



Home Equity:

**Inequality and Exclusions
Facing Domestic Workers
in Seattle**





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Executive Summary

This report documents the conditions of domestic workers – nannies, house cleaners, gardeners, cash paid home care workers, and cooks - in the city of Seattle, with a focus on child care and house cleaning industries. There are over 30,000 domestic workers employed in the city of Seattle. This workforce is frequently overworked and underpaid. These workers have been largely excluded from many of the employment and labor laws. They labor alone in private homes, isolated from other workers, invisible to the public eye.¹ This makes domestic workers inherently vulnerable. Yet when workplace violations occur there are few places for them to turn to.

Domestic workers do the work that makes all other work possible. They are employers' confidantes. A nanny is entrusted with taking care of Seattle's children along with the family's personal life. A house cleaner tends to Seattle's homes – Seattle families' most personal space. Home care workers are our senior citizen's companions, providing assistance and emotional support. Despite this intimate relationship, workplace violations occur. Domestic workers shouldn't have to rely on the good will of their employer to have a living wage and receive dignified treatment.

Domestic Workers don't have protections under National Labor Relations Act and few under Fair Labor Standards Act to negotiate for better workplace conditions. This means the conventional ways of creating industry standards to guarantee basic individual and collective rights doesn't apply to this workforce. One barrier to improvements in this workforce is the lack of statistics about domestic workers, who they are and the conditions in which they work. Information about the workforce depends on research conducted by organizations that developed trust with workers and their communities.

To better understand this workforce, we surveyed 174 nannies, house cleaners, and gardeners throughout the city. Surveys were conducted in both English and Spanish. This study revealed that wages vary widely. In the absence of industry standards, worker's income varies along lines of race, education, language, and nationality. Few workers are paid enough to make ends meet, and almost none have the benefits they need to take time off when they are sick or pregnant, pay their medical bills, and plan for retirement. Wage theft and workplace abuses remain common, and there are no mechanisms for workers to address their concerns.

Domestic workers are paid low wages.


- 81% would be considered very low-income by federal Housing and Urban Development standards.
- 77% report difficulty making ends meet sometimes or most of the time, including 85% of workers of color.

Domestic workers often cannot access basic workplace protections that cover other workers.

- 53% of workers surveyed do not receive overtime pay.
- 39% do not receive paid sick days.
- 85% do not have workers' compensation in case of injury.

Many domestic workers are in informal employment relationships.

- 70% of workers surveyed work directly for private households, rather than agencies.
- 36% are paid in cash.
- 56% do not have a written contract, including 88% of workers of color.
- Workers without a contract were more likely to experience workplace violations like wage theft.



Domestic workers have few benefits.

- 54% of workers surveyed do not have health insurance, and only 6% have health insurance through their employers.
- 35% do not have paid vacation days.
- 94% do not have paid family medical leave.

In spite of these challenges, most domestic workers view their jobs as a career.

- 60% of surveyed workers have been in this industry for more than 6 years.
- 43% of respondents regularly work more than 8 hours per day, and 25% regularly work more than 40 hours per week.
- Domestic workers are as likely as workers in any other industry to be older adults and parents.

Domestic workers do not feel safe seeking recourse for work-related issues.

- 69% of workers surveyed have never raised concerns with their employers.
- Of the workers who raised concerns, 46% felt that their employers did not take their concerns seriously, and 16% faced retaliation or termination for speaking up.

Since the 2000s, there has been a resurgence of organizing among domestic workers.² Eight states have passed bills of rights: New York, Hawaii, Massachusetts, California, Connecticut, Oregon, Illinois, and Nevada.³ Nannies, house cleaners, gardeners and home care workers in Seattle are organizing for better lives for themselves and their families.

This report concludes with proposal to achieve more just working conditions, advance equity and dignity in the workforce, and promote workers' voice and decision-making power over their own lives. All domestic workers, whether employed directly by an employer or by an agency, working full time, part time, casual or live-in deserve the following basic worker protections rights as the rest of Seattle's workforce:

1. Right to Minimum Wage, Overtime and Paid Sick Leave.

Domestic workers deserve to be paid a living wage, the right to be paid for all hours they work and get paid time off if they or their family is sick. Seattle should ensure all domestic workers are covered by all employment standards, just like every other worker.

2. Right to Workers' compensation.

Domestic workers deserve the right to medical treatment for the on-the-job injuries.

3. Right to Written Agreements.

Domestic workers deserve the right to a written agreement with their employer to hold them accountable. Employers and contractors should record the terms of the employment relationship, so that workers and employers know what to expect.

4. Right to benefits.

Domestic workers deserve health care, retirement and paid days off. Seattle should create a system to implement portable benefits for workers.



5. Right to training.

Domestic workers deserve free, accessible training to improve their health and safety. The city should implement city-sponsored training and wage scales based on trainings, to create more uniform standards across the industries and promote opportunities for workers to advance.

6. Right to set legally-binding industry standards.

Domestic workers deserve the right to exercise worker power to make decisions that impact their lives. The city should create a structure that allows workers and employers to set standards that support workers' health and well-being.

7. Enforce domestic workers' rights.

Domestic workers should be able to work free of discrimination and harassment. They should have a trusted place to turn to if a workplace violation occurs. Employment laws are only as meaningful as their enforcement. Seattle should add additional funds to city departments Office of Labor Standards and Office of Civil Rights' worker outreach contracts dedicated to outreach to domestic workers.

1. Background

Domestic workers are critical to Seattle's economy. Based on our conversations with domestic workers and agencies and our internal calculations, we estimate that there are 33,000 domestic workers, including 8,000 nannies and 7,000 housecleaners.⁴ They clean, do laundry, garden, run errands, and care for children, the elderly and people with disabilities in the homes of middle and upper-class families. It is their labor that makes all other work in the city possible.

This workforce has expanded, as the gap between the wealthiest and poorest households in Seattle has grown. In 2016, income inequality reached an all-time high: the top 20% of households in Seattle took home more than half of the city's total income.⁵ More middle- and upper-class families have disposable income and can afford to hire domestic workers, and more low-income residents are looking for work.⁶

Domestic work has been excluded from many of the employment and labor laws designed to guarantee basic individual and collective rights.⁷ Workers are even less protected in practice than in law.⁸ Characteristics of the workforce and the industry facilitate exploitation and present unique challenges for enforcement.

1a. Exclusion from employment and labor laws

The National Labor Relations Act of 1935 (NLRA) protects workers' rights to organize, strike, form a union, and collectively bargain.⁹ However, domestic workers and agricultural workers are explicitly excluded from this law. The NLRA was passed during the New Deal era. Southern legislators fought to exclude these industries to maintain control over cheap, black labor.¹⁰ As a result of this exclusion, some domestic workers today can be fired for organizing. They cannot form unions that will be recognized by the federal government, and they have no legal rights to bargain for better wages or working conditions.

The Fair Labor Standards Act of 1938 (FLSA) sets federal minimum wages and guarantees overtime wages, among other labor law protections. When it was first passed, domestic workers were entirely excluded, and it was common for nannies, house cleaners, gardeners, and home care workers to receive wages far below the minimum wage.¹¹ In 1974, the law was amended extending protections to some domestic workers, and continuing to exclude a large segment of the home care industry, including cash-paid home care workers.

In October 2016, the Department of Labor (DOL) implemented new home care regulations, which narrowed the existing exclusions under FLSA. As a result, most domestic workers are now entitled to basic minimum wage and overtime protections, except live-in workers, casual laborers, and minors who work in private households. The exclusion of casual and live-in domestic workers extends to Washington State and City of Seattle minimum wage and overtime laws.

There are other laws that don't mention domestic workers by name, but exclude domestic workers because of employer size requirements. For example, in Washington State, all employers must provide workers' compensation to ensure that workers injured on the job have access to paid care, except for employers with fewer than two full-time employees. Starting January 1, 2018, all employers in Washington will be required to provide paid sick leave, except for casual labor and live-in workers.¹² Since most employers of domestic workers hire only one employee, domestic workers are implicitly excluded from laws that guarantee workers' compensation and paid sick days.





1b. Isolated and invisible

Employment and labor laws create tools for workers to hold employers accountable. When employers break the law, workers can discuss concerns with their employers, file complaints with the Office of Labor Standards, or pressure their employers by publicizing their mistreatment. However, these strategies are less accessible to domestic workers who, by nature of their employment, face challenges exercising their rights and are particularly vulnerable to workplace violations.

