communities not only serves as a basis for this research but also as a foundation for formalizing theories on urban community organizing. My research is significant because there has been little engagement so far with how DWU's campaign has positively affected informal sectors, especially domestic workers in New York City. I hope to further this type of investigation by studying these pertinent topics from an urban studies

¹⁶ Milkman, Ruth; Bloom, Joshua; and Narro, Victor ed. (2010). *Working for Justice: The L.A. Model of Organizing and Advocacy*. New York: Cornell University Press, p. 1.

perspective. Such scholarly discourses about immigrant organizing in an urban workforce in cities should take place on an interdisciplinary level, in conjunction with sociology and legal studies.

Using Saskia Sassen's *Cities in a World Economy* to establish the context of domestic service labor, we can see how immigrants are drawn to New York City because of global forces and the demand of urban professional for low cost service labor. I then evaluate the organizational dynamics of DWU and how DWU uses legal rights and enforcement to reach out to members and build the organization. As a comparative analysis, I use the edited collection *Working for Justice: The L.A. Model of Organizing and Advocacy* to understand similar organizational models in Los Angeles. Readings from *Working for Justice* point to how urban communities and workers' organizations adapt to unique circumstances in the urban environment, how they negotiate and advocate for their members, and how workers' organizations manage the relationship between government and their communities.

As a first generation American, I have experienced first-hand the trials and tribulations encompassed by the immigrant story of coming to America for a better future. My family, originally from Trinidad and Tobago, migrated to New York City during the fourth major wave of immigrants entering the United States in the 1970s.¹⁷ Like their predecessors, my parents came to America for economic opportunity, an education, and a piece of the American dream. After securing sponsorship through my

¹⁷ Trotter, Joe W. (2005). "The Great Migration, African Americans and Immigrants in the Industrial City," in Nancy Foner, George M. Fredrickson eds. *Not Just Black and White: Historical and Contemporary Perspectives on Immigration, Race, and Ethnicity in the United States*. New York, NY: Russell Sage Foundation, p.120.

father's citizenship status, my grandmother, and subsequently my grandfather, aunts, and uncles were able to immigrate to New York City. Upon arrival, my grandmother and aunts immediately realized that their high school education was not enough to enable them to enter the fast-paced economy of New York City. To do so they would have to go back to school and obtain a college degree. Faced with the decision of either earning a living to support the family or going back to school, my grandmother and aunts decided to ensure their financial stability with the hopes of returning to school once they had established themselves economically. Without a college education, there were few jobs available for them.

For many new immigrants, informal jobs – where money is often made “off of the books” and where there is no government oversight – are their best options due to their availability and easy access. However, this kind of employment holds high risks. According to the International Labor Organization (ILO), the informal sector includes the activities “of the working poor, working very hard that are unrecognized, unrecorded, unprotected or unregulated by public authorities.”¹⁸ An informal sector job includes both marginal activities – such as car washers, street vendors, cab drivers, and domestic workers– as well as profitable, although sometimes illegal, enterprises, including sex, drug, and human trafficking, money laundering, and gambling.¹⁹ Despite the risk of being taken advantage of by employers, many women today are forced to take these jobs as a means of economic survival for them and their families. The report by the National

¹⁸ Gottdiener, Mark, and Budd, Leslie. (2005). *Key Concepts in Urban Studies*. London: Sage Publications Ltd, p. 76.

¹⁹ *Ibid.*, p. 80.

Domestic Workers Alliance, *Home Economics*, sheds light on the risks that immigrant workers take by entering informal economies like domestic work, since “[workers] do not benefit from formal regulatory protections that could provide a framework for ensuring health and safety on the job.”²⁰

Domestic workers are heavily concentrated in urban areas. The residents of New York City, many of whom themselves work for some of the world’s largest companies, employ over 200,000 domestic workers according to Domestic Workers United (DWU).²¹ Given this high number of unorganized, unregulated, and unprotected workers it is not a surprise that New York was the first city to implement its own municipal Domestic Workers’ Bill of Rights in 2010. Though most cities are made up of the same essence of commerce, New York City is different from other big cities in the United States. The culture of New York City fosters social activism and it is a political breeding ground for innovative policy changes. For example, New York City’s awareness and advocacy around injustices in their domestic workforce led to a citywide law requiring

²⁰ *Home Economics*, p. 32.

²¹ Estimate based on research conducted by Domestic Workers United and Datacenter in 2006. The estimation is from 2000 U.S. Census data of New York City households with children (under 18 years) or elderly (65 years or older) and income of \$100,000 or greater as likely employers. Due to the dispersed and informal structure of the industry and its immigrant workforce, it is impossible to precisely measure industry size. An estimate cited by the *Chicago Tribune* (“Maid Services Clean Up as Demand Escalates,” Carol Kleiman, 1986) states that 43 percent of women working outside the home hire domestic workers, which would bring the number of domestic workers in New York City closer to 600,000 using 2000 Census data of employed women. Accessed February 23, 2013. << <http://www.datacenter.org/reports/homeiswheretheworkis.pdf> >>

domestic work agencies to educate both employers and employees about labor rights.²²

Collaboration between New York's legislators and community organizations set a precedent for the nation.²³

This case study of DWU's community organizing strategies and implementation of the DWBR in an urban setting reflects a wider domestic organizing trend that began in 1881 in Atlanta and has continued since.²⁴ In July 1881, twenty laundresses formed The Washing Society and announced that their membership would strike unless they were given a raise to a uniform rate of \$1 for each dozen pounds of wash. They went door to door to build their ranks and used church meetings to spread the word, seeking solidarity among washerwomen and organizing to win community support. Continuing on with the legacy of Atlanta's Washing Society, domestic workers in New York City have used similar tactics with community churches and centers to create a space conducive to organizing and rallying support on domestic workers' rights.

Although domestic workers have fought for better working conditions for more than a century, domestic jobs have remained in informal sectors of the economy. The informalities of the work may come from immigrant workers themselves, who may

²² Local Law 33 and Resolution 135 in the New York City Council requires employment agencies to inform domestic workers of their legal rights and families that hire domestic workers through agencies to sign a statement acknowledging the employee's rights.

²³ *Home is Where the Work Is: Inside New York's Domestic Work Industry*, p.6.

²⁴ Boris, Eileen and Nadasen, Premilla. (2008). Domestic workers organize! *Working USA: The Journal of Labor and Society*, 11:4, 413–43. Accessed March 23, 2013. <<<http://onlinelibrary.wiley.com/store/10.1111/j.1743-4580.2008.00217.x/asset/j.1743-4580.2008.00217.x.pdf?v=1&t=hj8smejb&s=850643f8ff4da34da81efcc939a400d3183ea975> >>

perhaps be undocumented and are concerned about paper trails from tax and banking documents. In addition to undocumented domestic workers not wanting to be detected by government agencies, documented workers are often forced to enter into working agreements that are off the books. Documented workers who feel forced to work in informal agreements believe that declining a job would decrease their chances of employment. In addition to feeling forced to these informal domestic jobs, some workers believe that if they don't agree on informal agreements positions these would go to those who would overlook being paid off the books.

Immigrant women of color hold many of these positions and find themselves employed in jobs that amplify the potential for the abuse of workers' rights.²⁵ These women are often heads of their household and send remittances to their native countries while paying essential bills in high-cost New York City. Their employment has positive effects for the global economy, and their role deserves to be better understood.

One of the many economic contributions made to the city by domestic workers can be seen through their creation of cross-cultural social networks. Many West Indian domestic workers establish ethnic inclusive associations like *susus*; a rotating credit association used as a form of savings.²⁶ Money collected from a *hand* (an individual's share of the larger collection of money pooled together) in a *susu* is used to show formal

²⁵ *Home Economics: The Invisible and Unregulated World of Domestic Work*, p. 8.

²⁶ For the purposes of this thesis West Indian refers to peoples from the Greater Antilles, the Lesser Antilles, and the Bahamas Islands. Though many cultures in New York City have their own version of *susus*, I choose to highlight the West Indian version because of their high numbers in the domestic workforce. According to survey results conducted by Domestic Workers United West Indians make up the majority of domestic workers in New York City.

banking institutions that domestic workers have necessary capital for loans or home mortgages.²⁷ Money from loans and mortgages are funneled into the economy through payments for homes, home appliances, home maintenance, and property taxes.²⁸ In addition to boosting the economy in New York City, the income that these women collect also pays for schooling, home maintenance, and travel documents for family members in domestic workers' home countries.

2.2. Domestic Workers

Definition of Domestic Work

Domestic work has gained attention recently through popular culture via television shows like *The Nanny* and the 2011 film *The Help*. Additionally, domestic work caught the public's attention when New York State passed the DWBR, which prompted a similar campaign in California. The perception of domestic workers in the public eye is not just a passing trend, but is grounded in centuries-old gender roles. The division of labor by gender roles assigns women the tasks of maintaining the household while still contributing to the labor market.²⁹ This cultural phenomenon happens in both

²⁷ Brown, Tamara Mose. (2011). *Raising Brooklyn: Nannies, Childcare, and Caribbeans Creating Community*. New York: New York University Press, p. 119-121.

²⁸ In the 2011 US Census, *Home Ownership Among Foreign-Born Population: 2011* by Edward N. Trevelyan, Yesenia D. Acosta, and Patricia De La Cruz reported 68 percent West Indian American population own homes in New York City while 46 percent of the African American (no ancestral connection to the West Indian islands) population in New York City own homes. The immigrant story of working hard to attain property, education, and employment opportunities can attest to the high statistics in homeownership.
<http://www.census.gov/prod/2013pubs/acsbr11-15.pdf>

²⁹ Cohen, Philip. (2004). "The Division of Labor: 'Keeping House' and Occupational

sending and receiving countries of immigration. Patriarchal identities for female labor have re-enforced the kinds of jobs women seek. As immigrant women enter into domestic work agreements, women in formal labor market professions (often the immediate supervisors of domestic workers on the job) doubly reinforce gender roles and identities by the tasks and demands they require of workers. But what is domestic work? The non-profit organization *Global Fund for Women* states that domestic work is historically “viewed as unskilled work [and] a natural extension of women’s work in their own homes.”³⁰ Other scholars define domestic work as a globally social and cultural phenomena promoting economic transnationalism.³¹ In this next section, I review the literature on what domestic work is and the statistical make-up of its workforce in New York City. I then assess works on economic globalization and how globalization initiates a push-pull factor for immigrant workers to urban areas.

In Domestic Workers United’s interactive hotline, *New Day New Standards*, an actress named Ms. Know It All defines domestic work as, “A nanny, housekeeper, and elder care giver that supports others to work outside the home or enjoy leisure time.”³²

Segregation in the United States,” *Gender & Society* 18.2, 239-252.

³⁰ Guevar Rosa, Erika, and Christine Ahn. "Historic Victory for Domestic Workers." *Historic Victory for Domestic Workers*. Global Fund for Women. Accessed April 1, 2013 << <http://www.globalfundforwomen.org/what-we-do/the-issues/analysis/1908-historic-victory-for-domestic-workers> >>

³¹ "Domestic Work." *Domestic Work*. International Labour Organization. Accessed April 1, 2013. << <http://www.ilo.org/ipec/areas/Childdomesticlabour/lang--en/index.htm> >>

³² Domestic Workers United interactive hotline ‘New Day New Standards’ informs nannies, housekeepers, elder care givers, and their employers about the landmark Domestic Workers’ Bill of Rights, passed in New York State in November 2010. ‘New Day New Standard’ combines regular touchtone phones, Internet-based telephony,

The literature and understanding of this concept of domestic work indicates a hierarchy of labor and status. After the abolishment of slavery in the United States, being able to afford domestic help continued the roles of master and slave.³³ These roles then evolved into boss and maid with the racial and economic status remaining the same. Colwick and Leon Wilson state that, “at the turn of the century, recent black migrants from the South were ... heavily concentrated in domestic work,” shifting domestic work from forced labor to distinct employer-employee roles that despite their newfound freedom did not result in fair or profitable incomes. Black migrant domestic workers were paid for their work, but the industry paid unlivably low wages, even though it was more or less the only position open to African American women after World War I.³⁴ Presently, these roles (still filled by women of different class statuses and race) are seen in the relations between employers and domestic workers and have similar traits to slavery. Tamara Mose Brown emphasizes this concept of domestic labor as being politicized and states, “[domestic workers have a] shared history of subordination and exploitation.”³⁵ Furthering this point, in contrast to the largely immigrant workforce, New York City’s domestic employers are 77 percent white.³⁶

and performance art to create an interactive Spanish/English know-your-rights audio campaign for domestic workers and their employers in New York State.

