

THE BARNARD CENTER FOR RESEARCH ON WOMEN

DOMESTIC WORKERS UNITED

PANEL DISCUSSION

JUNE 15, 2009

Linda Abad: Greetings, fellow domestic workers and allies. After the Workers Political Education and Skills Training in day one of the Northeast Domestic Workers Congress, tonight we welcome you to a short program about Women and Work: Building Solidarity With America's Domestic Workers.

Domestic work is the work that makes all other work possible. Taking care of the children, taking care of the elderly, cleaning the home, cooking the food. These are all fundamental to human and society's survival. Without doing this work, nobody can go out to the public sphere and seek jobs.

But this is the work that is not valued in our society. And it is assumed to be women's work. This work is important - while many jobs in the U.S. have already been outsourced, domestic work has stayed in the country, and is still growing.

So we have seen the video [Women and Work] and we can say that, after the important advances of the feminist movement, many women were able to be liberated from the private sphere,

and go out in the public to find jobs. And yet these women still faced inequality and discrimination in the workplace.

But while these women achieved some levels of success, who continues to do the necessary work of the home? It used to be the black American women who did that. But since the '80s and up to the present, the U.S. is importing women from the Third World.

Women became divided where one group, mostly white middle- and upper-class, are living off the cheap labor of another group of women. What are the conditions of these Third World women workers? For two hours, our panel of domestic workers and organizers will walk you through the plight and struggle of this work force, by sharing our own personal stories, workers' cases, insights and perspectives.

We will also give you an overview of the National Domestic Workers Alliance, and the campaign to win the Domestic Workers Bill of Rights. Then we will have an open forum where our panel and others can answer questions from the audience. So, allow me to introduce to you our panel.

From the left to the right: Zelem Guerrero, Board Member of DAMAYAN. Herminia, Board Member of the Women's Collective in Casa de Maryland. And Pat Francois, member of Domestic Workers United.

The biggest news in our campaign for the Bill of Rights was last Thursday, when Governor Paterson gave his first public endorsement of the Bill, promising that he would sign the Bill if it gets to him, and practically challenging the domestic workers movement to put the New York Legislature back to work, if we want to pass the Bill of Rights before the end of the session on June 23.

If passed, A01470 will be an historic landmark legislation that could protect an estimated 1.5 million domestic workers across the country. This bill will set a national precedent for labor standards for domestic workers at the state level. Mujeres Unidas y Activas and Women's Collective in California have already put together a similar bill.

It will also end 70 years of domestic workers exclusion from significant federal and state labor laws since the New Deal in 1935. So -- how do you survive as an undocumented worker who is, by law, not allowed to work? How do you stop your employer's abuses and how do you assert your rights as a worker when you are not protected because you are excluded from labor laws?

To help us answer these questions, let us welcome Zelem Guerrero.

Zelem Guerrero: Good evening. Thank you for giving me the opportunity to share my story. I am a proud Filipino immigrant

woman, domestic worker. But I didn't always feel proud. I came to the U.S. 20 years ago, on a working visa to work as a nanny.

The job paid me 150 dollars a week for 40 hours' work. Although my employers were nice to me, I knew that they took advantage of me because I was only paid \$3.75 per hour. Life became more difficult for me when my employers were reassigned to work in another country, and I was too scared to go with them to another country. So I decided to stay in the U.S.

Through an agency I found my next job in Bedford, New York. For \$300 a week, I was told I would do light housekeeping and babysit three children. However, I ended up doing heavy housekeeping in a 3-story, 15-room mansion. I started my day at 7 A.M. and finished at 8 P.M.

I worked five days a week, from Tuesday to Saturday. Working 65 hours a week, my pay was \$4.61 an hour, with no overtime pay. As months passed, my work increased -- but my pay did not. Since I was off on Mondays, I was never given paid holidays because most holidays fall on Mondays -- but my employer still refused to give me paid holiday for the Fourth of July, which did not fall on a Monday.

I was aware that, again, my employers were taking advantage of me. But at that time, I did not know where to get help. I was scared to complain because of my immigration status. One day I overheard my employer talking to her friend, that she

needed a new dog in the house because she was not happy with her dog anymore.

This statement confused me because their dog was happy and well taken-care of. Little did I know that the dog she was referring to was me, a domestic worker. A few days later, she terminated me without explanation and no severance pay. No paid vacation.

I felt devastated. I was referred to as a dog. I felt so degraded.

After this job, I got a babysitting job in the city for a family with three children. There were three of us who were full-time babysitters, but I was the only person who was live-in.