Domestic workers are very often isolated.¹³ Most nannies, house cleaners, gardeners, and home care workers have no coworkers and must negotiate over issues like wages, hours, job duties, and benefits with their employers independently.¹⁴ Some domestic workers find jobs through employment or referral agencies, which can provide an opportunity to interact with other workers. However, even when working through agencies, the opportunity to interact with coworkers is often sporadic, and most work is conducted alone.¹⁵

Domestic work is also often invisible, practically and financially. In contrast to customer-facing retail or food service, domestic work is done in the private family household, beyond the public eye. Domestic workers' workplaces are sometimes invisible even to employers, who think of domestic workers as part of the family and the house as a home, rather than a worksite.¹⁶

When domestic work is conducted through an informal employment relationship, paid under the table, it becomes invisible to government agencies charged with enforcing labor laws. Even when domestic work is visible, it often goes unnoticed or undervalued because it is not culturally recognized as real work. Cooking, cleaning, and taking care of children and the elderly are traditionally considered part of a women's role in the home.¹⁷

The isolation of domestic work makes it very difficult for workers to organize or strengthen their bargaining position relative to their employer.¹⁸ The absence of worker representation in city decision-making and the difficulty that workers face enforcing their rights makes it easy for employers to violate employment laws without fear of government intervention requiring their compliance or bad publicity for their illegal actions.

1c. Demographic vulnerabilities

Domestic workers are also vulnerable to exploitation and abuse because of their demographics. Domestic work carries the legacies of slavery and devaluation of women's work.¹⁹ During and after slavery in the U.S., domestic work was predominantly done by African American women.²⁰ From the 1970s on, domestic work has been predominantly done by immigrant women of color.²¹

According to the American Community Survey, 95% of domestic workers are female.²² A 2014 study by the Pew Research Center found that 45% of domestic workers in the U.S. are immigrants and 22% are undocumented.²³ Almost half report that English is not the primary language spoken at home²⁴ and 32% have less than 12 years of schooling.²⁵ These demographic factors contribute to domestic workers' weakened position relative to their employers.

Immigrant women and women of color face systemic inequities across all industries. They are paid less on average than white men, are more likely to face abuse and harassment at work, and they are less likely to be taken seriously by their employers when they raise concerns.^{26, 27} These inequities are compounded by the isolation and invisibility of domestic work.



Berenice Cisneros, nanny working in West Seattle

Growing up, I was always taking care of my seven brothers and sisters. Although it was hard work, I also learned to love caring for kids. Since moving to Washington from Tijuana, Mexico in 2013, nannying has been my full-time career.

I work 37 hours per week taking care of a little boy. It is a lot of responsibility. I am the primary caretaker for this child, other than his parents. The boy's safety, his education, his personal development fall on my shoulders most days of the week. Many people think being a nanny is an easy job, which is why it's not valued or paid with respect. But in reality, the work is incredibly demanding.

Like many other nannies I know, I work without a contract. My employers pay me in cash, and there's no written agreement about what I am expected to do each week. I have heard other nannies in the immigrant community who are asked to take on all sorts of additional tasks – cleaning, washing clothes, taking out the trash. Employers ask for more and more work for the same pay.

During my first job as a nanny in Seattle, I was paid just \$100 for an eight-hour entire night shift, the equivalent of \$12.50 per hour, with no breaks. Employers tend to pay night shifts less because they think there's less work. But you have to stay vigilant, take care of that child when they wake up crying or sick, make sure nothing happens to them. You still have to be there, leave your own children, give up your own sleep. I believe domestic workers should be paid with respect regardless of their shift or their responsibilities.

In my current job, I make \$18 an hour, higher than minimum wage, but far below what is needed to survive in Seattle. To make ends meet, I live with my sister, who is also a nanny. Between the two of us, we are just barely able to afford rent in a one bedroom apartment.

I also receive no benefits. I have no health care, no paid sick days, no paid vacation days, and no retirement benefits. I worry constantly. If I get sick, I still have to go to work because I can't miss the money to pay rent, and I can't go to the doctor since I have no health care. I just do the best I can to take care of myself and not to infect the child.

I want to stay in this job. I love caring for children and seeing them grow and develop. But, it shouldn't be such a struggle. I believe we can do better.

2. Survey Analysis

2a. Income

This survey confirmed that domestic workers in Seattle experience what has been observed in surveys with domestic workers in other parts of the country: the absence of industry standards and regulations results in a remarkable range of income levels. Research in New York in 2010 found that workers' wages ranged from \$1.43 to \$40 per hour.²⁸ In Seattle, 24% of workers make less than \$10,000 per year, while 9.3% of workers make more than \$60,000 per year (see Figure 1).

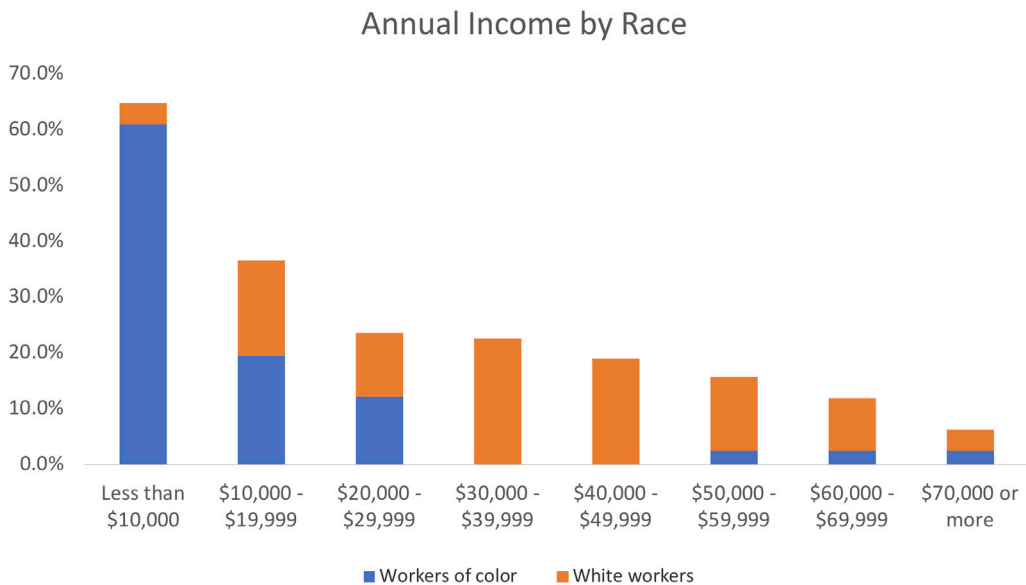


Figure 1. Domestic workers' incomes range widely, revealing the absence of industry standards.

Although some domestic workers in Seattle are managing well and receive adequate income, the majority receive less than what is necessary to survive. There are several ways to evaluate the amount of money that a family needs to get by.

For a family of four, the federal poverty line is \$24,600.²⁹ The University of Washington Self-Sufficiency Standard is a measure of income adequacy based on costs of basic needs for working families. The minimum income needed to support two adults and two children in King County is \$70,468.³⁰ Similarly, the federal Housing and Urban Development (HUD) uses region-specific estimates to determine the income levels that should qualify a family for housing assistance. For a family of four in King County, annual income below \$72,000 is considered 'low income' and income below \$48,000 is 'very low income'.³¹

By these standards, approximately 58% of domestic workers in Seattle are living below the federal poverty line, 94% of domestic workers in Seattle are not making a living wage, 96% are 'low income', and 81% are 'very low income'.

Variability in income is even more pronounced when factors such as occupation, race, and education level are considered. A much greater proportion of surveyed workers at the bottom of the income range are workers of color compared to workers at the top of the income range: 56% of workers making less than the federal poverty line are workers of color, while only 22% of workers making a living wage are workers of color. While pay is racialized across the

economy at large, the isolation and exclusion from employment and labor laws in domestic work make racial inequities in the industry even more pronounced.³² Domestic work is also highly stratified by education level: 93% of domestic workers who did not complete high school are living below the federal poverty line, compared to just 25% of people who completed college.

Nannies also tend to make more per year than house cleaners or gardeners, even though house cleaners and gardeners sometimes make more per hour (see Figure 2). This is consistent with the 2012 national survey of domestic workers, which found that nannies are the highest paid occupation in the industry, while cash-paid home care workers are the lowest paid occupation.³³ This contributes to racial wealth inequalities within the industry: in this survey in Seattle, 100% of the house cleaners and gardeners surveyed were workers of color, compared to just 18% of the nannies surveyed.