³³ *Home is Where the Work Is: Inside New York’s Domestic Work Industry*, p. 2.

³⁴ Wilson, Colwick M. and Wilson, Leon. *Domestic Work in The United States of America: Past Perspectives and Future Directions*, UNJOBS.ORG 1 (2000). Accessed <http://www.rcgd.isr.umich.edu/prba/perspectives/winter2000/cwilson.pdf>

³⁵ Brown, *Raising Brooklyn: Nannies, Childcare, and Caribbeans Creating Community*, 23.

³⁶ *Home is Where the Work Is: Inside New York’s Domestic Work Industry*, p.10.

Although the roles that domestic workers and their employers serve have been determined by race, domestic workers continually address intimate matters of the home.³⁷ A domestic worker labors within her employer's household performing a variety of services such as childcare, eldercare, and cleaning and household maintenance, known as housekeeping. Responsibilities may also include cooking, laundry, ironing, food shopping and other errands. Along with these basic tasks, domestic workers are often a huge part of raising children. Domestic workers replace the presence of parents by tending to children for long hours during the workday. Interactions between domestic workers and the children for whom they care for are nurturing experiences for the children. Psychotherapist Joseph Schwartz, asserts:

Since domestic workers have been found to play a vital role in care-giving, and by inference, raising numerous generations of children...the critical relationship between the domestic worker and the child needs to be understood and, if allowed to develop, protected.³⁸

The roles of domestic workers employed as nannies are professionally and personally intertwined with their employer's family. Nannies teach second languages, exercise discipline, and protect children. Organizing play dates, supporting afterschool activities, like swim classes, and helping with homework are all part of the job for domestic workers. This nurturing is extended to those who care for the elderly. Providing personal

³⁷ See Tamara Brown's *Raising Brooklyn: Nannies, Childcare and Caribbean Creating Communities*. New York: New York University, 2011; Shellee Colen, "Just a Little Respect: West Indian Domestic Workers in New York City," in *Muchachas No More: Household Workers in Latin America and the Caribbean*, edited by Elsa M. Chaney and Mary Garcia Castro. Philadelphia: Temple University Press, 1989.

³⁸ Schwartz, Joseph ed. (2009). *Attachment: New Directions in Psychotherapy and Relational Psychoanalysis*. Karnac Books: London, pp. 321-322.

hygienic care, companionship, and in-home medical attendance are all attributes of domestic workers employed as elder care providers.

While some domestic workers travel to and from work every day, there are others who live within the households where they work; these workers are referred to as “live-outs” and “live-ins” respectively. In a live-in agreement, the domestic worker is situated within the employer’s home and given her own living quarters-usually a private room. The boundary between work-time and personal-time becomes mostly intangible because there are no distinct work and rest hours. The live-in domestic worker’s role within their employer’s family become so embedded that the line between employment and the notion of the domestic worker as “a part of the family” deteriorates over time.³⁹

An analysis of American Community Survey data by the National Domestic Workers Alliance found that “fifty-eight percent of live-in workers report[ed] that their employers expect them to be available for work outside of their scheduled work hours.”⁴⁰ Similarly, employers believe that in return for the provision of housing, domestic workers should be available throughout the day, even during scheduled breaks and time off.⁴¹ With this scenario as a common reality for many domestic workers, implementing effective laws that will protect those who are considered live-ins is not only difficult to achieve but raises the question of how to distinguish home from work.

³⁹ *Home Economics: The Invisible and Unregulated World of Domestic Work*, p. 33

⁴⁰ National Domestic Workers Alliance, Analysis of 2011-2012 National Domestic Workers Survey, p. 26.

⁴¹ *Home Economics: The Invisible and Unregulated World of Domestic Work*, p. 25.

These live-in and live-out domestic workers come from all over the Caribbean, West Africa, and South America.⁴² They all share a story of leaving what they have known all their lives for the pursuit of a better life. Many immigrants flock to economically diverse cities because these sites provide more options for housing, employment, infrastructure (public transportation), and education.⁴³ Cities that offer these opportunities are most often urban meccas like Atlanta, Dallas, and Washington, D.C.⁴⁴ With such opportunities fixed in cities, one purpose of this research is to incorporate literature on non-profit organizations and urban community organizing. Understanding the link between non-profits and urban community organizing can show us how these entities work together to serve human needs. The interconnectedness between New York's non-profits and urban communities with immigrant workers helps to shape the discourse in other global cities, urban policy, and the informal economy.

Global Economy: Push-Pull Factors

Domestic workers' migration to American cities has been driven by political and economic power shifts that have transformed working conditions in the United States, as well as in other places around the world. These shifts, as stated by political scientists Sarumathi Jayaraman and Immanuel Ness, included "the decline of the U.S.

⁴² *Home is Where the Work Is: The Invisible and Unregulated World of Domestic Work*, p. 3.

⁴³ Waldinger, Roger. (1996). *Still the Promised City?: African Americans and New Immigrants in Postindustrial New York*. Boston: Harvard University Press, p. 1.

⁴⁴ Mercer's City Infrastructure Ranking 2012 is based on measures of: Electricity, Water Availability, Telephone, Mail, Public Transportation, Traffic Congestion, and Airport Effectiveness.

manufacturing economy, the development of a service economy, and the rise of international migration” to fill these positions.⁴⁵ Domestic workers are migrating to New York City as a means to obtain better opportunities that their native countries could no longer provide.

Sociologist Sassen highlights the economic relationship driving migrations from Global South nations to New York City. She writes, “Immigrant labor under economic globalization increased its role in the service sector of developed cities economy, involving jobs that cannot be exported to cheaper wages zones.”⁴⁶ With the proliferation of such service jobs, immigrants such as domestic workers had more reasons to relocate to cities that had a demand for service workers. Sassen explores how the greatly gendered and uneven nature of the global economy forces migrant female workers from the Global South into occupations as domestic and sex workers in cities.⁴⁷ These workers entering the city from varying backgrounds relocate to global cities to service formal and informal economies. In discussing the gender aspect of immigration we should note that females are categorized in explicit work roles in labor markets, socio-economic power structures, and finally socio-cultural definitions of appropriate roles in the origin as well as destination countries.⁴⁸ As a result, gender specific jobs in industries such as domestic

⁴⁵ Jayaraman, Sarumathi & Ness, Immanuel. (2005). *The New Urban Immigrant Workforce: Innovative Models for Labor Organizing*. New York: M.E. Sharpe, p. 4.

⁴⁶ Sassen, Saskia. (1988). *The Mobility of Capital and Labor: A Study in International Investment and Labor Flow*. Cambridge: Cambridge University Press, p. 37.

⁴⁷ Sassen, Saskia. (2012). *Cities in a World Economy: Sociology for a New Century*. Pine Forge: SAGE Publications, p. 178.

⁴⁸ Sassen, *The Global City: New York, London, Tokyo*, p. 69.

work, elderly care, and garment factories open doors of opportunities for female workers in New York City. In addition to employment opportunities in New York City, some females believe leaving their families behind to make a better life for them is the only option when female workers are faced with a dying economy at home.

The growing deterioration of governments and whole economies in the Global South has promoted and enabled the proliferation of global cities and the migration of domestic workers. A *global city*, for the purposes of this project, is a metropolitan center where commerce and global affairs intertwine to establish a mecca for culture, finance, arts, and international affairs. According to Sassen, global cities are:

Cities that are strategic sites in the global economy because of their concentration of command functions and high-level producer service firms oriented to world markets; more generally cities with high levels of internationalization in their economy and in their broader social structure.⁴⁹

Once immigrant workers arrive in these urban areas and enter the workforce they are fragmented into informal and formal work sectors with a high occurrence of employment in the informal sector. Immigrant women are pushed into New York's informal sector for a number of reasons; one significant factor is the availability of employment and the economic queue discussed by sociologist Roger Waldinger.⁵⁰ Waldinger argues that with the good jobs at the top of the job ladder and the poor jobs at the bottom, immigrant female workers only have access to the low-paying jobs at the bottom. Immigrant female workers' willingness to accept low-paying jobs that native-

⁴⁹ Ibid., p. 4.

⁵⁰ Waldinger, Roger. 1999. "The New Urban Reality," in *Majority and Minority: The Dynamics of Race and Ethnicity in American Life*, edited by Norman Yetman, 506-522. 6th ed. Boston: Allyn & Bacon.

born women will not makes them particularly desirable in the informal sector of the economy. As economic growth pulls the topmost ethnic group up the ladder, lower-ranking groups seize the chance to fill the niches left vacant by that movement.⁵¹

Demographical Data of Domestic Workforce in New York City

While growing up in Brooklyn and frequenting areas like Park Slope and various parts of Manhattan, I would see black and brown women caring for white babies. At the time, I connected the stories of my grandmother and the young children whom she cared for to these nameless women I saw at museums, libraries, and parks. I realized that they too were what I then understood to be “babysitters.”⁵²

When considering the literature on non-profits and their relations to organizing communities, social scientist neglect the impact domestic workers’ demographics have on organizations fighting for workers’ justice. New York’s domestic workers are composed of diverse and often undocumented immigrant groups, which play a significant role in how non-profits organize domestic workers. Writings by social scientists seldom explore the backgrounds of domestic workers. Thus they neglect an important part of the urban context of urban organizing.

To begin, one of the most popular informal jobs for new female immigrants in New York City is domestic work.⁵³ As mentioned earlier, the easy access to domestic

⁵¹ *Ibid.*, p. 511.

⁵² Women in care for children as surveyed by the National Domestic Workers Alliance prefer to be called nannies.

⁵³ 2010 Census analysis shows New York City as having the second largest domestic workforce in the country (Los Angeles was highest).

work is one of the major reasons why it is popular among new immigrant workers in New York City. In their 2006 study with The DataCenter, Domestic Workers United surveyed 547 New York City domestic workers between 2003–2004, and found that 99 percent of them were foreign-born.⁵⁴ This statistic reflects on the composition of DWU’s members and personally resonated with me. The workforce of domestic workers in New York City is also overwhelmingly composed of women of color. Ninety-five percent of domestic workers who responded to DWU’s survey were people of color and ninety-three percent were women.⁵⁵ These women come to New York City for a wide variety of reasons and with myriad occupational backgrounds. Respondents to DWU’s survey emigrated from 42 countries and held jobs in service, office and administrative support, sales, homemaking, and construction industries prior to moving to New York City.⁵⁶

When arriving in New York City, many domestic workers are not prepared for the emotional pressures of the industry. Domestic workers are often isolated from family, friends, and agencies that can provide health assistance, pathways to citizenship, and employment advancement. Often they leave their own families unattended or in the care of someone else in their home countries, an ironic and heartbreaking situation. A typical workload for domestic workers in New York City consists of 50 hours a week or more, leaving little time for their own families.⁵⁷ Of the workers in the DWU survey, however,

⁵⁴ *Home is Where the Work Is: Inside New York’s Domestic Work Industry*, p. 1.

⁵⁵ *Ibid.*, p. 9.

⁵⁶ *Ibid.*, p. 11.

⁵⁷ *Ibid.*, p. 6.

67 percent did not receive overtime pay for the work they performed.⁵⁸ Although employers' demands take a considerable amount of time away from domestic workers, 32 percent of workers have been in the industry for over ten years and often times they become the primary income earners for their families both in New York and their home countries. Though domestic workers find difficulty in paying their bills and sending remittances to relatives abroad, 59 percent of workers surveyed are the sole income earner for their families and 72 percent send money to their families on a regular basis.⁵⁹

Though one-third (34 percent) reported to have held skilled jobs in their home countries, domestic workers frequently endure exploitative labor practices and are forced to work in "underground" conditions in the informal economy.⁶⁰ Some social science literature suggests that this underground sector may constitute a serious social problem, which jeopardizes the well-being of the larger society.⁶¹ The informal economy, as we have seen, denies domestic workers basic rights. When one group is denied rights that are given to the majority this not only affects domestic workers, it also impacts those outside the communities that depend on the domestic work.

In other research Sassen argues that, "a focus on cities almost inevitably brings with it recognition of the existence of multiple social groups, neighborhoods, contestations, claims, and inequalities."⁶² The aforementioned are all apparent in New

⁵⁸ *Ibid.*, p. 25 & 16.