This family offered to sponsor me, and though she wanted me to pay 100 percent of the lawyers' fees and the filing fees, I was very grateful. One time the family got sick with intestinal flu, and naturally, I got sick too. She didn't want me to go home, but because I was very sick, I told her I had to go home on that Wednesday.

The following Saturday I got a call from the husband, saying that he didn't want me back anymore. They didn't give me severance pay and they did not pay the \$200 that I gave to them for my lawyers' fees. And they also did not pay me the two weeks' paid vacation that we agreed on.

And worst of all, they canceled my immigration sponsorship. Forced by the need to support my family in the Philippines, I continued working as a domestic worker. It would take five years of hard work and a little luck, for an employer to sponsor and adjust my status.

It took eight years and thousands of dollars in fees before I could be reunited with my family here in the U.S. After two decades of working as a domestic worker, I realized that the horrible conditions of this country have not really changed.

Eight-and-a-half years ago I accepted a job with a lesbian couple, taking care of their newborn baby. One employer was a lawyer; the other one was a judge. I thought they would be fair and treat me well, but I was wrong. I had to negotiate and struggle for my basic rights with them, every step of the way.

With the economic crisis, they fired me with no notice. No severance pay. We domestic workers earn our daily bread and pay our bills, doing long hours of undervalued back-breaking work. Our labor enables our employers to do other jobs as professionals and business owners in the city.

We are very important to the economy of New York. As consumers, we pay sales taxes, absorbing millions of tax liability from the business sector. We pay income taxes to the city, the state, and the federal government. For these reasons,

I think we domestic workers deserve rights and protection, not just disrespect and criminalization.

Our employers -- the U.S. government and the Philippine government -- all benefit from our labor. The U.S. government benefits when we are denied Social Security, Unemployment Insurance and health care. The U.S. government tolerates abuses through experience from bad employers; our exploitation is part of the system.

The Philippine government remains silent when we are abused, deported or denied our rights. But the Philippine government has no problem calling us national heroes when we need billions of dollars to sustain the Philippine economy. During this time when we are made scared and fearful, we might fight back and protect our community.

We can do this if we work together, stand together and act together. We can make a change if we educate each other. We can make a change if we organize together. We can make a change if we mobilize together. This is a time for action, not fear. Speaking out -- not silence.

We must demand justice for ourselves, for our families and for our home country. We demand justice, as women. We demand justice, as real workers. Thank you.

Linda Abad: Thank you for sharing your 20 years of experience, Zelem.

Although more visible, individual employers are not the main cause of domestic workers exploitation. In capitalist America, larger systems of class, race and gender oppression interact and strengthen each other in perpetuating the modern slavery of domestic workers, who are mostly immigrant women of color.

These oppressive systems play a big role in the exclusion of domestic and farm workers from crucial labor laws, like the National Labor Relations Act; the Federal Labor Standards Act; the Occupational Safety and Health Act; Civil Rights law; and the New York Labor Law.

Another insight that seldom is given thought, is the relationship of the sending home country, like the Philippines, and the U.S. as the receiving country. Despite its small land area, the Philippines has become a top sending country of domestic workers.

Like the U.S., it benefits from the exploited labor of Filipino domestic workers. It amazed the financial world because it appeared not to have been impacted by the global economic crisis. Not anymore. Officially, the Philippines is now in recession because of the declining remittances from its migrant workers abroad, reflecting the increased economic hardships of Filipino domestic workers in the midst of the global crisis.



We will now hear from a worker from Casa De Maryland, who will talk about human trafficking and some of their victories in Maryland. Employers who are diplomats can be more vicious because they think they can hide behind the cloak of diplomatic immunity.

So, to talk about the cases in Maryland, here's Alexis, our translator, and Herminia.

Herminia: Buenas noches. Good evening. [Translator interprets speakers comments in English.] Thank you to everyone who has come here tonight, to our colleagues and our comrades. I think, for all of us gathered here in this forum, we're going to be able to come away with a lot of ideas and a lot of new concepts.

Modern-day slavery of domestic workers is an epidemic. Domestic workers are trafficked, their labor is forced and often coerced. We see domestic workers often trafficked because of the needs that we face, which are often economic needs.

We see this often in the area where we live, in the suburbs of Washington, D.C. We see this especially in domestic workers who are brought to the United States by diplomats and employees of international organizations, like the World Bank, the IMF and the U.N.

We see, we face and we suffer on a daily basis, the problems that domestic workers are dealing with in the

Washington D.C. area. But we also have movements of great joy, moments where we can relish the help and the solidarity that we have in helping other women move on with their lives.