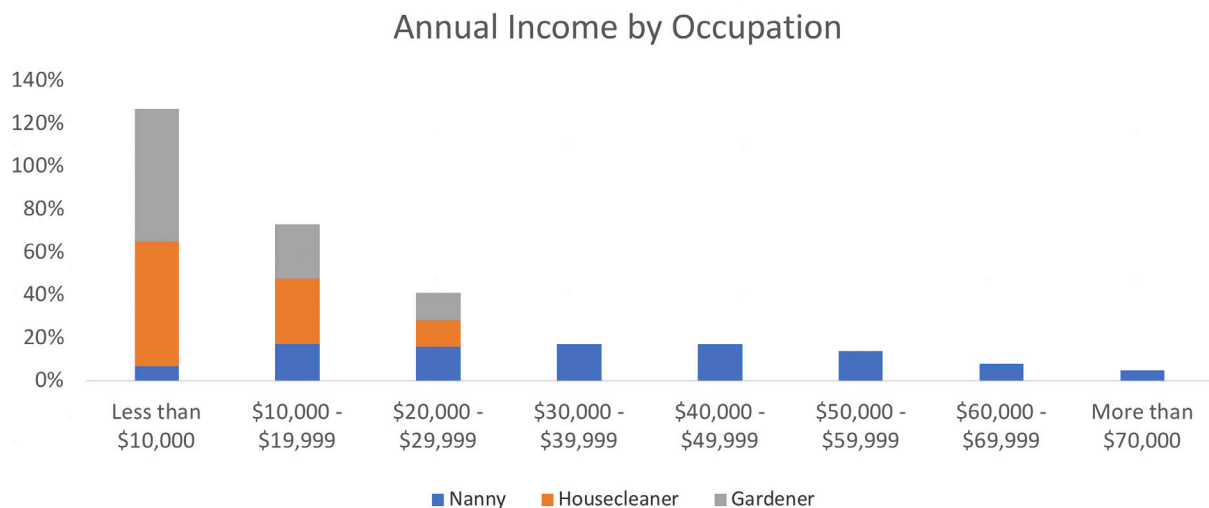


Figure 2. Annual income is highly stratified by occupation in the industry. Nannies make more money in general than house cleaners or gardeners. Most house cleaners and gardeners make less than \$20,000 per year, and no house cleaners or gardeners surveyed make more than \$30,000.

Income is directly linked to health: low wages prevent workers from accumulating wealth and moving up the socioeconomic ladder.³⁴ Disparities in income by race, education, and occupation contribute to disparities in health, well-being, and longevity of life. Domestic workers need both higher wages overall to escape poverty and afford the cost of living in Seattle, as well as standards in the industry that reduce disparities and link pay to factors relevant to the job, like skill and quality of work.

2b. Economic hardship

Rosalinda Perez is a 42-year old Latina woman who has worked 30-40 hours per week as a nanny and a house cleaner for more than 10 years. In spite of her experience and full-time work, she earns less than \$30,000 per year, income that she stretches to pay for herself and her children. As a result, she has difficulty making ends meet almost all the time.

Janice, a 58-year old nanny, explains her housing instability: “I can’t afford to live at my own. I am at the mercy of my parents renting me a room. At my age, that is ridiculous.”

Emma E. is a 42-year old woman and is the primary breadwinner in her household. Although she works full-time as both a nanny and a house cleaner, she still only earns less than \$20,000 per year and lives below the poverty line. Public benefits supplement her income: she qualifies for and receives both food stamps and Medicaid. Without these safety nets, she would not have health insurance, and she would be forced to choose between paying rent or putting food on the table.

Pervasively low incomes in domestic work creates hardship and chronic stress in the lives of domestic workers. The 2012 national survey found that domestic workers’ basic needs often go unmet:

- 23% of workers were unable to save any money for the future in the previous month;
- 37% of workers had to pay their rent or mortgage late at some time in the previous 12 months;
- 20% of workers had no food to eat in their homes at some time in the previous month;
- 40% of workers report paying some of their essential bills late in the previous month; and
- 60% of workers spend more than half of their income on rent or mortgage payments.³⁵

This is consistent with survey results in Seattle: 77% of workers have difficulty making ends meet sometimes or most of the time. Difficulty making ends meet varies by citizenship status and race: 82% of non-citizens have difficulty making ends meet, compared to 76% of citizens; and 85% of workers of color have difficulty making ends meet, compared to 77% of white workers. This is a consequence of inequities in the industry.

Economic hardship in the industry is not linked to inexperience or low pay in entry-level positions. Most domestic workers, regardless of career experience have faced hardship. Among workers with more than 6 years of experience in the industry, 74% had difficulty making ends meet.

Domestic workers who support children are more likely to experience economic hardship: 84% of workers with children have difficulty making ends meet, compared to 70% of workers without children. Additionally, economic hardship is experienced by 82% of people who would like more hours of work but are forced to work part-time, compared to 71% of workers who find full-time employment in the industry.

One consequence of low wages in the industry is that workers often depend on public safety net benefits to survive. One in four domestic workers (25%) in Seattle currently receive food stamps and 35% of workers are on Medicaid. Even domestic workers with full-time employment depend on safety net benefits: 12% of full-time workers are on food stamps and 57% receive Medicaid. Domestic workers also visit emergency rooms more often on average than other residents, driven by lack of health insurance and the hazardous nature of the job.^{36,37}

IN THEIR WORDS



Jonny Montellano, house cleaner working throughout Seattle

For 13 years I lived in Las Vegas and worked in a shoe store where they sold the type of work shoes that people buy so they won't slip or get electrocuted. That store paid 75% of the medical insurance, which was great. I also cleaned houses in Las Vegas for celebrities.

Then I moved to Seattle to get married and I had to find a new job so I started cleaning houses here.

I enjoy cleaning houses because I am very picky about cleanliness and joke about being a little bit OCD. Even early in my experience with cleaning, my clients notice the quality of my work. One client complimented me, saying I have common sense about how much time to spend on cleaning tasks and working on areas that require more attention.

Sometimes my clients ask me to stay longer and do an extra 2 hours' worth of work. I appreciate that they like my work and the extra income helps, but I wish I knew in advance how many hours to expect.

I also don't have health care now. That worries me. Growing up, my parents could never afford to take care of their teeth. Their teeth were always crooked and falling out, I don't want that for myself. But I've never had dental insurance in my life.

2c. Rights at Work

Workplace health and safety

Domestic work is a hazardous job. According to the 2012 national survey of domestic workers, 50% of all workers are regularly exposed to toxic chemicals.³⁸ Workers also complete physical labor that can cause injury, and work in isolated environments that leave them vulnerable to abuse and harassment. The national survey found that:

- 38% of workers suffered work-related wrist, shoulder, elbow, or hip pain in the past 12 months;
- 31% suffered from other soreness or pain in the past 12 months;
- 29% of house cleaners suffered from skin irritation, and 20% had trouble breathing in the past 12 months;
- 36% of nannies contracted an illness while at work in the past 12 months;
- 29% of caregivers suffered a back injury in the past 12 months.³⁹

Workers in Seattle expressed similar concerns. One in five (19%) of workers have been seriously injured on the job, and 38% are affected by workplace health and safety issues. A majority (70%) of workers have had to come into work while sick, exacerbating workers' sickness and exposing children and household members to illness. These injuries can be partially attributed to exhaustion and stress: 88% of workers have worked more than five hours without a break, and 25% have worked more than 7 days without a day off. These injuries and illness often go untreated: 55% of workers injured on the job did not receive any form of medical attention.

One factor contributing to the high rate of injury and illness is the lack of accessible training for the industry in Seattle. Training empowers workers to improve their job conditions through information like safe lifting, infant and toddler development, CPR, nontoxic chemicals, and contract negotiation.⁴⁰

Harassment

Verbal and sexual harassment on the job is a regular concern, especially for women and people of color. Eighteen percent of workers have been harassed or abused at work, and 17% have experienced sexual harassment or assault at work. A higher proportion of workers of color (32% compared to 4% of white workers) and workers who primarily speak a language other than English (33% compared to 9% of English speakers) have been harassed or abused at work.

Domestic workers are more vulnerable to sexual harassment than workers in most other industries. Workers employed by home care, nanny, or housecleaning agencies who are harassed by individuals or family members in a third-party household have a hard time pinning legal liability on the agency. As a result, the workers' only recourse is often to file a criminal charge against the harasser.

When domestic workers are employed directly by households, they do not have access to an internal complaint process, as they would if they worked at a company. The worker must either complain to the harasser or the family member of the harasser. Most domestic workers have no access to employment contracts, coworkers, or unions that could help them raise a concern. The power dynamic is especially slanted in employers' favor when workers are undocumented or paid under the table.

Discrimination

Domestic workers often experience discrimination in hiring, firing, and treatment at work: 18% of workers have experienced discrimination. Universal criminal background checks bar many workers from the industry or force them to work as independent contractors or in unregulated parts of the industry. This is especially true for workers of color, who are more likely to be affected by the criminal justice system for a variety of structural reasons.⁴¹ Since domestic work is often done by immigrants, one in four workers (27%) said they are affected by discriminatory treatment or fear of retaliation because of their immigration status.

The Seattle Fair Chance Employment Ordinance prohibits discrimination in hiring practices based on an applicant's criminal background. Employers are restricted from asking applicants about their criminal record until after the first interview. Domestic workers are currently excluded from this law.⁴²



Wage theft

These vulnerabilities contribute to workers' experiences of wage theft. One in five (20%) of domestic workers in Seattle have experienced wage theft, working hours for which they are never compensated. Workers of color and workers who primarily speak a language other than English are more likely to experience wage theft (28% and 31%, respectively).



2d. Career

Alex Cartland, a 29-year-old nanny, explains, “Opportunities for work-related education in Seattle are too expensive for us to access.”