⁵⁹ *Ibid.*, p. 26.

⁶⁰ *Ibid.*, p. 11.

⁶¹ *Key Concepts in Urban Studies*, p. 80.

⁶² *Cities in a World Economy*, p. 4.

York City's domestic workforce. New York's domestic workers create groups within the neighborhoods they live and work in; creating networks among friends, relatives, and other domestic workers in their employer's community. Sassen uses these ideas to illustrate the meaning of place and of the role multiple diverse social groups in constructing globalization.⁶³ Networks built within New York City's domestic workforce strengthen urban communities. This is indicated by domestic workers' influence on new immigrants – creating support systems for job opportunities, collectively consuming goods to sustain the economy, and paying state taxes. These networks hold significant power. In *Organizing with Love*, an article for DWU, Ai-jen Poo argues, “if domestic workers go on strike, they could paralyze almost every industry in urban areas.”⁶⁴

Historical similarities to other minority movement groups can attest to the significant legacy that New York City's domestic workers have upheld in their fight for workers' justice. Some activists draw comparisons to women's rights movements and the African American civil rights movement in that both groups had been denied the right to equal employment opportunities and standards. Like the social movements of the 1960's and 1970's, domestic workers in New York City developed an innovative organizing

⁶³ Ibid., p. 177.

⁶⁴ Poo, Ai-jen. *Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights Campaign*. Domestic Workers United. June 2010. Accessed April 23, 2013 << <http://www.cew.umich.edu/sites/default/files/Organizingwithlove--FullReport-Cover.pdf> >>

model to address challenging dynamics of the industry and to build grassroots workers' power.⁶⁵

2.3 Exclusion of Domestic Workers under Federal Laws

In the United States, domestic workers have been excluded from many of the legal protections afforded to other classes of workers such as the Fair Labor Standards Act (FLSA) and the Occupational Safety and Health Act (OSHA) at the federal level as well as state labor laws in New York. For this thesis, the most important exclusion is under the 1935 National Labor Relations Act (NLRA). Congress enacted the NLRA to protect the rights of employees and employers, to encourage collective bargaining, and to curtail certain private sector labor and management practices, which can harm the general welfare of workers, businesses and the U.S. economy.⁶⁶ The NLRA is the legal foundation regulating interactions between workers, labor unions, and employers, and it explicitly states what types of workers have the ability to organize under the law. Section 2 (3) of the NLRA explicitly excludes domestic workers from its protection because the term “employee” is defined to “not include any individual employed ... in the domestic service of any family or person at his home” including nannies, housecleaners, caregivers, companions, etc.⁶⁷

⁶⁵ Poo, Ai-jen. *Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights Campaign*. Domestic Workers United. June 2010. Accessed April 23, 2013 << <http://www.cew.umich.edu/sites/default/files/Organizingwithlove--FullReport-Cover.pdf> >>

⁶⁶ Ibid.

⁶⁷ National Labor Relations Board, “*National Labor Relations Act*,” accessed December 17, 2012, << <https://www.nlr.gov/national-labor-relations-act> >>

The NLRA was passed by Congress as part of the effort to remedy the economic problems of the Great Depression. Literature criticizing the exclusion of domestic workers argues that the NLRA usage of the phrase “employers affecting commerce” ignores key employers who contribute to the economy either directly or indirectly. In *Recognizing the Racist Origins of Agricultural and Domestic Worker Exclusion from the National Labor Relations Act*, University of Florida Law School professor Juan Perea states:

In the absence of protective state legislation, [domestic workers] can be fired for seeking to unionize or acting for their mutual aid and protection. The exclusion thus exacerbates the exploitation and vulnerability of domestic workers at the bottom rungs of the economy.⁶⁸

Originally, the exclusion was put in place to appease Southern Democrats, who wanted to keep African American domestic workers in unprotected, subordinate positions to prevent them from gaining any political power.⁶⁹ New Deal Dixiecrats refused to recognize a home as a workplace where African American women made up the majority of the workforce. As a consequence, domestic workers were prevented from having the opportunity to organize into unions and bargain collectively with employers.

Seventy-eight years later, domestic workers are still unable to organize under the NLRA. The domestic workforce continues to be composed primarily of women of color but it has changed into a predominately immigrant sector. However, the exclusion of

⁶⁸ Perea, Juan F., *The Echoes of Slavery: Recognizing the Racist Origins of the Agricultural and Domestic Worker Exclusion from the National Labor Relations Act*, 72 *Ohio State Law Journal* 195 (2011).

⁶⁹ Vargas, Zaragosa. (2007). *Labor Rights Are Civil Rights: Mexican American Workers in Twentieth-Century America*. New Jersey: Princeton University Press. p. 8.

domestic work from the law continues the pattern of discrimination against African American (and now immigrant) women of color in these jobs. The exclusion has also forced activists to look for new strategies to organize workers and raise awareness of fair labor rights. Community awareness, in turn, paves the way for non-profit organizations to act as a medium for social change, and allows them to foster the implementation of fair labor standards.

2.4 Non-Profits Organizations as a Medium for Social Change

Urban Community Organizing

Social movements are organized political campaigns directed at government in an effort to promote structural changes in social organization.⁷⁰ Successful movements (in organizing, campaigning and achieving movements' goals) are most seen in urban communities because of their population density and the resource disparities faced by the underprivileged. In communities all across the nation, especially those of urban makeup, social problems plague the underrepresented and poverty-stricken. Robert Denhardt and Mark Glaser's *Communities at Risk: A Community Perspective on Social Problems* states, "there is an increasing disparity in income and opportunity between the haves and have-nots." The have-nots, which they call "*communities at risk*," display disparities in education, employment, and social dislocation.⁷¹ Many of New York City's 27,000 non-

⁷⁰ Gottdiener & Budd. *Key Concepts in Urban Studies*, pp.169-170.

⁷¹ Denhardt, Robert & Glaser, Mark. (1999). "*Communities at Risk: A Community Perspective on Urban Social Problems*". *National Civic Review* 88 (7): 145-153.

profits work to resolve these inequalities.⁷² The non-profit sector's role as an agent for social change in urban communities can be seen through its advocacy efforts in immigration rights, education, health services, housing, and employment. Promoting social change through worker centers has become a popular way for non-profits to effectively reach urban communities especially domestic workers' communities.

As of 2006, in cities across the nation, there were approximately 137 worker centers.⁷³ Worker centers are community-based and -led organizations that engage in a combination of service, advocacy, and organizing to provide support to low-wage workers.⁷⁴ Worker centers, like civic institutions, build upon community organization strategies to improve wages and working conditions. Strategies including protests, base building, and community awareness have also helped in DWU's campaign for the DWBR. Through coalition organizing around these strategies, DWU fought for the unprecedented DWBR in New York State.

The success of the campaign in New York City owes much to the organizational models developed in Los Angeles.⁷⁵ Efforts in organizing Los Angeles' taxi service, car

⁷² The New York City Non-Profit Project. 2002. *Non-profit Services in New York City's Neighborhoods*. The non-profit sector in New York City is comprised of some 27,474 charitable organizations that have annual revenues generally over \$5,000 and are registered with the IRS as 501(c)(3)s. New York also has many other organizations like block groups, religious congregations, and other organizations that have not registered with the IRS.

⁷³ Fine, Janice. 2006. *Worker Centers: Organizing at the Edge of the Dream*. New York Law School Law Review. Retrieved January 26, 2013. << <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1018&context=books>>>

⁷⁴ *Ibid.*, p. 3

⁷⁵ *Working for Justice: The L.A. Model of Organizing and Advocacy*, p. ix.

wash industry, and day laborers have proven to be successful methods of winning campaigns among low-wage workers. In *Working for Justice: The L.A. Model of Organization and Advocacy*, editors Ruth Milkman, Joshua Bloom, and Victor Narro present examples of Los Angeles' prolific efforts to organize urban immigrant communities for workers' justice.

Urban community and workers' organizations, including non-profits, adapt to unique circumstances in the city. They negotiate and advocate for their members, and manage the relationship between government, other powerful actors, and their communities. Beginning in the 1990's Los Angeles has been one of the most important places in the nation for understanding immigrant labor movements. Milkman asserts that, "Los Angeles is a national pacesetter in the new wave of low-wage worker organizing and advocacy... [Los Angeles's] reputation as a unique urban laboratory of progressive political experimentation" has led to a distinct model of economic justice organizing and advocacy.⁷⁶ More specifically, occupational and industry-focused organizing campaigns like the Los Angeles Taxi Workers Alliance (LATWA) have shown the ability to surmount ethnic and racial divisions among immigrant workers. LATWA's members, like members of DWU, are predominately made up of immigrants who have been denied fair working conditions. Though LATWA's organizational models are different in some aspects from DWU's, their strategies provided relatable lessons in empowering disenfranchised immigrant workers.

⁷⁶ *Working for Justice: The L.A. Model of Organizing and Advocacy*, pp. 1-2.

Like DWU, LATWA's link to a wide range of other social justice organizations and advocates (in Los Angeles as well as in other cities) played a major role in LATWA's response to local government attempts to shift customer revenue from drivers to the taxi companies. Formed in 2005 as a coalition of organizations, attorneys, and taxi drivers in partnership with the South Asian Network, LATWA, led by Sentayehu Silassie, worked to reduce unfavorable regulations for taxi drivers.⁷⁷

The structure of Los Angeles' taxi industry is controlled by nine franchises that run as cooperatives (save one exception). These cooperatives are misleading because a group of elite insiders and the owners of companies that provide essential services to the cooperatives continue to exercise a great deal of control over drivers.⁷⁸ These so-called cooperatives were deceptive and took full advantage of taxi driver's vulnerabilities. Taxi driver cooperatives in Los Angeles transformed drivers from employees to independent contractors, which meant that minimum wage and other labor protection laws no longer covered drivers. The largest of these cooperatives, led by the Rouse family, controlled the other eight cooperatives through an entity called Administrative Services Cooperative (ASC). With support from partner organizations LATWA was formed in July 2005 "to organize and empower the forty thousand Los Angeles area taxi drivers in their struggle to rid themselves of industry abuses, improve their wages, health, and working

⁷⁷ "Sentayehu Silassie- Grassroots Leaders to Watch". *Liberty Hill Foundation*. N.p., n.d. Web. 09 Apr. 2013. Retrieved April 8, 2013.

<<<http://www.libertyhill.org/page.aspx?pid=360>>> Liberty Hill first invested in LATWA in 2007, when it was a start-up project at South Asian Network. To date, Liberty Hill remains the only foundation to provide support for the taxi drivers, having invested \$55,000 in community organizing designed to see the drivers' complaints addressed at long last.

⁷⁸ *Working for Justice: The L.A. Model of Organizing and Advocacy*, p. 110.

conditions.”⁷⁹ LATWA’s coalition partnerships with some of Los Angeles’ City Council members led to “the success of three demands LATWA made and won in the summer of 2006—one over uniforms, a second over meter rates, and a third over fares for short rides.”⁸⁰

Though domestic workers in New York City are not regulated as a corporately structured industry, domestic workers are inherently controlled by their employers and are subjected to long work hours and low wages. Like LATWA in Los Angeles, immigrant domestic workers in New York used their power in numbers and coalitions to effectively organize workers for better working conditions. LATWA like DWU aimed to be an umbrella organization to the different ethnic groups that had begun organizing separately around the early 2000s.⁸¹

Through coalitions – of governmental agencies, non-profits, and community partners – immigrant workers have collaborated in community outreach programs by educating and advocating for low-wage workers’ rights. Yet, there are thousands of workers who are unaware of their rights, and many employers who refuse to adhere to the law. DWBR is a fairly new law and the literature on DWBR does not comment on challenges in enforcement and organizing strategies in vulnerable communities. The DWBR literature focuses on lobbying and legislative efforts. Here, I offer a different

⁷⁹ “Sentayehu Silassie- Grassroots Leaders to Watch”. *Liberty Hill Foundation*. N.p., n.d. Retrieved April 9, 2013. <http://www.libertyhill.org/page.aspx?pid=360>

⁸⁰ *Working for Justice: The L.A. Model of Organizing and Advocacy* p. 118.

⁸¹ *Ibid.*, p. 118.

story, which focuses on the organizational strategies of DWU in implementing the DWBR.