Casa de Maryland has given me the opportunity, as a volunteer, which I've been since I came to this country in 1999, to live and see really incredible work. And it's things that often a person wouldn't believe, if they hear about it. It's not until you see it and you live it, that you understand the importance of the work that we're doing.

When it looks like everything is hopeless and there's no way that we can find a solution, hope is reborn and we are able to see the fruit of our work, especially when it comes to our work in solidarity, the teamwork of the women at Casa de Maryland.

And how is it that we can do this? How is it that we can help a person who has lost their own sense of humanity? Who have their self-esteem dragging on the floor? At Casa, we work together; we have a legal department who supports us and help people recuperate their lives in the legal sense.

We also help people rebuild their self-esteem. We help them realize that they need to be respected and that they deserve respect. We work together with our legal department to help women recover their unpaid wages, and in Spanish we're

saying that it's wage theft because it's really robbery of their wages that these women are facing.

We help women, in certain cases, be able to, after months and sometimes years, get a work permit. And we're really proud that there's even women who after so many years have been able to get a green card.

In many of the cases, the way these women are able to arrive at some kind of help is through escaping the homes where they are being held prisoner. A lot of times they're brought here by lies or by coercion. They are alone. They have no friends. They're far from their countries, their family, their children and anyone who can support them.

And so, when these women are able to escape these houses where they have been oppressed, they learn that they can start life again. They learn that they can make these experiences their past, and that they won't allow themselves to be exploited again.

And the way that they are able to do this is through the support of Casa. We help women find emergency shelter and transitional housing, until they can find dignified work. We help women equip themselves with the tools to be able to defend themselves and their rights.

And we help women realize that they are human beings, with all the rights and dignity that come with that. And so, women

are able to recover their self-esteem. They are able to start to fight for their own rights and the rights of other women.

It's part of the work of the Committee of Women Seeking Justice, which I support unconditionally, I think, until the end of my days. And it's amazing that we are able to help women not only begin a new life, but see a new woman being born.

For us, it's especially important when, after helping someone escape from the sadness, the oppression, the loneliness. To see that person, after months of working with them, begin to smile again, begin to live again. To feel that they can move forward.

To feel that they can dream. We think many of us come to this country with a dream. But after coming here, and everything that we suffer, we often don't have that dream anymore.

And when we see those changes, and when we see a woman begin to smile again, begin to live again and begin to fight, not only for herself but for other women who are going through the same thing -- that's when we understand that "si se puede" - - yes we can!

Linda Abad: Yes, we can.

Audience Members: Yes, we can.

Linda Abad: Thank you very much, Herminia, for sharing the work of Committee of Women Seeking Justice from Casa de Maryland.

In 2007, the Department of State reported that some foreign diplomats may be abusing their domestic workers on A-3 or G-5 visas. In compliance, on July 29, 2008, the Government Accountability Office published the report about the human rights of domestic workers.

The report identified 42 domestic workers who alleged that they were abused by foreign diplomats with immunity, from 2000 to 2008. But the number is very likely higher. The report also noted three factors that severely complicate the GAO's capacity and process in investigating cases.

First is -- the diplomatic immunity.

Second is -- because of the diplomatic status of these employers, there is an increased sense of vulnerability of workers, making it more difficult for the workers to cooperate with investigation.

Third is -- the length of time it takes to obtain a legal opinion from the Department of State. If GAO can do certain investigative techniques, like searching the home of the diplomats.

In June of last year, DAMAYAN launched a campaign to support the civil case filed by a Filipino domestic worker

Marichu Baoanan, against Lauro Baja, the ex-Philippine Ambassador to the United Nations, on charges of trafficking, racketeering and modern-day slavery.

Marichu's case has validated the first finding of the GAO. The case is dragging due to the issue of diplomatic immunity. The court in New York has asked the Department of State if the former Ambassador was covered by immunity. And the State Department threw the ball back, stating that the court should make that determination.

As women domestic workers, we are especially vulnerable to verbal, emotional, physical and even sexual abuse in the privacy of our employers' homes. To speak about a case of physical abuse that New Yorkers will not even think can happen in their own city, please welcome another brave worker, a member of Domestic Workers United, who will talk about her own personal experience and give us an update on the campaign for the Domestic Bill of Rights. Pat Francois.

Pat Francois: Thank you very much, everybody. Thank you for all of your support. It is my pleasure to be here representing domestic workers, to share with you the struggles we face as domestic workers. DWU was formed to address the exploitation, the abuse and lack of fair labor standards many domestic workers face in the industry.

This is a picture of some of the abuse we suffered in the privacy of our employers' homes. [Holding up photo].