A significant barrier to higher wages for domestic workers is the widespread perception that domestic work is not real work.⁴³ Nannying, cleaning, gardening, and caring for the elderly are often seen as side jobs, an extra source of income, or a temporary position between more formal employment. However, this survey found that most domestic workers support families on their income and consider their profession a long-term career.

A majority (60%) of domestic workers surveyed in Seattle have been working in the industry for more than 6 years (see Figure 3). Many workers described the feeling of satisfaction they receive from being part of children’s lives, seeing a dirty house return to order, or contributing to the lives of working families. They are committed to the work not as a temporary position in the absence of formal employment, but as long-term professional decision.

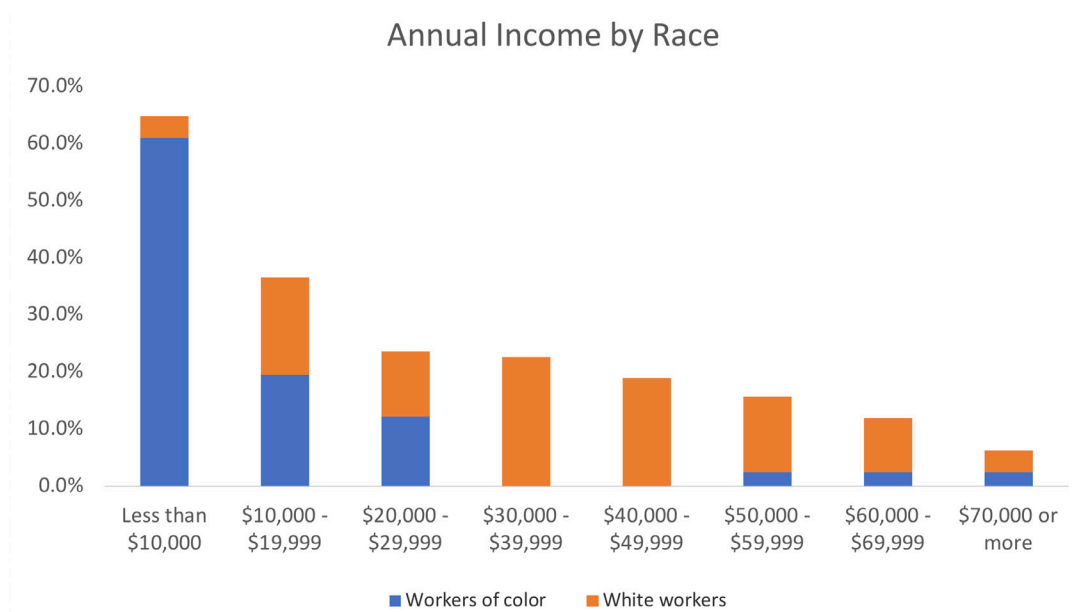


Figure 3. Most domestic workers in Seattle have been working in the industry for more than 6 years.

Surveyed domestic workers are also as likely as workers in other professions to be older adults and parents. The average age among surveyed domestic workers was 39. Only 15% of workers are 18-25 years of age, while 32% are over 50. More than half (51%) of workers support children on their income alone. These statistics show a stable workforce that depends on nannying, cleaning, and gardening to support their families.

As early as the 1970s, the National Domestic Workers Union, the precursor to the National Domestic Workers Alliance, proposed that professionalizing the industry was key to raising wages and working conditions.⁴⁴ This idea is echoed by workers surveyed in Seattle. Almost one-quarter (22%) of workers said that one of the most important changes they would like to see in the industry is more opportunities for job-related education and training.



IN THEIR WORDS

Maricela Osorio, house cleaner working throughout Seattle

I was born in Mexico City and grew up in Oaxaca. I came to the United States in 2001 in search of a better life. When I first arrived, I tried several occupations. I worked for a while as a cashier at McDonald's, then as a cleaner at a hotel. Finally, a friend invited me to begin cleaning houses with her. I have been in that line of work ever since.

I like my job because I'm really good at it and I feel free when I'm cleaning. Some of my best employers have given me raises over time for staying with them. I know that I do good work and should get paid for it!

But it is a reality that some clients cancel at the last minute, and that should not mean we must scramble to figure out how to pay rent. I have kind bosses, they tell me I don't have to come to work when it is snowing. The only disadvantage, the thing I don't think they understand is that, whenever I don't work, I lose that money, and then I have to worry about how to get by.

There are a lot of expenses associated with my job. I have to use my own car to get to my client's houses, so I pay for gas and repairs. Sometimes the chemicals I'm told to use are toxic. I get especially worried about this when there are kids around. I try to use the non-toxic chemicals as much as I can.

I don't have paid vacation days, but my employers do give me a little bonus cash to take with me when I go on vacations with my family. This helps a lot. It isn't the same as having paid vacation days though. I can't take much more than a week off, or else I end up unable to pay my rent.

The only times I have consistently had health insurance was during my pregnancies. The rest of the time, if I needed a surgery or dental work, I would just wait it out.

Since I'm paid in cash, I have to file taxes, and it usually ends up being about \$500 per year. That's a lot for me, especially as an amount to pay all at once.

In the long-term, I hope to have benefits like any other worker. I would like to have the same opportunities. All of our work matters!

2e. Contracts and classification

Caroline C., a 28-year old nanny, said the industry needs stronger baseline standards that can be used in contracts with employers, so that families wanting to hire a domestic worker have “something to go off of, rather than coming in blind.”

A 24-year-old gender non-conforming nanny who asked to remain anonymous said, “These jobs are only good if you have a contract and know what to ask for and how to advocate yourself. If you don’t know any of these things, then it can get really bad.”

Another challenge that contributes to low wages and poor working conditions is the informality of the industry. It is more difficult to find workers in informal employment arrangements, because of their isolation and invisibility, so almost all methods of surveying the industry are likely to underreport informal work. Even with this caveat, more than one-third (36%) of workers surveyed in Seattle said they are paid in cash. Only 30% of workers are employed by agencies; the rest work directly for private households. Many domestic workers find employment through informal social networks: 29% said they found their job through family or friends.

According to the experience of staff at the National Domestic Workers Alliance, only a small proportion of domestic workers are truly independent contractors, a legal determination based on factors like scheduling their own time, bringing their own tools, and working free of external supervision, direction, or control.⁴⁵ Much more common is the practice of misclassifying workers as independent contractors even when their level of control in the workplace suggests that they should be employees.⁴⁶ Misclassification is driven by profit motive. Employers avoid coverage under many worker protections, like minimum wage and overtime, and do not have to pay taxes.⁴⁷ Previous research has found that misclassification is very common in the domestic workforce.⁴⁸

In this survey, more than half (54%) of workers do not have an employer that withholds their taxes, meaning that more than half of workers are treated as independent contractors. This problem is especially pronounced among non-citizen immigrants: 21% of U.S. citizens work for employers who do not withhold their taxes, compared to 72% of non-citizen workers.

Written contracts are one mechanism to formalize the work. They define the wages, hours, tasks, and other characteristics of the job. A contract sets job boundaries and expectations, improving workplace stability and security.⁴⁹ A contract also makes it easier for workers to hold their employers accountable to the initial terms of the employment arrangement.

While many domestic workers ask their employers for written contracts, 56% of workers do not have any written record of their job duties or pay. This is particularly true for workers of color and non-citizen immigrants: 88% of workers of color have no contract, and 85% of non-citizen workers have no contract.

Workers without a contract are more likely to experience workplace violations. Among surveyed workers, 92% of workers without a contract have worked more than five hours without a break, compared to 84% of workers with a contract. Overtime pay at 1.5 times the base rate, a legal requirement for all domestic workers other than live-in and casual workers, is rarely implemented without a contract: 92% of workers without a contract were not paid overtime, compared to 64% of workers with a contract. More than one-quarter (27%) of workers without a contract have experience wage theft, compared to 11% of workers with a contract.

These statistics show that contracts alone are not enough to guarantee that employers will abide by the law. Even workers with a contract face illegal violations at work, which suggests that strong external enforcement is still necessary. However, contracts do improve the chances that employers will comply with workplace protections and implement wages and working conditions that contribute to workers’ health.

2f. Hours worked

Domestic work is rarely a Monday through Friday, 9-to-5 job. The hours are often unpredictable, varying based on the needs of the employer on any given week or month. When clients leave town, most domestic workers simply do not work.⁵⁰ Some families need their workers to care for their children around the clock. Other households only seek short-term or occasional help in the home, which means that domestic workers must look for and maintain relationships with multiple employers to accumulate enough hours to pay the bills.

Surveyed workers ranged widely in their experience finding hours of work. One in five (20%) of workers only found enough work for 1-4 hours per day. On the other end of the spectrum, 12% of workers regularly work 10 or more hours per day (see Figure 4). Similarly, 32% of workers were only able to work 10-20 hours per week, while 25% regularly work more than 40 hours per week. Nannies are much more likely to find full-time work than house cleaners: 78% of nannies in Seattle work more than eight hours per day, compared to 17% of house cleaners in Seattle.