Enforcing Laws in Informal Workforce Sectors

The home as a workplace is significant to the struggle of enforcing fair labor standards for domestic workers. If we viewed the traditional, corporate workplace as comprised of workers with nine-to-five jobs, in different departments working together for a common enterprise or organization, we may reasonably expect that within that organization there would be sets of rules and regulations on labor standards, employee/employer relations, and employee benefits.⁸² In contrast, domestic workers are placed in an ambiguous work setting where there are no regulated standards. The home is seen as a private domain where authority over service is left up to employers. As such, domestic workers are faced with the challenge of navigating fair standard agreements and benefit packages on their own with each employer. With different standards set for each domestic agreement, the likelihood of domestic workers obtaining universal standards seems untenable. As long as the home is a workplace for domestic workers and they are isolated from a universal idea of fair labor standards, formalization of domestic work will be difficult.

⁸² Stone, Katherine. (2004). *From Widgets to Digits: Employment Regulation for the Changing Workplace*. New York: Cambridge University Press, p. 121.

Domestic workers employed in informal work environments include those working within their employer's home, working in solitude, and being paid "off the books."⁸³ However, there are few organizations that have prepared themselves for the challenge of organizing domestic workers. There are even fewer organizations that address the challenges of organizing the communities in which domestic workers live and work to fight for fair labor standards. The partnerships between DWU, government agencies, and community organizations have enforced laws under the DWBR through community awareness programs, law clinics, and petitioning for further protective laws not included in the DWBR.

Politics continues to play an important role in why domestic work is seen as informal and thus it creates unfair grounds for reshaping society's perception about domestic work. An uneven ground is created by the absence of institutional protections, which leaves domestic workers particularly susceptible to employer exploitation and abuse.⁸⁴ The exclusion of domestic workers from the NLRA and other federal laws reveals that those with legislative power do not see domestic work as a valuable contribution to the economy.

The common sentiment of the domestic workers interviewed for this thesis is that employers own their domestic employee, and the manners in which arrangements are handled are blatant violations of the Thirteenth Amendment. In at least some circumstances, domestic workers have been treated as modern day slaves, where domestic employers take away their passports and workers are forced to be dependent on

⁸³*Key Concepts in Urban Studies*. p. 76.

⁸⁴ *Home Economics: The Invisible and Unregulated World of Domestic Work*, p. 36.

their employer. In one reported incident, domestic worker, Valsamma Mathai an Indonesian undocumented immigrant was forced to work long hours no vacation or sick days, had to sleep in a closet and was not allowed to leave her employer's Long Island home.⁸⁵

Informalities of the home as a workplace are also obscured by the legal citizenship status of domestic workers, which also creates difficulties with enforcing the DWBR. Domestic workers are largely immigrant women of color who are often uncomfortable with reporting their citizenship status.⁸⁶ Given their immigrant status, they are reluctant to speak up about abuses and are hesitant to come together to fight for their rights. As a result, domestic workers are set on the periphery of labor rights, subjected to not being acknowledged as “real” workers.

Even advocates for regulation are confronted with the peculiar conditions of domestic work. As stated by the National Domestic Workers Alliance, “At the end of the domestic worker’s day, no durable goods or consumer products have been created or distributed; neither the flow of capital nor the accumulation of profits has been directly served.”⁸⁷ Lorelei Salas, former deputy commissioner for worker protection at the New York State Department of Labor told *The Nation*, “[A] home is not an open place of

⁸⁵ Walshe, Sadhbh, “Stop allowing the wealthy to treat undocumented immigrants like slaves,” *The Guardian News*, March 13, 2013. Accessed May 30, 2013 <<<http://guardiannews.com/commentisfree/2013/mar/13/wealthy-use-illegal-immigrants-as-domestic-workers> >>

⁸⁶ Interview responses, research conducted by Domestic Worker’s United’s *Home is Where the Work Is*, and National Domestic Workers Alliance’s Home Economics have all expressed this sentiment for fear of deportation and or other forms retaliation from domestic employers.

⁸⁷ National Domestic Workers Alliance. p. 9.

business, not a factory or restaurant where you can just walk in.”⁸⁸ This makes it harder for state regulatory officials to oversee violations on the job for domestic workers. Opponents of the formalizing of domestic work argue that such laws constitute an intrusion in the employer’s home. Those in support of this argument have described domestic work as a private exchange of services between the employer and employee.

The literature discussed in this chapter adds to the discussion about the relationship between immigrant labor and non-profits organizing in an urban environment. Immigrant women are most vulnerable when they arrive in global cities.⁸⁹ Most of these women enter unorganized, unregulated, and unprotected workforces like domestic work. Through labor organizing and legislative changes, immigrant communities can bridge gaps in protections caused by informal labor market conditions, thereby illustrating the importance of solidarity beyond the workplace. In the next section I go beyond what the literature presents and provide an in-depth case study on how Domestic Workers United organized domestic workers in New York.

⁸⁸ Lerner, Sharon. “Uphill Battle to Enforce Domestic Worker’s Rights.” The Nation June 12, 2012. December 1, 2012
<http://www.thenation.com/article/168353/uphill-battle-enforce-domestic-workers-rights#>

⁸⁹ Sassen, *The Global City: New York, London, Tokyo*, p. 56.

Chapter 3: Methodology

3.1 Connection

I began thinking about my interests for a thesis topic in August 2011. My career aspiration to work in the non-profit sector prompted my interests in effective and efficient developmental models for organizations in the field of social services. I thought completing a research project that focused on these ideas would allow me to hone my program assessment skills and equip me with the skillset needed to become a program developer for a non-profit in the field of social services. However, this initial focus was too broad in scope; it seemed to be the topic of a doctoral dissertation rather than a master's thesis. Through guidance from my professors and peers at Fordham University's Urban Studies program, I narrowed my concentration to a case-study analysis on non-profits that aim to organize urban communities and to enforce the Domestic Workers Bill Rights.

I decided to conduct an in-depth evaluation of a non-profit organization that serves urban communities through an activist lens. I aimed to learn how community-based organizations serve and mobilize their constituents. My interests compelled me to search for a unique topic that connected scholarship in Urban Studies with a case that I could relate and have easy access to. Once I finalized my topic, I took a job as a part-time

domestic worker and served as a research intern at Domestic Worker United. These experiences led to my interests in labor organizing in urban communities.

3.2 Domestic Work Experience

My experience working as a domestic worker and interacting with other domestic workers have given me personal insight on my thesis topic. While looking for a part-time job I consulted with my aunt Iris, who, at the time, was looking for someone to take over her position as a housekeeper and cook for a family living on the Upper West Side of Manhattan. I agreed to shadow her for two weeks to see if housekeeping would be a good fit for me. On my first day I realized how isolating domestic work can be. There is no one else with you while you're working, no support or encouragement, and you work in constant worry about whether or not the family will enjoy the dinner you prepared. During my two-week apprenticeship, I also became familiar with sentiments shared by domestic workers I interviewed; while working in the Rosenberger's home I often thought about the many responsibilities I had left undone in my own home.⁹⁰

After my two-week tutorial in which I learned about the family's preferences in housekeeping tasks and cooking Kosher, I accepted my aunt's offer to take over when she resigned. I met with my potential employers, the Rosenbergers, to discuss availability, pay, and duties the following week. The meeting with the Rosenbergers was

⁹⁰ For the sake of privacy family's name has been changed to protect their identities.

informal, and it concluded with an informal, verbal agreement. I reluctantly agreed to be paid off the books. The Rosenbergers reasoned that because I was, “a part-time employee, there was no need to go through the fuss of getting their accountant involved.” This was quite surprising to me because both the husband and wife were lawyers working for a Fortune 500 company and litigating for the City, respectively. As lawyers I know they knew that regardless of the number of hours worked an employer is responsible for paying taxes and Social Security benefits. I knew that accepting the Rosenbergers’ offer had placed me in a position to uncover the daily injustices of domestic workers in New York City.

I used my experience as a housekeeper and cook for the Rosenbergers as a tool to understand the dynamics between employer and domestic worker. Having the opportunity to examine relationships between employer and employee was helpful in understanding the challenges of organizing domestic workers. Through my own personal situations with the Rosenbergers and discussions with other domestic workers, I learned that the authority and power of employers to retaliate against domestic workers threatens workers’ efforts to join advocacy groups. Thus, my experience as a domestic worker served an important role in my understanding of employee-employer relationships. Furthermore, my familiarity with domestic work helps me recognize the need for non-profit organizations that can meet domestic workers in their community and on their terms.

3.3 Interning with Domestic Workers United

I have discovered through interning with DWU and conducting interviews with board members that general members want to feel connected to the organization's cause through members' participation via outreach events and community organizing trainings. When I searched for a non-profit, I sought an organization that focused on educating and building confidence in its members. DWU accomplished this by employing leaders from within its membership. DWU employs a long-time domestic worker and former member of the organization as its Outreach Coordinator, one of the organization's four key staff members, and DWU trains committed members to become leaders in community outreach events. Many of DWU's board members worked as domestic workers and have successfully recruited and organized new members. Additionally, I chose DWU because they were able to reach domestic workers across cultures and because of their effective campaign to organize workers for the DWBR.

In addition to gaining access to New York City's domestic workforce, DWU provided me with insightful information about how they organized and served a vulnerable community of immigrant women of color. DWU's organizational models – base building, leadership development, grassroots organizing campaigns, culture and communications, alliances and organizational development –informed my research on organizing models used by labor rights-oriented non-profits to implement laws for the communities they serve. The relationship between DWU and its members goes beyond the more typical model of protesting and traveling to state conferences. DWU's relationship with its members allows the organization to reach thousands of disenfranchised workers from a community that organizes around goals such as fighting for fair labor standards for domestic workers.

I gained access to DWU after being introduced to Outreach Coordinator, Joycelyn Gill-Campbell through a colleague who helped facilitate my interview with DWU as a research intern. I approached Joycelyn with my background in domestic work (when I met DWU I wanted them to know I understood the challenges of domestic work and would work towards gaining the trust of members I interviewed) and asked if they thought their members would be appropriate to interview. I learned about DWU's work and mission by interning and interviewing staff and members. I gathered data by observing, interviewing, and participating with the organization on a weekly basis. I was hired as DWU's research intern in April 2012. DWU also suggested that I interview domestic workers outside of the organization, but I chose not to do that because I sought to work with a local organization and to obtain information specifically from that organization's members.

After my second semester at Fordham University was completed, I began working as a research intern with DWU in June 2012. Over the summer I interned with DWU three times a week and from October through April I was there once a week. DWU is located at 10 West 37th Street in Manhattan, and conveniently situated between several major public transit connections for an easy commute for its members who frequent the DWU office on a daily basis. The DWU staff is comprised of Interim Executive Director Catlin Fullwood, Outreach Coordinator Joycelyn Gill-Campbell, Program Coordinator Judith Vegas, and Operations Coordinator Patricia Nixon.⁹¹ Both its communications and

⁹¹ Prior to Catlin's interim (beginning August 2012) with DWU, Priscilla Gonzalez served as Executive Director from 2010 to 2012. During my staff interview sessions in the summer of 2012, I thought it best to interview with Priscilla because she was a member throughout DWU's campaign and became Executive Director shortly

development director positions as of March 2013 were vacant.⁹² Other key members that came into DWU's office included Lois Newland, Beverly Grayson, and Deloris Wright, who served as treasurer on the DWU board and sits on the steering committee. These women were all interviewed in March 2013 and are key participants in DWU's community outreach programs.

DWU agreed to allow me to conduct interviews during the months I interned with the organization, which was between June 2012 and April 2013. I conducted thirteen interviews with three head staff members and ten members. However, my first member interview did not take place until February 2013. Staff interviews were conducted over the summer between July and August 2012. During my first tenure with DWU, I had initially planned to complete all of my interviews before fall of 2012.⁹³ However, DWU was in the middle a transition – Executive Director Priscilla Gonzalez, was resigning and several new staff members had recently been hired as development director, communication director, and operations coordinator – all essential positions at DWU. Throughout the summer I assisted with DWU's staff transition and completed administrative tasks around their move to a new office space. As the summer progressed, there were more setbacks. I contacted Joycelyn to set up a time when I could meet with

after. I interviewed Priscilla before she left DWU to become Director of Communities United for Police Reform.

⁹² Before moving onto another position, Lorrain Ramirez held the capacities of Development Director during May–October 2012.