I joined Domestic Workers to help make a systematic change, so that all workers be valued and treated equally, with respect. Domestic workers are abused in the homes, especially of those who can't stand up for themselves and fight back.

We work long hours without overtime pay. Some are denied days off for a doctor's visit. There are also very extreme cases like the one in Muttontown, Long Island. There were two Indonesian domestic workers, who were not only underpaid, but physically beaten and tortured.

Employers often take advantage of domestic workers because they realize we are isolated and vulnerable. We therefore need regulations to protect domestic workers. We have many cases of documented abuse of domestic workers. One of our members was paid below minimum wage, and fired when she had to be hospitalized for an illness.

Another worker worked 18 hours a day for under \$3.00 per hour, six days a week. And she was forced to sleep in a basement where there was an overflowing sewage system.

I would like to share my testimony. I have been a domestic worker for the past 12 years. My former job lasted 6-1/2 years. During those years I suffered a lot of verbal abuse. I've been

put down and cursed at. In 6-1/2 years, I never had any overtime.

When I would ask for these things, the verbal abuse would start. But it's hard when you have bills to pay and a family depending on you. That's why I humbled myself. The little girl that I was taking care of is a wonderful little girl. She needed me as much as I needed a job.

That was another reason why I stayed. My job finally ended over 5 months ago, because I was verbally and physically abused by my former employer. He crossed the line by viciously insulting me and hitting me. I am seeking justice for what I had experienced, with the help of DWU.

Today, I am speaking out for me and other domestic workers who have been discriminated against and treated unjustly. I am the voice of 200,000 of us who give our hearts and our health to take care of New York families. We need respect. We need justice. We need a Bill of Rights now.

We come to New York seeking work to support our families. Many of us were displaced by changes in the global economy. For example, when international monetary funds caused government programs and jobs to be cut. Just like other workers, domestic workers deserve dignity and respect on their jobs.

We are now working on passing a Bill of Rights in New York, to provide basic labor rights for over 200,000 of us who are



providing care to the most precious elements of our employers' lives -- their families and homes.

The Bill of Rights include -- a living wage and basic benefits like health care, paid vacations and holidays. This bill for domestic workers is very important. The bill has set a standard guideline for both employees and employers. The bill will also give the respect and recognition to a work force that has been neglected by legislators since slavery.

I would say we really need a Bill of Rights because we make all work possible. We make other work possible for employers. If we don't go to work, they cannot go to work. Therefore, we desperately need this Bill of Rights. And thank you for giving me the opportunity to share with you the work that Domestic Workers United does -- to bring respect, justice and recognition for domestic workers everywhere!

So, I give you guys back to Linda. Thank you very much.

Linda Abad: That's our panel -- Domestic Workers United!

A crucial factor in the campaign for the Bill of Rights, and in laying the foundation for the national domestic rights movement, is the National Domestic Workers Alliance.

In the last decade, domestic workers have united and organized and have already achieved significant victories, including city and county-level legislations in New York and Maryland.

Yet, the movement's most recent significant accomplishment is the historic establishment of the National Domestic Workers Alliance in Atlanta, Georgia in June of 2007.

The NDWA is a vehicle for domestic workers to build power nationally. Its mission is to organize, to improve the living and working conditions of domestic workers, win respect and justice for employers and governments; and end exclusions of domestic workers, and win recognition and protection as a work force.

And lastly -- challenge classism, racism and patriarchy that have led to the devaluation of this labor.

That's us. The NDWA has spent its first year formalizing its national structure and strengthening the relationship among its 18 member groups located in 10 cities nationally. Last year, here at Barnard, the NDWA held its first National Domestic Workers Congress, where we elected our national coordinating committee, and where we put together a national work plan for two years.

For the year 2009/2010 the NDWA's work plan focuses on five areas. One is -- the national infrastructure development and capacity building.

Second is -- establishment of a National Domestic Workers Training Institute.

Third is -- the launch of a national research initiative on domestic work and potential national campaigns.

Fourth -- to help in building the international domestic workers movement by doing research and helping shape the process to define the ILO Convention on Domestic Work next year.

That's thinking big, right?

And lastly, here in New York, our focus is to win the Bill of rights. Yes, yes, yes!

We, the largely immigrant women domestic workers of color, have done what our African-America sisters have been trying to do since the old days of slavery. But let it be clear to all of us, that the essence of our fight for the Bill of Rights is far beyond our labor rights.

This is about the struggle of immigrant women workers in the U.S., against modern-day slavery. Against the oppressive and exploitative systems of classism, racism and patriarchy. This is about reclaiming and recognizing the value of women's work.

This is about women's emancipation and class liberation.