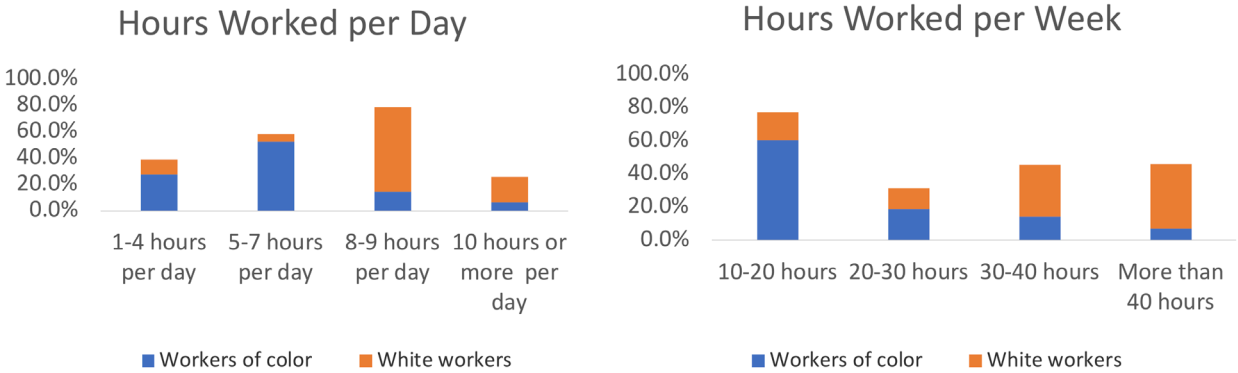


Figure 4. Workers ranged widely in the number of hours worked.

Each of the extreme ends of the spectrum - far too many hours or far too few - presents their own sets of challenges. Exceptionally long work hours take away time from other activities important for mental and physical health, like sleeping, eating, attending doctor’s appointments, or participating in leisure activities.⁵¹ One-quarter of workers (24%) said they wish they had more time to spend with their families. On the other hand, when workers have very few hours of work, they cannot earn enough to pay for their basic living expenses and they experience the stress of constant job searching.⁵² Half (55%) of the workers said they wish they had more guaranteed hours of work.

Although problems with guaranteed hours are experienced across the industry, people of color are most likely to face this problem: 27% of people of color only find 1-4 hours of work per day, compared to 2% of white people. This is tied to many factors, like the racial makeup of each occupation and racial disparities in the formality of employment relationships. Lack of guaranteed hours contributes to the poverty and instability that workers of color experience.

2g. Benefits

Nazaria Morales, 44, has been working for the past five years as a house cleaner in Seattle. She works 8-9 hours per day, yet she does not have health insurance. When she falls ill, she cannot go to the doctor. She also cannot take time off to care for herself or her children in case of illness because she has no paid sick days or paid vacation days. Despite long hours and significant career experience, the industry still leaves Nazaria and her family in a precarious position.

Like many low-wage, part-time jobs in the economy today, domestic work often fails to provide benefits that support workers' stability and long-term security.

According to this survey, 39% of domestic workers in Seattle do not have paid sick days, despite local and state laws that require all employees to receive paid sick days, and 35% of workers do not have paid vacation days. When workers must take extended leave, after the birth of a child or in case of temporary disability, almost all (94%) have no access to paid family medical leave insurance.

Nationwide, 82% of domestic workers in the U.S. do not have paid sick leave, and a substantial portion report that they risk losing their job if they ask for time off for any reason, even to see the doctor.⁵³ One in 5 workers nationally have been fired for taking a day off to care for themselves or their families.⁵⁴ Without paid sick days, even if an employer allows unpaid leave, most domestic workers cannot lose a day of pay without jeopardizing their ability to pay bills.

Domestic work is a physically and financially demanding job. Workers drive or pay for bus fare between worksites, an expense that adds up when workers base their income on multiple jobs. Yet, 47% of domestic workers in Seattle do not receive mileage coverage. When workers put in long hours to accommodate unpredictable or intensive childcare schedules, 53% do not receive overtime pay.

Most (85%) of workers have no workers' compensation insurance in case of injury on the job. If they are hurt at work, they must pay for their medical expenses themselves. This problem is exacerbated by the scarcity of jobs in the industry that provide health insurance: 54% of workers do not have health insurance, and only 6% receive health insurance through their employer.

When workers must leave a job, even because when the leave was based on injury, harassment, or retaliation, 53% of workers have no access to unemployment insurance. As a result, several workers described their employment as a "constant hustle", chronically searching for and applying to jobs to forestall crisis.

This problem is partly driven by the difficulty of finding full-time employment and guaranteed hours. Only half (49%) of respondents in Seattle work enough hours per week to be eligible for benefits. On the other hand, 47% of workers report that they often or sometimes work more than 40 hours per week. Most of these full-time workers do not receive the same suite of benefits that normally accrue to full-time, white-collar workers.⁵⁵

Access to benefits is not distributed evenly throughout the industry. Workers of color, house cleaners, and gardeners are less likely than white workers or nannies to receive paid sick days, paid vacation days, mileage coverage, overtime pay, or health care. Two-thirds (77%) of domestic workers of color do not have health insurance, compared to one-third (33%) of white domestic workers.

Workers must rely on other forms of support to care for themselves and their families. One-quarter (28%) acquire benefits from someone other than their primary employer, including another job, spouse, parents, or the state. Almost half (47%) of domestic workers receive Medicaid, underscoring the poverty that workers in the industry experience. Most (71%) of respondents said they are affected by the unaffordable cost of health care, forcing many workers to forgo preventive care, regular check-ups, and care in case of crisis.

IN THEIR WORDS

Ty Messiah, nanny working in Ballard

Published op-ed piece

I've been a nanny for about two years. Before that, I was an au pair overseas for about a year, and before that I worked at a preschool for a year and a half, so I've been in childcare for a while now.

I enjoy working with children because becoming a part of a family outside of my own — it's very interesting catching the dynamic of how things work in another family and it's great practice for when I'd start my own, if I ever do. One on one interaction with the kids is awesome. I love being a part of the developmental process of growth within their mind and within their hearts.

Being a nanny is great because I have a lot of time to myself to plan activities with the kids. The jobs can be demanding at times but never boring! Being with the kids makes me feel like a kid again especially because I'm not the parent. I'm able to tap into my inner excitements and childlike joyfulness. That's probably the best part about being a nanny.

But there are also some big issues for nannies that need to be addressed. Lots of nannies don't even have written contracts explaining what's expected of the nanny and what's expected of the family. That's just a basic safety to know what you're doing and make sure everyone's on the same page. Every nanny should have that.

I'd like to see more job protection too. I do have a contract right now, which is great, but the contract says that I have to give 45 days' notice to be able to leave the job, but they can terminate me at any time, for any reason, without any notice at all. That's just out of balance, especially because if suddenly you do lose your job, a lot of times you can't get unemployment, or even L&I if you were injured on the job. There's not a lot to fall back on.

The job doesn't pay a ton to begin with, and a lot of the time you're only working part-time hours as a nanny. You don't always choose to work part-time, sometimes you have to work part-time, because those are the only jobs available — before the kids go off to school, and after they get home from school. During the day, there's just not a lot of work for a lot of us.

That's why we need benefits for people who work part time. You should have as much benefits as full-time workers, or at least proportional to how much you work. That means things like healthcare, and retirement too. As a childcare provider when I worked in the pre-school, I had a 401k plan. But working as a nanny, it's not even an option. I'm definitely going to need taking care of in retirement, just like everyone else!

I love being a nanny, but we need to see some changes. We work every day providing care for people who need it, we need to be cared for too.

2h. Worker Voice

Emma, a nanny in Seattle, explains: “We need to be educated about the laws that protect us. We don’t have HR to advocate for us, we have to protect ourselves”.

Despite the many hardships that domestic workers face, including low wages, inadequate or nonexistent benefits, and abuse in the workplace, most domestic workers do not feel comfortable talking with their employers about their concerns. This is partly driven by the intimate, informal and isolated nature of the work.⁵⁶

In Seattle, only 32% of domestic workers have ever raised concerns with their employers. Only 19% of workers of color, 18% of workers who primarily speak a language other than English, 15% of non-citizen immigrants, and 7% of workers without a high school diploma have felt secure enough in their employment relationship to do so.

Among workers who raised concerns, 46% felt that employers did not take their concerns seriously. Only 78% of workers of color, 33% of workers who primarily speak a language other than English, and no workers without a high school diploma felt that employers took their concerns seriously.

The alarming proportion of workers who have experienced retaliation for speaking up suggests that workers’ fears may be well-founded. Among workers who have raised concerns with their employers, 16% faced retaliation or termination for speaking up.

The absence of opportunities for workers to address concerns with their employers leaves many workers without recourse or power. Survey results demonstrate that both domestic workers and employers need more information about employment laws and workplace rights. Workers also need protection from retaliation and a way to organize with other workers to collectively achieve better conditions.