⁹³ I originally planned to intern with DWU for the duration of the summer, June to August 2012. During this time I planned to conduct all of my interviews with members and staff.

members, since I was not allowed access to DWU's members phone list, but was not able to secure any interviews until the following winter.

I experienced first-hand the significance domestic workers have for urban communities through observing and participating in domestic work neighborhoods (areas of both the workers and employers). Furthermore, I saw the importance of writing with an academic foundation from an insider's perspective. My personal biases – familial and personal connections to domestic work, my experiences as a first generation Afro-Caribbean American and my internship experiences at Domestic Workers United – have the potential to create prejudice in my judgment of domestic work, immigrant workers, and DWU's organizational models. However, I believe that my access and insight into the experiences of domestic workers are a unique asset and outweigh the risk of bias.

I am addressing issues of bias because of my connections to domestic work and my proximity to the experiences held by immigrant and informal workers. I begin with the assumption that all workers no matter what creed, sex, or status should have access to livable waged and fair working conditions. My experiences have a particular advantage over those who have not been able to participate in domestic workers' rights activities and who may not be aware of immigrant issues. I have been fortunate to join organizations that advocate for domestic workers' rights and share my family's stories on their experience as a domestic worker.

3.4 Data Collection Overview

In May 2012, I began formulating my interview questions to present to Fordham's Institutional Review Board (IRB). The questions were designed to collect data while

minimizing any potential harm to interviewees. My data collection was designed to keep in mind workers' fears of their employers learning about their involvement and or intentions to organize. I was also careful to craft interview questions so that participants would focus more on their community outreach efforts with DWU rather than on their experiences as domestic workers. Though their work experiences are important, it was my goal to learn about the methods members employed in community outreach and the ways they have participated in DWU's efforts. In addition, I sought to understand how they reached out to non-DWU domestic workers because doing so is an important aspect in building membership. My focus on how DWU increased its membership and how it serves domestic workers who are not members allowed me to understand DWU's outreach methods. I was particularly interested in uncovering DWU's involvement in organizing urban communities in New York City. For this reason, I included interview questions specific to the challenges of community outreach and alternative methods interviewees would like DWU to use in their outreach efforts.⁹⁴

During my first official meeting with members at DWU's General Assembly meeting in February 2013, held at Lafayette Avenue Presbyterian Church in Brooklyn, I introduced myself to members and spoke about my master's program and research study. I interviewed seven members during this meeting and had informal conversations with community leaders, volunteers, and other DWU members. These interviews were conducted using a convenience sampling method of key informants. Although I was unable to get a full sampling of all DWU's members, this method was the best way to get my interviews done because these members were the most involved of the organization's

⁹⁴ Interview questions are located in the Appendix.

75 active members and had the best knowledge of DWU's organizational methods and outreach efforts.⁹⁵

During the interviews, I met with each member privately at the opposite side of the church to ensure members were not influenced by previous participants' answers. The remaining three interviews were conducted in March 2013 at DWU's office. I created an interview schedule to guide my interviews (see Appendix) and then I tape-recorded the responses from the participated. In addition, I took notes on other topics the women mentioned that were not on the list of interview questions. Though the problem of domestic worker abuse remains important, the question of how DWU campaigns for workers rights by organizing urban communities was not well understood or documented in literature. I constructed my questions for the interview to address this need.

My experience with DWU furthered my understanding of why it is so important for non-profits to organize domestic workers and their communities. I learned that without organizations like DWU, most domestic workers would have a difficult time navigating through bureaucratic and political challenges involved in organizing protests and gaining support. Without the collective help from DWU's staff and leaders within their membership, campaigning and implementing the DWBR might not have been as successful in passing crucial labor protection laws for New York's domestic workers. DWU's ability to navigate bureaucratic channels and bring unlike communities together fostered partnerships with social justice advocacy groups such as Jews For Racial and Economic Justice, Hand in Hand, and Brooklyn Society for Ethical Culture which served as a foundation for the "Code of Care." In this Code of Care, domestic workers are

⁹⁵ Interview with Interim Executive Director, Catlin Fullwood, April 9, 2013.

extended the entitlements in the DWBR to include “clear work terms, ...[which] are designed to make domestic workers feel empowered to bring up workplace issues with their employer.”⁹⁶

Chapter 4: Case Study

4.1 Domestic Workers United Organization

My extended understanding of DWU’s goals after interning with the organization led me to further inquiry about DWU’s strategies in organizing domestic communities and implementing the DWBR. With this inquiry I connected the goals of the organization to its success in organizing domestic communities. This also led to me understand DWU’s organizing models for implementing the DWBR. A brief overview of DWU’s history of organizing domestic workers via coalitions, a synopsis of the organization’s membership, and a discussion of the DWBR campaign will also show how DWU’s organizational models were used to reach out to members and build the organization’s base.

Founding History

In an interview with Joyce Gill-Campbell she explains how the interests of the founding director, Ai-jen Poo, in organizing immigrant women workers led her to work with Filipina domestic workers in the Bronx. As a small child Ai-jen’s Taiwanese parents

⁹⁶ Kirshenbaum, Gayle. 2012. “Hand in Hand Action.” The Domestic Workers Employers Association. Accessed March 17, 2013.
<<<http://domesticemployers.org>>>

encouraged their daughter to challenge societal norms and bring about change for the common good. Working with the Filipina domestic workers Ai-jen met in the Bronx gave the young activist insight to the grievances of the immigrant workforce. In 2000, with the partnership of the Women Workers Project of the Committee Against Anti-Asian Violence (CAA AV) and the Andolan Organizing South Asian Workers (AOSAW), Ai-jen helped co-found Domestic Workers United. Both CAA AV and AOSAW were founded in the early 1990's and served low-income, immigrant women workers in the Asian communities of New York City. As Joyce explains, "...after two years of organizing Asian domestic workers, CAA AV and AOSAW wanted to impact the [domestic] industry on a larger scale. CAA AV and AOSAW realized that Caribbean and Latina women were largely filling domestic work positions. They wanted to include these communities to build power in numbers. DWU was formed to bring domestic workers of all ethnicities together to form one general organization."⁹⁷

DWU set an unprecedented tone for organizing immigrant workers across the nation. Instead of following traditional organizing trends, DWU crossed ethnic boundaries and established partnerships from various social justice paths. Without being exclusive to a particular ethnicity, DWU worked with other domestic worker organizations in New York City, across the nation, as well as internationally, to build solidarity around domestic workers' labor issues. DWU's mission is to organize nannies, housekeepers, and elderly care providers in New York; to organize for power, respect, and fair labor standards; and to help build a movement to end exploitation and oppression

⁹⁷ Interview with Joyce Gill-Campbell, August 12, 2012.

for all.⁹⁸ Initially the members of DWU set out to advocate for individual domestic workers, gain power for the entire workforce, and to establish fair labor standards for the domestic work industry. As the organization launched itself as a major group for domestic workers' rights, DWU saw the need to establish state-wide legislation that would regulate domestic work, to grow beyond state levels and bring national awareness to labor standards for domestic workers, as well as further the cause by maintaining alliances internationally.

Within three years of its establishment, DWU launched their campaign for the DWBR. Following a previously successful organizing strategy, DWU partnered with several organizations that organized around immigration, labor, and domestic workers' rights to win recognition of the domestic workforce in New York City. In 2007, DWU also became a founding member of the National Domestic Workers Alliance (NDWA). In addition to working locally and nationally, in 2010 DWU represented NDWA as a founding member of the International Domestic Workers' Network, which is comprised of international domestic workers' organizations and trade unions.⁹⁹

DWU operates via grants, foundation funding, private donations, and its recently introduced voluntary membership dues. As a membership-based organization – focused primarily on the common interests of their members – DWU's members serve as a vital aspect in organizing urban communities. When questioned why DWU's membership composition is vital to organizing domestic workers, Joyce replied, "Our strength comes

⁹⁸ Domestic Workers United. "About Us". History & Mission. Web. Accessed March 16, 2013. << <http://domesticworkersunited.org/index.php/en/about>>>

⁹⁹ International Domestic Workers' Network. "Who We Are". *Home*. Accessed on April 9, 2013. << <http://www.idwn.info/content/who-we-are> >>

from our members. They are the backbone of our community outreach programs ... they serve as recruiters for new members and leaders in promoting domestic workers' rights."¹⁰⁰

Membership

DWU is composed primarily of Caribbean-born women, and, according to Executive Director Priscilla Gonzalez, approximately eighty percent of their members are immigrant women from the Caribbean.¹⁰¹ Around twenty percent are Latina domestic workers (at the time of my interviews, DWU did not have a sizeable measure of West African members). Additionally, the majority of DWU's members are between the ages of 20-65. From DWU's membership records, eighty percent of its members are nannies, ten percent housekeepers, and ten percent are elder care providers.¹⁰² DWU's members reflect the domestic workforce in New York City and the communities the organization worked closely with during the DWBR campaign. Members of the DWU are from all over the tri-state area, with the majority residing in Brooklyn. Joyce notes, "Because Brooklyn is home to most of our members, community organizing was easier in areas like Crown Heights, Flatbush, Midwood to name a few. Members took home information they learned at DWU to family and friends who lived in their communities."¹⁰³

¹⁰⁰ Interview with Joyce Gill-Campbell, August 12, 2012

¹⁰¹ Interview with Priscilla Gonzalez, August 3, 2012.

¹⁰² Interview with Priscilla Gonzalez, August 3, 2012.

¹⁰³ Interview with Joyce Gill-Campbell, August 12, 2012.

DWU's success in building a domestic workers community and solidarity between partnering organizations is made possible by members' leadership roles within the organization, their ability to facilitate alliance relationships, and through community outreach.

4.2 Domestic Workers' Bill of Rights Campaign

The New York State DWBR campaign conveys a compelling story of an immigrant labor movement and how an urban community non-profit helped propel campaigns for fair labor standards movements in other states and workforces. Many DWU members that I interviewed felt like their work as domestics was not being acknowledged. In an interview with Deloris Wright, a member of DWU's Board of Directors, said, "Domestic workers take care of the most intimate things in a person's life. We wash clothes, bathe children and adults, we prepare food, and take care of children and the elderly. At any time we can be malicious and do a lot of bad things, but we don't. We take pride in our jobs and we complete all of these tasks with love."¹⁰⁴ Deloris' sentiments of completing intimate jobs in a nurturing manner reveal some of the complexities within domestic work. Though domestic workers are paid to perform household tasks, traditionally domestic work was unpaid and completed by women within the family. In the late twentieth century, as sociologist Arlie Hochschild argues, there has been a "commercialization of intimate life" in which more and more interpersonal activity that was formerly strictly confined by family members has been

¹⁰⁴ Interview with Deloris Wright, February 16, 2012.

included into the global capitalist economy.¹⁰⁵ More women are entering labor markets and leaving their traditional jobs at home to be completed by hired help. However, once domestic workers are placed in the home, basic protections that the employers have themselves are avoided. Domestic workers are not allowed to take breaks, and often have to work with hazardous materials and conditions.¹⁰⁶

Throughout its six-year campaign, DWU has fought for domestic workers to be included in basic labor law protections. By partnering with Adhikaar for Human Rights, Unity Housecleaners, Damayan Migrant Workers Association, Haitian Women for Haitian Refugees, and Andolan Organizing South Asian Workers, to form the New York Domestic Workers Justice Coalition, DWU petitioned for the first legislation of its kind, the Domestic Workers' Bill of Rights. By forming New York Domestic Workers Justice Coalition, DWU sought to collaborate, share resources, and to be more effective collectively than they would be as separate organizations. Joyce stated that, "Building these partnerships not only strengthened our power [in the campaign for the DWBR] but showed us [DWU] there were other organizations invested in our mission and work." Creating these kinds of coalitions, where several organizations come together, demonstrates a significant solidarity among them to DWU's cause. Sociologist Jeffrey Leiter states, "[establishing coalitions] means focusing on ways in which the fates of the

¹⁰⁵ Hochschild, Arlie. (2003). *The Managed Heart: Commercialization of Human Feeling*. Los Angeles: University of California Press, p. 136.