3. Conclusions and Policy Recommendations

Domestic workers throughout the country, facing unlivable wages, few if any benefits, hazardous working conditions, and abuse, have been organizing for changes in employment laws that protect their rights. Since the 1990s, a resurgence of organizing among nannies, house cleaners, gardeners, and cash-paid caregivers, led by organized domestic workers, including organizations like the National Domestic Workers Alliance, has resulted in significant changes in cultural attitudes towards domestic workers and a series of local and state-level Bills of Rights.

The New York Bill of Rights (NYBORs), the first policy of its kind passed in 2010, set the baseline for other Bills of Rights throughout the country.⁵⁷ Among other provisions, the NYBORs established an overtime pay, three paid days per year, one full day of rest per week, protection against sexual harassment and assault, and required employers to rectify exclusion from unemployment insurance and provider workers' compensation to certain categories of domestic workers.⁵⁸

Since then, eight Bills of Rights have been passed and they have become more comprehensive in their elimination of legal exclusions and creation of industry standards. However, none of the policies have yet addressed the establishment of an institutional mechanism that allows for the development of workers' collective voice and power. Seattle has the opportunity to innovate, to create mechanisms that allow domestic workers to organize and negotiate with their employers, in spite of the isolated and invisible nature of the work. The Seattle Domestic Workers Alliance proposes a set of protections that have appeared in other Bills of Rights, and a Council that allows workers to deliberate collectively, alongside employers and a city representative, to set standards across the industry.



Policy Recommendations

3a. Create a Council, consisting of domestic workers, employers, and a city representative, with the power to make decisions about industry standards.

Domestic workers currently have no way to negotiate for higher standards. Excluded from labor laws, they cannot form unions recognized by the National Labor Relations Board. When domestic workers talk with their coworkers or jointly raise concerns with their employer, the National Labor Relations Act (NLRA) does not protect them from retaliation or termination.

Moreover, bargaining is not practically feasible for most domestic workers. Without coworkers, they have no one to help them address their concerns. As a result, domestic workers have very little power relative to employers. This may partially explain the fear workers expressed in the survey about raising concerns with their employers even though they are experiencing legal violations, low pay, and poor working conditions

The policies described below, when implemented collectively, are likely to improve workers' material conditions in the short-term. However, for workers' long-term health, safety, and well-being, they must have ways to regularly improve their circumstances in response to the changing industry and exercise their voice in negotiations with employers.

Seattle's City Charter tasks the city with promoting the "health, safety, and general welfare of the public".⁵⁹ Income and socioeconomic class are among the most important social determinants of health.⁶⁰ Access to health care, retirement security, and safe working conditions are also significant factors for workers' health.

To promote workers' well-being, the city should establish a Council consisting of workers, employers, and a city representative who jointly determine the terms of employment within the industry. Organizations representing workers and employers can apply to fill seats on the Council, and representatives should be selected by the membership of each organization.

The Council should be tasked with a mandate to:

- promote the health, safety, and well-being of people working in domestic work in Seattle;
- achieve a living wage for domestic workers;
- promote racial and social equity within the workforce;
- increase training and educational opportunities for domestic workers; and
- educate employers about their legal obligations and provide support for compliance.

This mandate should guide the Council's information-gathering process and determine how the Council's decisions are evaluated by City Council. On regular specified intervals, the Council should issue decisions about wages; total contribution amounts sufficient to deliver benefits; working conditions; leave policies; scheduling rights; trainings; and pay differentials. Before the Council issues decisions, it should hold public hearings where workers can testify about conditions in the industry and the impact of these conditions on their health and well-being. Once the Council makes recommendations that are subsequently approved by City Council, these decisions become law with the same enforceability as any other employment law.

To ensure that workers can participate in decision-making on equal footing with well-resourced employers, the city should provide support to workers and worker organizations, interpretation for workers who speak languages other than English, and compensation for workers' time and travel to hearings. Workers must also have the right to:

- Organize and communicate freely with other workers;
- Discuss terms and conditions of employment with other workers and with employers;
- Form, join, or assist worker organizations;
- Testify during Council public hearings, without restraint on the content of their speech; and
- Take action with other workers to improve working conditions or raise work-related complaints with the Council.

Employers should be prohibited from taking any adverse action against workers within 90 days of engaging in any of these activities. Many of these rights are guaranteed to all workers covered under the NLRA. These rights, especially if enforced effectively, give domestic workers' the same opportunity to express their collective voice as any other workforce.

3b. Close exemptions in employment laws that exclude domestic workers.

Domestic workers in Seattle are excluded either explicitly or by implicitly from many city and state employment laws. Seattle should:

- Eliminate the exemption of casual labor and live-in workers from the definition of covered employees under the city Minimum Wage Ordinance.
- Eliminate provisions in the Minimum Wage Ordinance that allow employers to use meal and lodging credits to meet minimum compensation requirements. Live-in workers who receive housing and meals should still be paid the minimum wage in legal tender.
- Eliminate the exemption of casual labor and live-in workers from the definition of covered employees in overtime pay.
- Eliminate the exemption of casual labor and live-in workers from the requirement to provide paid sick and safe time.
- Eliminate the exemption of domestic workers from workers' compensation insurance, requiring employers, contractors and agencies to pay in to the state's workers' compensation insurance or obtain homeowners' or renter's insurance that covers injury to domestic workers.

These provisions ensure that domestic workers receive the same minimum rights afforded to all workers in the city.

3c. Require written employment contracts.

This survey found that when domestic workers have written contracts, they are far less likely to experience violations like working five hours without a break, denial of overtime pay, or wage theft. Seattle should require individuals and employment agencies wishing to engage in any financial transaction with domestic workers to sign a written agreement with workers. The city should offer a variety of sample agreements for employers and workers to use, simplifying the process and increasing the likelihood of high-road employment arrangement.

Almost half, 44%, of domestic workers in Seattle already have contracts that create a baseline set of expectations. Other employers and contractors should be brought up to these standards. At a minimum, employment agreements should include:



- | | | |
|---|---|--|
| 1. Effective date; | uninterrupted sleep and rest periods; | toxic chemicals or products; |
| 2. Minimum renewal date; | | 27. Increase in pay after completion of training and certification; |
| 3. Employee license number; | 14. Hourly rate, including policy for changes in scope of work and process to renegotiate hourly rate with workers by employer or contractor; | 28. Workers' compensation or homeowners' insurance plan; |
| 4. Description and scope of job duties; | | 29. Room and board costs and expenses, if applicable; |
| 5. Form of payment, including payment of wage schedule; | 15. Overtime rate; | 30. Written job evaluation and reference letters; |
| 6. Recordkeeping requirements, time sheets, and wage statements; | 16. Annual pay raise dates and amounts; | 31. Live-in workers, 30 days of notice of termination by either party, unless there is cause for termination, or 30 days of paid wages in lieu of termination; |
| 7. Work hours and weekly schedule; | 17. State and federal tax withholdings; | 32. Anti-trafficking, employers or contractors shall not confiscate or remove legal documents; |
| 8. Policy for cancellation and rescheduling by the worker, employer, or contractor; | 18. Travel time, if applicable; | 33. Confidentiality; and |
| 9. Number of hours per week, or minimum salary per week; | 19. Paid vacation days per year; | 34. Participation in Council. |
| 10. Procedure in case employer cancels a day of work; | 20. Paid sick days per year; | |
| 11. Meal and rest breaks, including a policy for the use of kitchen facilities while worker is on duty; | 21. Paid family and medical leave; | |
| 12. Days off; | 22. Paid holidays; | |
| 13. For live-in workers, | 23. Benefits provided directly; | |
| | 24. Amount of employer contribution to workers' portable benefits account; | |
| | 25. Compensation for hours in training; | |
| | 26. Health and safety policies, including the use of non- | |

A growing proportion of domestic workers in Seattle find work through referral agencies that do not manage payroll, but instead connect workers with potential employers or contractors. Few laws regulate these agencies and their behavior, despite the significant impact they have on workers' lives. Prospective employers should sign a written contract with referral agencies that specifies:

- (1) Any fees or charges assessed by the referral agency; (2) the agency's scope of service; (3) allowable content of communication between the referral agency and the prospective employer; and (4) responsibilities of both parties in case of violations of employment law, labor law, the decisions of the Council, and the employment contract with the household.

Contracts benefit workers and employers. High-road employers, contractors and agencies in other states have expressed support for contracts because they provide guidelines for compliance with employment laws and best practices to protect workers' well-being and safety.⁶¹

3d. Implement city-sponsored training and wage scales based on training.

The survey in Seattle found that most domestic workers stay in the industry for a long time and consider their job a career, and 22% of workers said more education and training opportunities are a top priority. Training professionalizes the industry, increasing dignity and respect for workers' skills and abilities. It also ensures that workers have the information they need to deliver high quality care, promote the health and safety of their clients and themselves, and advocate for their rights.