¹⁰⁶ *Home Economics: The Invisible and Unregulated World of Domestic Work*, p. 41.

coalition partners are bound up together. It means developing a coalition identity that does not give way to individual identities.”¹⁰⁷

The beginning of the DWBR campaign sprang from the coalition of these organizations. However, before major campaigning began, DWU and New York Domestic Workers Justice Coalition found success in advocating and supporting their members who filed back wage claims against their employers. DWU was successful because they partnered with the City University of New York Immigration and Refugee Rights Clinic. Together with DWU, they recovered over \$450,000 in wages that had remained unpaid by employers.¹⁰⁸

Though the organization was successful with winning back wages for members, DWU realized the organization was not effectively using its resources to reach out to the large domestic workers population of 200,000 workers in the city. DWU and its partners sought to include the larger domestic worker community by petitioning New York City officials to require all domestic work agencies to educate both employers and domestic workers about fair labor rights. This petition was an attempt to see how effective DWU and its partners were and if they could win local legislative protections for domestic workers. Their efforts were fruitful and in 2003 the New York City Council passed Local

¹⁰⁷ Leiter, Jeffrey. (2006). “Nonprofit Coalitions, Part 1.” *Philanthropy Journal* Institute for Nonprofits at N.C. State University. Accessed April 11, 2013. <<<http://www.philanthropyjournal.org/archive/99923> >>

¹⁰⁸ Poo, Ai-jen. (2010). “Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights.” Domestic Workers United. Center for the Education of Women, University of Michigan. Report, 4. Accessed April 11, 2013. <http://www.cew.umich.edu/sites/default/files/Organizingwithlove--FullReport-Cover.pdf>

Law 33 and Resolution 135.¹⁰⁹ The law requires employment agencies to inform domestic workers of their legal rights and families that hire domestic workers through agencies to sign a statement acknowledging the employee's rights.¹¹⁰ In commenting on the success of the agency bill, Joyce said, "The organization was busting out of its seams. We had so many [domestic] workers looking to sign up for membership, and the morale of the organization was high. We felt unstoppable and state-wide legislation talk began."¹¹¹ The momentum Joyce describes propelled DWU to the next level in their fight for fair labor standards for domestic workers.

Within a few months of the citywide agency law signing, DWU and the New York Domestic Workers Justice Coalition began organizing for the nation's first ever-Domestic Workers' Bill of Rights. In 2003 the coalition and DWU brought members and domestic workers from all over the city together for the 'Having Your Say Convention', which laid the foundation of broader statewide campaign. A member at the time, Priscilla Gonzalez remembered attending the convention and said, "Domestic worker story after story all had the same thing in common ... everyone wanted their work to be recognized and to be able to work in a workforce that provided basic rights."¹¹² The convention laid the foundation for provisions for the first draft of the DWBR. With the help of the New York University Immigration Rights Law Clinic, DWU drafted the Bill of Rights into

¹⁰⁹ Domestic Workers United. "Our Work." Domesticworkersunited.org
Accessed February 21, 2013 <<
<http://www.domesticworkersunited.org/index.php/en/our-work> >>

¹¹⁰ Local Law 33 and Resolution 135 did not include other forms of informal work.

¹¹¹ Interview with Joyce Gill-Campbell, August 12, 2012.

¹¹² Interview with Priscilla Gonzalez, July 26, 2012.

formal legislation.¹¹³ Collectively domestic workers, DWU members, and the coalition asked for overtime pay, a minimum of one day of rest per week, health care, a living wage of \$14 an hour, notice of termination, severance pay, paid holidays, paid leave, and protection from discrimination. After DWU's member and sister organizations established their goals for the Bill of Rights, DWU took its first trip to Albany in 2004. Joyce reflects on participating and states, "We had no idea what we were in for. It was about fifteen of us who traveled. Once we got to the capital we realized we had a lot of work ahead of us."¹¹⁴ DWU realized that without the participation and support of a wide coalition of actors, legislators and aides would not see the importance of acknowledging an organization without power.

Over the next five years (2005-2009) DWU built its base with other social sectors and major labor organizations like the American Federation of Labor – Congress of Industrial Organizations (AFL-CIO) whose president, John Sweeney, publicly supported DWU's cause.¹¹⁵ I asked Joyce how DWU gained the participation of the community outside of the domestic workers. Joyce explained, "through forming the Campaign Organizing Committee, partnering with schools and churches, and collecting post cards signatures."¹¹⁶ The Campaign Organizing Committee was established in 2006, where coalition partners and supporters joined with DWU to become a part of the campaign

¹¹³ Poo, Ai-jen. 2010. "Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights," p. 6.

¹¹⁴ Interview with Joyce Gill-Campbell, August 12, 2012.

¹¹⁵ Poo, Ai-jen. 2010. "Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights, p. 8.

¹¹⁶ Interview with Joyce Gill-Campbell, August 12, 2012.

planning process. With the support from their allies, DWU had gained enough power to confront state legislators.

In 2007, DWU met with New York Speaker of Assembly Sheldon Silver, which led to the Assembly's passage of legislation that eliminated exclusions of domestic workers in the New York State labor law.¹¹⁷ Deloris spoke of the historic event and said, "The inclusion of domestic workers in New York's labor law catapulted the organization's place in the labor rights movements. We became pioneers to other excluded members of the workforce like farm workers."¹¹⁸ It took another year and half of political organizing and lobbying for a more comprehensive Bill of Rights to be supported by then Governor David Patterson. In 2009, Governor Patterson signed the Domestic Workers' Bill of Rights that included:

- The right to overtime pay at time-and-a-half after 40 hours of work in a week, or 44 hours for workers who live in their employer's home;
- A day of rest (24 hours) every seven days, or overtime pay if they agree to work on that day;
- Three paid days of rest each year after one year of work for the same employer; and
- Protection under New York State Human Rights Law, and the creation of a special cause of action for domestic workers who suffer sexual or racial harassment.¹¹⁹

Consistent throughout DWU's campaign for the DWBR was their effort, at each step, to seek partnerships with other organizations. Through each challenge DWU relied upon

¹¹⁷ Poo, Ai-jen. 2010. "Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights, p. 9.

¹¹⁸ Interview with Deloris Wright, February 16, 2012.

¹¹⁹ "Domestic Workers' Bill of Rights." *Domestic Workers' Bill of Rights*. New York State Department of Labor. Accessed April 11, 2013.
<http://www.labor.ny.gov/legal/domestic-workers-bill-of-rights.shtm>

mobilizing for legal rights and enforcement to reach out to members and to build the organization. DWU's social networking strategies allowed them to build community around their cause of fighting for labor protections in the domestic workforce. By partnering with other organizations through the New York Domestic Workers Justice Coalition, DWU's organizational models have helped other immigrant labor movements. As seen in Los Angeles Taxi Workers' Alliance, social networks played a significant role in organizing taxi drivers. In LATWA's campaign to improve working conditions, gain control over their jobs, and earn respect for Los Angeles taxi drivers, LATWA partnered with the South Asian Network and lawyers with community-based and labor backgrounds.¹²⁰ LATWA fought with the Los Angeles City Council to overturn the Rouse family's incorrect classification of taxi drivers as independent contractors, which prevented them from joining a union and also put workers out of reach of wage and hour protection laws, and receive worker compensation benefits.

Both DWU and LATWA's members are predominately made up of immigrant workers who used their power in organizing to bring change to their respective industries. Similarly to DWU, LATWA used pressure tactics to campaign for fair labor standards. DWU's campaigning techniques continue to serve as a model for organizing urban communities around low-wage workers.

¹²⁰ South Asian Network is a community-based organization dedicated to advancing the health, empowerment and solidarity of persons of South Asian origin in Southern California. South Asian Network. *Mission and Vision*. Accessed 15 July 2013. <<<http://southasiannetwork.org/about/mission-vision/>>>The attorneys are employed by the Legal Aid Foundation of Los Angeles (LAFLA), who participated in a manner permitted by the federal Legal Services Corporation. In their LAFLA capacity, with funds from the Interest on Lawyer Trust Accounts (IOLTA), they assisted in analyses and documentation about the taxi industry as well as representing individual workers facing discriminatory actions.

Chapter 5: Organizing Models – Coalition Partnerships

5.1 Organizing Models and Strategies of Domestic Workers United

DWU's success in the Domestic Workers Bill of Rights campaign is attributed to their strong networks. These connections included domestic workers, unions of other workers, and employers, but their participation was not immediately obvious. DWU's strategic approach includes reaching domestic workers whose immigrant status, inferiority in the workplace, and economic stance in the community makes them seemingly difficult to recruit. Reaching out to other vulnerable workforces, like New York City's doormen, may have appeared counterintuitive because those workers already had the ability to bargain collectively through their union officials. Influencing domestic work employers who saw their homes as private domains seemed impossible to some. However, DWU created partnerships with such groups who saw the need for domestic workers' labor rights. These partnerships were important in organizing urban communities in New York City because they were able to expand DWU's base and build the organization's power in advocating for domestic workers' labor rights.

Building solidarity among these communities was key to increasing DWU's power in their fight for domestic workers' justice. Through interviews with DWU's organizing staff and members I learned how DWU became effective in creating partnerships with unlikely groups. I analyzed the partnerships with these groups and discovered DWU's organizing models and strategies during their campaign for DWBR. Through my analysis, I shed light on how DWU's organizational techniques in recruiting domestic workers, coalition-building efforts, and DWU's alliances between government and domestic workers helped expand DWU's base.

Recruiting Domestic Workers

Before interning with DWU I incorrectly assumed that domestic workers in New York City were enthusiastic to join an organization that understood the injustices inflicted on them and wanted to advocate on their behalf. I also assumed it would be easy to recruit domestic workers into DWU since originally the organization had worked as a legal mediator for domestic workers who were owed back wages.¹²¹ However, speaking with Brontie Scott, who served on DWU's base-building committee during the DWBR campaign, I learned the organization faced many challenges.

When I inquired why domestic workers hesitated to join DWU, Brontie said, "Workers, some are here [in the United States] illegally, were afraid of being deported, and those who were here legally were scared of losing their jobs. A lot of workers believed if their employers found out they joined a labor rights organization their

¹²¹ Poo, Ai-jen. *Organizing with Love*, p. 6.

employer would retaliate against them.”¹²² Brontie also mentioned that many of DWU’s members, before understanding what the organization does, felt that its public presence in the community would put them in sight of unwanted attention by immigration authorities. Many domestic workers believed DWU would put members in positions where the organization could not extend their power in helping them. Brontie’s suspicions were not misplaced; trust is an ongoing theme in vulnerable communities. Minorities’ distrust in authoritative figures (in the analogy DWU is seen as a power figure) goes as far back to the Jim Crow era, the Tuskegee Syphilis Experiment, Emmett Till, Rubin Carter, and the countless other innocent minority victims that were killed, framed for crimes, and put through unjust trials with coerced or fabricated eyewitnesses. It has remained salient in recent cases such as the trial in the death of Trayvon Martin.¹²³ Minorities today are confronted with a system that has worked unevenly against them and often fails to protect their rights. In all of my interviews with DWU’s members, participants spoke on their hesitations with joining DWU. It is important to note that DWU has helped wrongfully terminated domestic workers, however their authority is unable to influence immigration agencies.¹²⁴

Brontie’s recollection on the difficulties DWU faced in recruiting domestic workers also includes the time commitment DWU asked of their members for the purposes of protesting, lobbying to the State Assembly, handing out flyers, and recruiting

¹²² Interview with Brontie Scott, March 9, 2013.

¹²³ The Editorial Board, USA Today. 2013 “Trayvon Martin’s Story Lost: Our View. Accessed August 7, 2013. <<
<http://www.usatoday.com/story/opinion/editorials/2013/07/13/trayvon-martin-george-zimmerman-verdict-editorials-debates/2515089/>>>

¹²⁴ Particularly since immigration agencies operate at the federal level, not at the state, city or community level.

other members. Most of the members who held key roles in organizing members during the DWBR campaign were either part-time domestic workers or unemployed. Brontie said she understood the time commitment involved with being a member was an issue for most workers and that DWU found creative ways to persuade domestic workers into becoming members and lending their time.

DWU offers programs that are designed to attract new members and coach domestic workers in domestic job-searching skills. One of the programs DWU established during the DWBR campaign was the Nanny Training Course, a collaboration with Cornell University's Industrial and Labor Relations School. The Nanny Training Course coached members and nonmembers in CPR and First Aid skills, child psychology, pediatric care, and workplace injury prevention. The course provided important skills to build participant confidence on the job. A 2004 graduate of the Nanny Training Course, Audrey Williams, found confidence with the skills she learned. Audrey said, "I was a new domestic worker, and I didn't know the proper way to administer CPR. After graduating from the Nanny Training Course I was able to show my CPR certificate to my employers. I realized what I put into my work was what I'll get back. Presenting that certificate with Cornell's name on it made me feel like I shouldn't settle for just anything. I care about my job and so should my employers."¹²⁵

In addition to the Nanny Training Course, DWU began a weekend-long Household Management Course. The Household Management Course teaches practical skills needed to find and retain viable employment. The course aims to increase workers' ability to earn higher wages and covers important topics such as successful negotiation

¹²⁵ Interview with Audrey Williams, February 23, 2013.

and effective job interviewing techniques. A participant of a 2006 course, Maria Rosario, told me that after fourteen years of working as a domestic worker she learned how to use her skills to negotiate with her employer for a better work agreement. Maria said, “For the first time since I began working as a domestic worker I felt confident telling my employer what tasks I was comfortable with doing and I even got my boss to sign off on what we agreed.”¹²⁶

The launch of both the Nanny Training Course and the Household Management Course led to an increase in membership for DWU. Ai-jen Poo, then the Executive Director of DWU said, “The organization jumped from 500 to 1,000 members in such a short time. We realized in order to effectively gain the trust of domestic workers, DWU had to offer an incentive to joining. The incentive was not solely based on rights workers would gain from the DWBR but tangible skills they can use in their everyday lives.”¹²⁷ Brontie recalls the earlier days of membership recruiting and said, “We advertised our courses in areas domestic workers frequented the most. DWU had volunteers handing out flyers in popular train stations in Brooklyn, and parks all over the city.”¹²⁸ Using popular sites throughout New York City to reach domestic workers, DWU found ways the urban environment could help with organizing the community and domestic workers.

As an urban environment, New York City offers a platform for DWU’s community organizing volunteers to use to reach their target members. For example, the City’s accessible transportation system is used both by domestic workers and DWU’s

¹²⁶ Interview with Mario Rosario, March 18, 2013.

¹²⁷ *Organizing with Love*, 10.

¹²⁸ Interview with Brontie Scott, March 9, 2013.

organizers. DWU's ability to use train stations and parks to recruit members to their organization is both resourceful and effective. The organization understands that to reach domestic workers, DWU needs to meet workers in the places they frequent most. DWU was able to unite workers from varying backgrounds in ways that was unprecedented for other workers' rights organizations.

5.2 Solidarity Between International Unions

Partnering with other workers like New York City's doormen was not as difficult as recruiting members to the organization. The relationships between domestic workers and doormen are quite unique: doormen are often employed by many of the buildings in which domestic workers are employed. In speaking about her relationship with the doorman who worked in her employer's apartment building, Brontie told me, "Alex always looked out for me. He would greet me in the morning and whenever I had extra money to take a taxi back to Brooklyn when I got off of work late, Alex would help me find a taxi." Many of the city's doormen belonged to the Service Employees International Union (SEIU) Local 32BJ, and because of the union's political influence with elected officials throughout New York, DWU sought an alliance with the SEIU. In *Organizing with Love*, Poo asserts, "because the Local's members are often the friends, confidants, even husbands, of the domestic workers who work in the apartment buildings... they have consistently endorsed our campaigns and used their leverage with elected officials to support the Bill of Rights."¹²⁹ Priscilla Gonzalez, member during the

¹²⁹ Poo, *Organizing with Love*, p. 17.

DWBR campaign and DWU's previous executive director said, "SEIU Local 32BJ served as a vital partner for the organization. The union provided space for our meetings, members and staff that spoke out on the organization's behalf at Albany, and publicly endorsed our campaign."¹³⁰

In addition to SEIU, DWU found solidarity with the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Then-President of the AFL-CIO John Sweeney supported New York's domestic workers by meeting with legislators to advocate for the Bill of Rights.¹³¹ Deloris Wright, a member with DWU since 2003, told me, "President Sweeney had a special connection with domestic workers. His mother worked as a domestic worker when he was young. So he understood our struggle. He stood up for his mother and for domestic workers not only in the city but nationally. He rallied with us and advocated for the passing of the DWBR."

Instead of seeing DWU as a liability against their hard fought campaign for service workers in New York City, SEIU Local 32BJ saw the DWBR campaign struggles as their own. The international union used its influence with its members and politicians to build DWU's base and help organize communities outside of DWU's reach. President Sweeney also saw partnering with DWU as an opportunity to not only support domestic workers but to redefine the AFL-CIO as a labor movement for the 21st century.¹³²

¹³⁰ Interview with Brontie Scott, March 19, 2013.

¹³¹ Poo, *Organizing with Love*, p. 14.

¹³² Poo, *Organizing with Love*, 14.

5.3 Employers Who Care

The unusual alliance with some domestic work employers played another significant role in expanding DWU's base and organizing communities around the DWBR campaign. Among their major partners was Jews for Racial and Economic Justice. JFREJ, founded in 1990, is a member-based liberal non-profit organization addressing racial and ethnic tension and economic disparity within New York City. Through my interviews with Rachel McCullough and Deloris Wright, I discovered that there existed several employers who choose fairness over their own self-interest.

Many of JFREJ members were former or current employers of domestic workers. Some of these employers shared DWU's sentiments on fair labor rights for all workers. Rachel McCullough, JFREJ's community organizer, said, "Employers and workers found common ground and [were] able to work together in the campaign for the DWBR."¹³³ With the help from Rachel, JFREJ and DWU established Shalom Bayit, a campaign that brought progressive employers together to promote domestic workers' rights. The partnership between JFREJ and DWU also birthed the Employers for Justice Network. Rachel informed me, "The Employers for Justice Network is a group of present and former employers of part-time and full-time domestic workers who made concrete improvements in their employment practices."¹³⁴ When I asked what kinds of improvements the Employers for Justice Network made for domestic workers, Deloris said, "Employers in Park Slope [Brooklyn] began to recognize the value of domestic work. The employers held meetings in their homes to hear what we [domestic workers]

¹³³ Interview with Rachel McCoullough, April 22, 2013.

¹³⁴ Ibid.

were campaigning for in the Bill of Rights. DWU members shared their stories and worked with employers. Our conversations led to an agreement between employers and domestic workers which we called a Code of Care.”¹³⁵ The Park Slope’s Code of Care extended the basic rights DWU campaigned for in the DWBR but also established clear work terms for workers. In addition to Shalom Bayit’s Code of Care, the Employers for Justice Network helped initiate the Hand in Hand: The Domestic Workers Association, which is a national organization of domestic work employer networks that collectively recognize that respectful and dignified working conditions benefit workers and employer alike.

The coalition between DWU, JFREJ and its offspring networks broadens DWU’s base by bringing together socially conscious employers to work for fair labor standards for their domestic workers they employed. JFREJ took leadership within its own organization to help organize employers, who DWU then used to advocate from within their coalition. These employers want domestic work to be recognized as well. JFREJ members wanted the domestic workers who cared for their homes and families to be able to live and provide for their own families with their wages and shared all of the same demands DWU fought for. With their advocacy, Shalom Bayit and the Employers for Justice Network established community-based standards for domestic workers.

DWU’s organizational strategies found ways to reach domestic workers who were afraid of joining the organization by providing worker self-improvement courses. This led both to consciousness-raising and an increase in membership. Additionally DWU’s strategic positioning with unions and employers allowed their base to expand to

¹³⁵ Interview with Deloris Wright, February 20, 2013.

communities that seemed far-fetched to the domestic workers' labor rights movement. DWU was able to unite different communities' concerns under the umbrella of the campaign for the DWBR campaign and to use their collective concerns as leverage. Partnering with these groups was the foundation for their success in the DWBR becoming law in New York State.

Chapter 6: Implementing the Domestic Workers' Bill of Rights

On August 31, 2010, New York Governor David Paterson signed the Domestic Workers' Bill of Rights, which provides essential rights for domestic workers. Months later in November 2010, 200,000 domestic workers in New York witnessed a hard fought DWBR campaign come to a successful end with the official induction of the DWBR into state law. Through strategic partnerships, DWU and its affiliates organized their members and became powerful actors in their communities. However, with the DWBR in place, many domestic workers in New York were still not involved in employment agreements that abided by the DWBR law.

In 2011 the parent group Park Slope Parents (PSP) created the Nanny Compensation Survey, surveying 1,000 parents who employed nannies. Seventy-two percent of participants were members of PSP and other online groups as well as other

parents who had been forwarded the survey.¹³⁶ PSP found that 15 percent of nannies employed in Park Slope did not receive proper overtime pay, as the DWBR requires. In implementing the DWBR, Keith Wright, New York Assemblyman (D-Harlem) and sponsor of the bill told *The New York Times* that, “It comes down to marketing... maybe we should put a Domestic Workers’ Bill of Rights on each and every refrigerator door just to let people know.”¹³⁷

DWU and its partners realized their success in the DWBR campaign had larger implications on the City’s domestic workforce. Enforcing the DWBR would take a collective effort of the community. Political scientist Immanuel Ness writes, “To understand the labor movement today, [organizations] must understand the characteristics and conditions of immigrants in their workplaces and in their communities.”¹³⁸ In light of DWU’s impending challenges, the organization needed to find ways to confront the informalities of domestic work.

This chapter examines how DWU and the community helped enforcement efforts surrounding the DWBR. I look specifically at how DWU and its partners interact with domestic workers’ communities and how they build awareness around the DWBR. DWU used its position in the community to inform domestic employers and workers on fair labor standards. In this section I explain DWU’s involvement in monitoring and enforcing the DWBR laws. I also go beyond research that studies how non-profits

¹³⁶ Park Slope Parents. *Nanny Compensation Survey 2011*. Accessed April 29, 2013 << <http://www.parkslopeparents.com/docs/NannySurvey2011.FINAL.pdf>>>

¹³⁷ Semple, Kirk. (2011). "A Boon for Nannies, If Only They Knew." *The New York Times*. The New York Times, 15 Apr. Accessed April 16, 2013 <<<http://www.nytimes.com/2011/04/15/nyregion/few-domestic-workers-know-about-law-protecting-them.html? r=0>>>

¹³⁸ Ness, *Immigrants, Unions, and the New U.S. Labor Market*, p. 12.

campaign in immigrant labor rights movements by investigating non-profits achieve accountability in enforcing recently passed laws.

Community Activism

Although DWU organizers were successful in the DWBR campaign, the structure of the domestic labor market is still largely informal. One of the original drafts of the DWBR asked legislators for collective bargaining rights. To collectively bargain as a workforce, domestic workers aimed to unionize to establish a floor of basic labor rights. Through compromise with state politicians, the DWBR language adopted a basic approach to labor standards that did not include the right to collectively bargain. Though unionization is an ideal remedy for structural issues within the domestic workforce, DWU and its partners have found alternative measures within the community to implement the DWBR. DWU has used organizing experiments with different kinds of structures and strategies to try to approximate collective bargaining and enforcement of workers' rights.

Through DWU's success in organizing New York's domestic workers and partnering with groups to build their base, DWU used community-based networks to organize enforcement efforts around the DWBR. Traditional collective bargaining has been recognized under federal law in the United States since the 1930s. For over seventy years, workers in the private sectors have been able to collectively bargain for work standards and win contractual protections. With the exclusion of domestic workers from collective bargaining rights, DWU sought to organize neighborhoods around community-based standards in Park Slope and the Upper West Side neighborhoods.

Non-traditional approaches to collective bargaining have been successful with taxi drivers, especially in Los Angeles. In 2011 the Los Angeles Taxi Workers Alliance (LATWA) became the first nontraditional labor group to join the AFL-CIO as an affiliate since the 1960s, when the United Farm Workers were admitted to the labor union federation.¹³⁹ Joining the AFL-CIO, LATWA gained a wider support system with unions and labor lobbyist backing. Similarly, domestic workers and employers found support through shared values with their employers on paid holidays, family life, and among others, which helped bring parties to the table and create neighborhood-based standards that also extended basic labor rights provided in the DWBR. DWU's organizing around the community focused on bringing groups of employers and workers into dialogues not only to build relationships and community but to set community standards for quality jobs and care.

By establishing community-based agreements between domestic workers and employers in Park Slope and the Upper West Side, domestic workers were able to have clear and enforceable standards in the communities they worked. As domestic workers continue to fight for fair labor standards, non-traditional collective bargaining methods in communities are being used to gain control over domestic work practices and to create professional domestic work environments.