Currently, the only training available to domestic workers is offered through unregulated private sources, at a cost that is prohibitive to many domestic workers. Seattle should implement free training programs accessible to all workers, and establish a process by which organizations interested in delivering training to domestic workers may submit their curriculum for review and approval.

Seattle should also create mechanisms to reward and differentiate workers who have completed training. Sector-specific tests, based on hands-on skills, conducted in the language appropriate to the worker, can be used to evaluate workers' knowledge after the training. Once a worker has completed city-sponsored training and passed the test, they may become certified and eligible for a higher wage. Workers who are already experienced in the industry may be exempt from these training standards, grandfathered in to the industry, although they may also opt in to training and certification.

3e. Create a system for domestic workers to receive portable benefits.

Most domestic workers in Seattle do not have benefits, including paid vacation days, family and medical leave protections, unemployment insurance, health insurance, or retirement plans. The absence of benefits exacerbates the precarity that many domestic workers experience. Domestic workers currently do not receive benefits for a variety of reasons: their work is not valued as real work, they often base their income on multiple part-time or short-term jobs, and households that contract with workers do not expect benefits to be part of the financial transaction.

Portable benefits are one way to address this issue. In place of benefits tied to a single employer, workers should receive contributions per hour worked, paid into a benefits account held by a qualified benefits provider, a nonprofit organization certified by the city. The city can mandate a total contribution amount, and employers can divide that amount between wages and benefit contributions as they see fit. The Council should examine approaches to portable benefits, and establish a mechanism to implement portable benefits for domestic workers.

3f. Enforce domestic workers' rights.

While Domestic Workers Bills of Rights have improved employment laws and cultural perceptions of the work, they have been limited in their impact on domestic workers' daily lives because of the difficulty of enforcing these policies.⁶² In such a decentralized and invisible workforce, more targeted and industry-specific enforcement strategies are essential to translate employment laws into changes in the material conditions of workers' lives.



Successful enforcement of employment laws also requires that workers know their rights and feel comfortable coming forward with complaints about mistreatment. Community organizations that have a history of advocating for and building trust with domestic workers are best positioned to play this role in enforcement. Seattle should contract with community organizations to inform workers about employment laws and collaboratively report and advocate for resolution to employment violations.

Effectively investigating and enforcing the pervasive violations that occur in domestic work takes a lot of time and resources. The Office of Labor Standards and the Office of Civil Rights need dedicate funds and staff time to address the specific complaints of this vulnerable workforce.

Seattle should also create a free licensing process for any agency or individual wishing to employ, contract with, or refer domestic workers. If licensed parties are complying with all employment and labor laws, they can continue to renew their license and operate in the city. If licensed parties are found responsible for a certain threshold of violations of employment laws, or if they are found responsible for one instance of physical or sexual harassment, their license should be revoked, prohibiting them from business operations during that time.

These changes promote “dignity overdue”.⁶³ Workers excluded from employment and labor laws need policies that respect domestic workers, disproportionately women and people of color, and the important contributions they make to support Seattle families. These changes are urgently needed to improve the lives and families of one of Seattle’s most vulnerable workforces.

However, legislative solutions alone will not guarantee workers’ well-being. Only strong social movement of organized domestic workers will ultimately transform the nature of employment in the industry. The city can support this movement, allowing workers to exercise and build power, by creating a forum, like the Domestic Workers’ Council, in which workers, employers and the city can share decision-making power about the employment terms that impact workers’ lives.



Appendix A: Research Methods

It is particularly challenging to document conditions in domestic work. Workplaces are decentralized, and the work takes place in private households behind closed doors. There are no central locations where domestic workers meet, and no regular hours that all domestic workers keep. Many workers do not speak English and some have limited literacy. Domestic workers are also aware of the risks they face, including employer retaliation or exposure of their immigration status.⁶⁴

This study was designed to address these challenges. The Seattle Domestic Workers' Alliance, a coalition consisting of Working Washington, Casa Latina, Service Employees International Union (SEIU) 775, and the National Domestic Workers Alliance, conducted surveys with domestic workers. These organizations are led by low-wage and immigrant members and have established trust among low-income and immigrant communities.

Community organizers conducted surveys in English and Spanish with 174 domestic workers. The survey was distributed on Facebook through groups established to facilitate communication among domestic workers. It was also conducted in-person with domestic workers at the Casa Latina work referral site, and at places where organizers anticipated they might find nannies or house cleaners, including parks, libraries, and community centers.

Workers were asked a standardized set of questions about their demographics, occupation, career history and goals, employment relationship, income, benefits, working conditions, employment violations and abuses, perceptions of the industry, and their ability to remedy substandard conditions.

Surveyors contacted a diverse sample of workers by occupation. Of the workers surveyed, 49% are nannies, 42% are house cleaners, 6% are gardeners, and 2% have another role in the house, including cook and household manager.

The study also aimed to represent the linguistic, ethnic and racial diversity in the industry. More than half, 58%, of workers surveyed primarily speak Spanish at home. White and Latino workers were well-represented in the survey: 37% of workers surveyed are White and 58% are Latino. Only 4% were Asian, Black or Native, suggesting that these racial groups were under-represented. Although it is likely that domestic workers' experiences vary by racial group, this study can only report statistically significant conclusions for workers of color broadly, in comparison to white workers.

This survey was representative of the industry as a whole by gender and citizenship status. Among surveyed workers, 92% are women, 8% are men, and 2% are transgender / genderqueer. This is consistent with national estimates about the gender distribution of the workforce. Among surveyed workers, 44% are non-citizens, compared to Pew Research Center estimates that 45% of domestic workers are immigrants.⁶⁵

The study may have under-sampled domestic workers with lower levels of education. The sample of surveyed workers is highly stratified: 15% did not finish high school, 60% do not have a college degree, and 40% have a college degree or higher.

This study builds on past research, which has documented harsh working conditions endured by domestic workers in New York⁶⁶, California⁶⁷, and Massachusetts⁶⁸. Previous research on domestic workers in Seattle was conducted in 2011-2012 as part of a national survey in 13 metropolitan areas across the U.S.⁶⁹ This new research provides additional, more recent data about domestic workers' experiences in Seattle.

Endnotes

¹Hobden, Claire. “Winning Fair Labour Standards for Domestic Workers: Lessons Learned from the Campaign for a Domestic Worker Bill of Rights in New York State.” International Labour Organization. Geneva, Switzerland: 2010.

²Shah, Hina and Marci Seville. “Protecting Workers’ Rights in a Post-Wisconsin World: Strategic for Organizing and Action in an Era of Diminished Resources and Embattled Unions: Domestic Worker Organizing: Building a Contemporary Movement for Dignity and Power.” *Alband Law Review*. 75 (2012): 413-458.

³Dillon, Jennifer. “NDWA Applauds Federal Court Decision Upholding Labor Protections under the Massachusetts Domestic Worker Bill of Rights.” National Domestic Worker Alliance. 2 August 2017. <<https://www.domesticworkers.org/release/ndwa-applauds-federal-court-decision-upholding-labor-protections-under-massachusetts>>

⁴Based on internal calculations by SEIU 775.

⁵Balk, Gene. “Seattle hits record for income inequality, now rivals San Francisco.” *The Seattle Times*. 17 November 2017. <<https://www.seattletimes.com/seattle-news/data/seattle-hits-record-high-for-income-inequality-now-rivals-san-francisco/>>

⁶Kelley, Robin. “Home is Where the Work Is: Inside New York’s Domestic Work Industry.” Domestic Workers United and DataCenter. 14 July 2006.

⁷Shah, Hina and Marci Seville. “Protecting Workers’ Rights in a Post-Wisconsin World: Strategic for Organizing and Action in an Era of Diminished Resources and Embattled Unions: Domestic Worker Organizing: Building a Contemporary Movement for Dignity and Power.” *Alband Law Review*. 75 (2012): 413-458.

⁸Kelley, Robin. “Home is Where the Work Is: Inside New York’s Domestic Work Industry.” Domestic Workers United and DataCenter. 14 July 2006.

⁹Hayashi, Reyna Ramolete. “Empowering Domestic Workers through Law and Organizing Initiatives.” *Seattle Journal for Social Justice*. 9 (2010): 487-527.

¹⁰Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.

¹¹Hobden, Claire. “Winning Fair Labour Standards for Domestic Workers: Lessons Learned from the Campaign for a Domestic Worker Bill of Rights in New York State.” International Labour Organization. Geneva, Switzerland: 2010.

¹²Avila, Rocio. Washington Domestic Worker Rights. National Domestic Workers Alliance. July 2017.

¹³Dresser, Laura. “Cleaning and Caring in the Home: Shared Problems? Shared Possibilities?” *Industry Studies*. 2008. Boston, MA: 1-24.

¹⁴“Domestic Workers and Collective Bargaining: A Proposal for the Immediate Inclusion of Domestic Workers in the New York State Labor Relations Act.” National Domestic Workers Alliance, Domestic Workers United, and Urban Justice. October 2010.

¹⁵Dresser, Laura. “Cleaning and Caring in the Home: Shared Problems? Shared Possibilities?” *Industry Studies*. 2008. Boston, MA: 1-24.

¹⁶Hayashi, Reyna Ramolete. “Empowering Domestic Workers through Law and Organizing Initiatives.” *Seattle Journal for Social Justice*. 9 (2010): 487-527.

¹⁷Hayashi, Reyna Ramolete. “Empowering Domestic Workers through Law and Organizing Initiatives.” *Seattle Journal for Social Justice*. 9 (2010): 487-527.

¹⁸Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.

¹⁹Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.

²⁰Shah, Hina and Marci Seville. “Protecting Workers’ Rights in a Post-Wisconsin World: Strategic for Organizing and Action in an Era of Diminished Resources and Embattled Unions: Domestic Worker Organizing: Building a Contemporary Movement for Dignity and Power.” *Alband Law Review*. 75 (2012): 413-458.

²¹Hayashi, Reyna Ramolete. “Empowering Domestic Workers through Law and Organizing Initiatives.” *Seattle Journal for Social Justice*. 9 (2010): 487-527.

- ²²Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ²³Strom, Shayna. "Toward a More Secure Retirement for Domestic Workers." The Century Foundation. 12 September 2017. <<https://tcf.org/content/report/toward-a-more-secure-retirement-for-domestic-workers/>>
- ²⁴Auerbach, Allyson, Kathleen McCabe, and Eliza Davenport Whiteman. "A Health Impact Assessment of the Massachusetts Domestic Workers' Bill of Rights." Health Resources in Action. June 2014.
- ²⁵Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ²⁶Altonji, Joseph and Rebecca Blank. "Race and gender in the labor market." Handbook of Labor Economics. 3C (1999): 3143-3259.
- ²⁷Tomaskovic-Devey, Donald, Martin Hallsten, and Dustin Avent-Holt. "Where do immigrants far worse? Modeling workplace wage gap variation with longitudinal employer-employee data." American Journal of Sociology. 120.4 (2015): 1095-1143.
- ²⁸Hobden, Claire. "Winning Fair Labour Standards for Domestic Workers: Lessons Learned from the Campaign for a Domestic Worker Bill of Rights in New York State." International Labour Organization. Geneva, Switzerland: 2010.
- ²⁹"2017 Federal poverty level guidelines." National Conference of State Legislatures. 30 May 2017. <<http://www.ncsl.org/research/health/2014-federal-poverty-level-standards.aspx>>
- ³⁰The Self-Sufficiency Standard for Washington State 2017. The Workforce Development Council of Seattle-King County. 2017. <http://selfsufficiencystandard.org/sites/default/files/selfsuff/docs/WA2017_SSS.pdf>
- ³¹"Income Limits 2017." U.S. Department of Housing and Urban Development: Office of Policy Development and Research. <https://www.huduser.gov/portal/datasets/il.html#2017_data>
- ³²Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ³³Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ³⁴Auerbach, Allyson, Kathleen McCabe, and Eliza Davenport Whiteman. "A Health Impact Assessment of the Massachusetts Domestic Workers' Bill of Rights." Health Resources in Action. June 2014.
- ³⁵Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ³⁶Triandafyllidou, Anna, Ed. Irregular Migrant Domestic Workers in Europe: Who Cares? New York: Routledge, 2013.
- ³⁷Poo, Ai-jen. "Organizing with Love: Lessons from the New York Domestic Workers Bill of Rights Campaign." Domestic Workers Union. June 2010. <http://www.cew.umich.edu/sites/default/files/Organizing-withlove--FullReport-Cover_0.pdf?>
- ³⁸Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ³⁹Burnham, Linda and Nik Theodore. "Home Economics: The Invisible and Unregulated World of Domestic Work." National Domestic Workers Alliance. New York, NY: 2012.
- ⁴⁰"New York City: Partnering to Improve Domestic Workers' Job Quality." Communities that Work Partnership. August 2016. <<http://www.aspenwsi.org/wordpress/wp-content/uploads/CTWP-NYC.pdf>>
- ⁴¹Brewer, Rose, and Nancy Heitzeg. "The Racialization of Crime and Punishment: Criminal Justice, Color-Blind Racism, and the Political Economy of the Prison Industrial Complex." American Behavioral Scientist. 51.5 (2008): 625-644.
- ⁴²SMC 14.17. "The Use of Criminal History in Employment Decisions."
- ⁴³Hobden, Claire. "Winning Fair Labour Standards for Domestic Workers: Lessons Learned from the Campaign for a Domestic Worker Bill of Rights in New York State." International Labour Organization. Geneva, Switzerland: 2010.
- ⁴⁴Beck, Elizabeth. "The National Domestic Workers Union and the War on Poverty." The Journal of Sociology and Social Welfare. 28.4 (2001): 195-211.

- ⁴⁵“Independent Contractor Guide: A Step-by-Step Guide to Hiring Independent Contractors in Washington State.” Washington State Department of Labor & Industries. 2017. <<http://www.lni.wa.gov/IPUB/101-063-000.pdf>>
- ⁴⁶Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.
- ⁴⁷Dresser, Laura. “Cleaning and Caring in the Home: Shared Problems? Shared Possibilities?” Industry Studies. 2008. Boston, MA: 1-24.
- ⁴⁸Avila, Rocio. Washington Domestic Worker Rights. National Domestic Workers Alliance. July 2017.
- ⁴⁹Auerbach, Allyson, Kathleen McCabe, and Eliza Davenport Whiteman. “A Health Impact Assessment of the Massachusetts Domestic Workers’ Bill of Rights.” Health Resources in Action. June 2014.
- ⁵⁰Dresser, Laura. “Cleaning and Caring in the Home: Shared Problems? Shared Possibilities?” Industry Studies. 2008. Boston, MA: 1-24.
- ⁵¹Auerbach, Allyson, Kathleen McCabe, and Eliza Davenport Whiteman. “A Health Impact Assessment of the Massachusetts Domestic Workers’ Bill of Rights.” Health Resources in Action. June 2014.
- ⁵²Dresser, Laura. “Cleaning and Caring in the Home: Shared Problems? Shared Possibilities?” Industry Studies. 2008. Boston, MA: 1-24.
- ⁵³Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.
- ⁵⁴Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.
- ⁵⁵Abernathy, Nell and Rebecca Smith. “Work Benefits: Ensuring Economic Security in the 21st Century.” National Employment Law Project. 2017. <<http://www.nelp.org/content/uploads/Work-Benefits-Ensuring-Economic-Security-21st-Century-Roosevelt-Institute-NELP.pdf>>
- ⁵⁶“Domestic Workers and Collective Bargaining: A Proposal for the Immediate Inclusion of Domestic Workers in the New York State Labor Relations Act.” National Domestic Workers Alliance, Domestic Workers United, and Urban Justice. October 2010.
- ⁵⁷“Domestic Workers and Collective Bargaining: A Proposal for the Immediate Inclusion of Domestic Workers in the New York State Labor Relations Act.” National Domestic Workers Alliance, Domestic Workers United, and Urban Justice. October 2010.
- ⁵⁸Hobden, Claire. “Winning Fair Labour Standards for Domestic Workers: Lessons Learned from the Campaign for a Domestic Worker Bill of Rights in New York State.” International Labour Organization. Geneva, Switzerland: 2010.
- ⁵⁹“Charter of the City of Seattle.” City of Seattle. 5 November 2013. <<http://clerk.ci.seattle.wa.us/~public/charter/charter.htm>>
- ⁶⁰Krisberg, Kim. “Income Inequality: When wealth determines health, earnings influential as lifelong social determinant of health.” The American Public Health Association. 2017. <<http://thenationshealth.apha-publications.org/content/46/8/1.1.full>>
- ⁶¹Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.
- ⁶²Goldberg, Harmony. “Domestic Worker Organizing in the United States: Reports from the Field.” International Labor and Working-Class History. 88 (2015): 150-155.
- ⁶³Ibid.
- ⁶⁴Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.
- ⁶⁵Strom, Shayna. “Toward a More Secure Retirement for Domestic Workers.” The Century Foundation. 12 September 2017. <<https://tcf.org/content/report/toward-a-more-secure-retirement-for-domestic-workers/>>
- ⁶⁶Kelley, Robin. “Home is Where the Work Is: Inside New York’s Domestic Work Industry.” Domestic Workers United and DataCenter. 14 July 2006.
- ⁶⁷“Behind Closed Doors: Working Conditions of California Household Workers.” Mujeres Unidas y Activas, Day Labor Program Women’s Collective of La Raza Centro Legal, and DataCenter. March 2007.
- ⁶⁸Auerbach, Allyson, Kathleen McCabe, and Eliza Davenport Whiteman. “A Health Impact Assessment of the Massachusetts Domestic Workers’ Bill of Rights.” Health Resources in Action. June 2014.
- ⁶⁹Burnham, Linda and Nik Theodore. “Home Economics: The Invisible and Unregulated World of Domestic Work.” National Domestic Workers Alliance. New York, NY: 2012.



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