Legal Action: New York State Department of Labor

¹³⁹ Elk, Mike. "Can Nontraditional Labor Orgs Really Represent Workers." *In These Times*. October 2011. Accessed 29 July 2013.

<<<http://inthesetimes.com/working/entry/12174/can-non-traditional-organizing-really-represent-workers/>>>

According to Nicole Hallett, staff attorney at Urban Justice Center, “A new law does not mean anything if no one complies with it.” To know what is required under the DWBR, Nicole goes on to say, “Compliance comes from dialogues created between domestic workers and employers.”¹⁴⁰ However, outside of communities like Park Slope and the Upper West Side, dialogues between domestic workers and employers have only slowly, if not rarely, taken place. The DWBR law has brought to light the challenges of enforcing domestic worker protections.

Homes are not factories through which an inspector can easily walk in order to ensure standards are being kept, and even with protections in place domestic workers may choose not to raise their voices for fear of losing their jobs. Journalist Sharon Lerner points out in *The Nation* that, two years after the DWBR passed, only five complaints filed by domestic workers under the New York statute had been brought to resolution.¹⁴¹ While laws may not be sufficient on their own – laws never mean much without the advocates who ensure their enforcement – they are a necessary step in improving the labor conditions of domestic workers. One New York domestic worker who filed a complaint with the DOL did receive a \$100,000 award in back-wages and penalties.¹⁴² However, not all domestic worker claims reach the DOL. The Urban Justice Center and

¹⁴⁰ Interview with Nicole Hallett, April 23, 2013.

¹⁴¹ Lerner, Sharon. “Uphill Battle to Enforce Domestic Worker’s Rights.” << <http://www.thenation.com/article/168353/uphill-battle-enforce-domestic-workers-rights#axzz2aSpCPUA3>>>

¹⁴² Rodriguez, Cindy. “Law Giving Domestic Workers More Right Slow to Take Hold.” WNYC, New York City. June 4, 2012. Radio. Transcript. << http://www.urbanjustice.org/pdf/press/wnyc_04jun12.pdf>>

DWU have used preventive means to avoid litigation at the DOL level by providing mediation and educational assistance for domestic workers claims.

In addition to winning back wage claims for domestic workers, DWU partnered with the DOL to initiate outreach methods of disseminating information to domestic workers and employers. The DOL anticipated their efforts in communicating with domestic workers and employers would enforce the DWBR.¹⁴³ Methods employed by the DOL went beyond traditional ways of reaching workers and employers. The DOL provided written materials describing key facts and workers and employers need to know in English, Spanish, Chinese, and Tagalog. Also, DWU partnered with consultants including employment agencies, and advocacy groups like DWU, to publicize at churches, schools, doctors' offices, newspapers, and elected officials' offices.

Educating both employees and employers on workers' rights through community activism and the Department of Labor's community outreach efforts provided implementation strategies for the DWBR. Through partnering with the Urban Justice Center, DWU used legal action to try to protect workers' rights. DWU's attempt to ensure domestic workers receive fair labor rights is a positive step forward in resolving some of the domestic workforce issues. Additionally, using non-traditional collective bargaining methods through community-based agreements demonstrated that employers were receptive to the DWBR and even extended the original terms that it provided.

¹⁴³ New York State Department of Labor. (2010) Report on Outreach Efforts for Domestic Workers Legislation. Accessed on April 16, 2012. <<<http://www.labor.ny.gov/legal/laws/pdf/domestic-workers/report-to-governor-outreach.pdf>>>

Chapter 7: Conclusion

What comes to mind when you think of domestic workers? Informal work? Family? Work life balance? How can we make sure those that take care of our homes and families are themselves being taken care of, that they are being paid a livable wage and have benefits to provide for their loved ones? How can labor organizers and workers overcome the obstacles of informalities of the domestic work industry? What is going to keep employers from violating the Domestic Workers' Bill of Rights? The barriers to organizing New York City's domestic workers are plenty and not limited to public awareness, enforcement, and major legislative changes to exclusionary laws. Overcoming these barriers can be achieved through coalition partnerships between multiethnic community-based organizations, legislators, and unions. Through Domestic Workers

United's campaign for the New York DWBR we saw many of the above-mentioned barriers successfully tackled and challenged.

In 2011, New York State passed the nation's very first Domestic Workers' Bill of Rights. This legislation was targeted at improving working conditions for domestic workers; the bill was a commitment to domestic workers, their families, and future workers in the industry. Domestic Workers United campaigned and partnered with community-based organizations to bring awareness to domestic workers plight and created a fair playing ground for domestic worker activists to discuss labor legislative changes.

The discussion of these changes was a powerful indicator that not only was New York ready to consider informal markets in regards to labor laws but that the nation would be willing to join in on the discussion. As we saw in Chapter 1, the importance of domestic workers in a city such as New York is vital to an economy where the density of high income professionals are great and the likelihood of working-age individuals staying at home may be low. The labor of New York City's domestic workers keeps professionals from taking time away from their jobs and, as such, gives domestic work employers the opportunity to participate in New York's global economy.

New York's place in the world economy has led to high levels of immigration of domestic workers. In a globalized society, female migration for domestic work is facilitated by the existence of a supply of immigrants from poorer countries who are willing to work abroad for higher salaries (often at a median hourly wage of \$10 per hour), than they would get in their home countries, in a profession that is considered

gender-appropriate.¹⁴⁴ As seen in Chapter 2, domestic workers' transnationalism also contributes to economies both in New York and their home countries by providing their families in both locations with financial assistance with schooling, housing and medical expenses. Domestic workers' contributions are countless, however the industry is one of the largest unregulated sectors.

Labor organizers face challenges to mobilizing domestic workers due to legal obstacles. Among these are domestic workers uncertain citizenship status and their exclusion from protective labor laws. Federal focus on labor and immigrant rights has been important, but we should take note of recent efforts that have directly impacted New York City domestic workers. However, in spite of some workers (lack of) immigration status DWU created coalitions with community-based organizations, unions, and government agencies to solve challenges. Through public awareness via flyers, rallies and meetings DWU educated domestic workers about labor rights and standards that workers should know regardless of their legal or illegal status.

Families and the domestic workers they employ create interdependent, symbiotic relationships. Such relationships can last a lifetime, as domestic workers provide dignified and respectable care for the elderly in their homes. In order for this to be a positive relationship for both sides, basic labor rights must be provided to domestic workers. As we saw in Chapter 4 and 5, DWU was successful in its six-year campaign for the DWBR due to their partnerships with different organizations, which served a key role in connecting various organizations and their members to DWU's cause.

¹⁴⁴ *Home is Where the Work Is*, p. 19

Community organizing although difficult is essential to non-profits. Non-profits rely on communities to build relationships and mobilize people around a cause. This is especially true in urban communities; DWU strategically organized domestic worker employers in their own neighborhoods in Brooklyn and the Upper West Side to advocate for fair labor standards. Through my case study, I have been able to shed light on non-profit members' experiences in community outreach efforts, organizational strategies of mobilizing immigrant workers, and ways of building power through partnerships from various groups. My research reveals that domestic worker advocates discovered innovative ways to organize support and to implement labor law reforms. As seen in Chapter 6, through alternative methods DWU extended upon DWBR rights to create neighborhood-based standards for workers. These innovations ultimately influenced domestic workers and employers alike bring their fight for fair working conditions nationally with their establishment of the National Domestic Workers Alliance.

I chose to study New York's domestic workers because of its historical significance and relevance to contemporary issues on non-profits and urban community organizing. While there are domestic workers' rights campaigns being waged all across the nation, New York's DWBR serves as a symbol of hope amidst the local and national debate over immigration and labor organizing.

My research assists in capturing the experiences of domestic workers' rights advocates in the area of coalitions in New York's urban communities. By shedding light on this important issue, I hope immigrant labor movements can incorporate some of DWU's organizational methods to build power in their fight.

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Appendix

The structure of this interview will be semi-formal, meaning we should stick to the topics, but that conversation should flow naturally. Please feel free to extrapolate on any of the themes being investigated with personal anecdotes or general impressions.

Questions for Head Staff Members of DWU

1. Please state your role and title at DWU?
2. What are your daily tasks?
3. What made you get involved in the work of DWU?
4. What is the mission of DWU?
5. How long have you been working in your position?
6. How many staff members report to you?
7. How many staff volunteers in community outreach efforts?
8. At any point in your life, did you ever do domestic work?
9. Please describe your duties as a domestic worker?
10. How did your employers treat you?
11. How did you find out about DWU?
12. What is the demographic of the population DWU serves? (For example, age, gender, ethnicity, immigrant status)
13. Who is responsible for implementing DWBR?
14. What strategies are being used to increase the knowledge about DWBR?
15. What are the relationships like with participating government agencies, other non-profit partners or private funders?
16. What challenges does DWU face in outreach efforts?
17. How does DWU overcome these challenges?
18. What improvements would you like to see within DWU, outreach efforts, partnering groups and affiliated government officials/departments?
19. How would those in need of DWU's help obtain legal or other types of help?
20. How many current cases is DWU involved with?
21. Does DWU receive any kinds of assistance from government agencies, participating partners or private funders?

Questions for DWU's Members

1. What is your role in DWU?
2. What kinds of outreach programs do you participate with?
3. How long have you been a member with DWU?
4. How did you hear about DWU?
5. How long have you worked as a domestic worker?
6. What challenges have you faced in your line of work?
7. Do you frequently speak with other members of DWU?
8. Do you meet up with other domestic workers before, during or after work?
9. Do you know other domestic workers who can use the services of DWU?
10. What strategies would you like DWU to implement to achieve their outreach efforts to domestic workers who don't know about DWBR?
11. What is your citizenship status?

Questions for Volunteers

1. What are your responsibilities at DWU?
2. Who do you report to?
3. How many other volunteers/staff members' work along with you?
4. How many times a week do you volunteer your services?
5. How long have you been volunteering with DWU?
6. What challenges do you face fulfilling these tasks?
7. What kinds of outreach efforts to the community does DWU implement?
8. How often do you participate in outreach efforts?
9. What kinds of improvements would you like to see within DWU and their strategies of outreach?

Abstract

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New York Domestic Workers: Nonprofits, Urban Community Organizing and the Implementation of the Domestic Workers' Bill of Rights

Thesis directed by Chris Rhomberg, Ph.D.

The focus of this thesis is on domestic workers who reside in New York City, including both immigrants and non-immigrants. Nevertheless, a large part of this study involves research on immigrant workers and the challenges they face in trying to organize domestic workers and labor groups. Immigrant workers merit special investigation because New York's domestic workforce is significantly comprised of these laborers and quite often their illegal status prevents public displays of activism, which in turn inhibits any kind of reform.

By using Domestic Workers United (DWU) as a case study to understand how non-profits organize urban communities around workers' rights, this research shows the challenges faced by the immigrant labor rights movements. When vulnerable urban communities are subjected to unfair practices by government agencies and domestic employers, non-profit organizations can act as a moderator and catalyst for social change. To understand how these social changes occur, this study investigates how DWU successfully campaigned for New York's Domestic Workers' Bill of Rights (DWBR) despite legal provisions denying domestic workers fair labor protections. In addition to investigating DWU's campaign I also explore how DWU implemented the DWBR. This case study will: facilitate a better understanding of the relationships between (a) non-

profits and their members' needs, and (b) government agencies and methods used for building an effective intersection between non-profits and domestic workers.

Vita

Jahmila Tahirah Vincent, daughter of Kenneth and Minerva Vincent, was born on December 30, 1986, in Brooklyn, New York. After graduating in 2004 from *Sheepshead Bay High School* in Brooklyn, New York, she entered *Morgan State University* in Baltimore, Maryland. In 2007 she graduated cum laude, receiving the Bachelor of Arts degree in Political Science. Jahmila then became one of the first cohorts of the William S. Fulbright English Teaching Assistantship Fellowship to Vietnam in 2008. In 2011, Jahmila entered Fordham's *Graduate School of Arts and Sciences* in the Urban Studies Program. While working toward her Master's degree, Jahmila worked as a domestic worker and during her second year she worked as a graduate assistant for the Urban Studies Program and served as an intern for Domestic Workers United.

Jahmila is passionate about social justice in urban communities and hopes to one day be a catalyst of positive change in communities across the Mid-Atlantic. She is a proud descendant of the beautiful islands of Trinidad and Tobago and visits often to spend time with her grandmother Veronica Vincent.