# Chapter 7 Pandemic Shock Absorbers: Domestic Workers' Activism at the Intersection of Immigrants' and Workers' Rights



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#### 7.1 Introduction

This chapter tackles the variety of ways in which worker centres in the United States have been at the frontline of the response to domestic workers' needs, addressing a gap in mainstream and otherwise insufficient relief measures provided by the government. Because of these gaps and the sheer level of need faced by these workers and their families, these centres did what they were prepared to do: continue the service provision, education, organising, and advocacy efforts (Fine, 2006) while expanding their efforts in each of these areas of work.

Domestic work, which we understand as part of the larger umbrella of care work (building and maintaining human infrastructure) that remains within the household (Duffy et al., 2015) – including the work of nannies, personal care assistants, and cleaners – is a sector with a disproportionate presence of immigrants and workers of colour (Duffy, 2005, 2020). In the US there are more than 2.2 million people who are cleaners, personal caregivers including agency-based PCAs, and nannies (Wolfe et al., 2020): 91.5% of domestic workers in the US are women (predominantly nannies, 96.8%), while men are slightly more common in home care work, comprising

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up to 13.9% in certain categories of home care aides (Wolfe et al., 2020). According to official data, around 17% of all workers in the US were born elsewhere – a proportion that exceeds 35% in the domestic sector. Specifically, 69.3% of house cleaners are foreign born and 50.8% of them do not have American citizenship (Wolfe et al., 2020). The proportion of immigrant workers is likely underestimated (Burnham & Theodore, 2012).

Black and Hispanic workers in the US are much more likely to work in the domestic sector than white non-Hispanic workers. White non-Hispanic workers comprise 63% of the general workforce, Black non-Hispanic 12%, Hispanic workers of any race 17%, and Asian American/Pacific Islanders 6.3%. However, in domestic work these proportions are inflated in the case of non-white and Hispanic populations, with white non-Hispanic workers accounting for 42% of domestic workers, Black non-Hispanic people 22%, Hispanic persons of any race 29%, and Asian American/Pacific Islanders 6.9% (Wolfe et al., 2020).

Accordingly, since many domestic workers are immigrants and people of colour, it is important to reframe the COVID-19 pandemic as a *syndemic*, meaning that it encompasses both biological and socioeconomic aspects (Horton, 2020). While the Covid-19 crisis has affected domestic workers severely on a global level (ILO, 2020b), in the US they were affected both as participants in a high-risk labour sector and as members of demographic groups particularly impacted by the pandemic. Due to structural inequities in access to healthcare and safe and healthy living and working conditions, members of ethnic and racial minority groups in the US have been disproportionately hit by the virus (Gellat, 2020). These socioeconomic inequities impact most domestic workers, who tend to have less access to healthcare yet find themselves labelled 'essential workers' and put on the frontlines of risk. While a small part of essential work is 'teleworkable', more worrisome are jobs that are often more at risk under the pandemic because of direct and bodily contact with other people, including domestic and care workers (Marchetti, 2020).

Historically, domestic workers have existed at the margins of the labour market and have been excluded from universal labour protections. Prior to the pandemic, domestic workers' organisations had already been addressing the needs of this particular group of workers, advocating in a variety of ways for their inclusion in labour laws and for immigration reform. Because domestic workers in most US states lack the right to form unions, their rights have been taken up by worker centres operating at the intersection of their marginalisation both as workers and as immigrants. It is not enough to address them only as workers or only as immigrants - their intersectional marginalisation requires an intersectional approach (Marchetti et al., forthcoming). In this chapter, we examine both the ways in which domestic workers themselves acted as 'shock absorbers' for the immediate crises presented to their employers by the pandemic, as well as the ways in which domestic workers used their advocacy organizations in order to mitigate the impacts they themselves experienced. Workers' organisations in the US have continued the work they were doing to support and advocate for these workers prior to the pandemic, while adapting to the specific challenges brought about by the pandemic to amplify the voice of care and domestic workers.

Despite the fact that only one-third of the American workforce has been able to work from home during the pandemic (BLS, 2019), people were ordered or encouraged to shelter in place and self-isolate. Homes thus became even more unusual and very 'sensitive' workplaces as the basic unit of quarantine. A cleaner, a nanny, or a care assistant is a foreign element in the home in non-pandemic times – often crossing class, ethnic, or race boundaries when entering the employer's household. During a period of state-mandated stay-at-home orders, these workers become intruders into the safe 'bubble' of the private home and another potential 'vector' of the disease. Accordingly, many employers who had the option of working from home (or were laid off) decided they did not need cleaning or care services for their children, thus making whole categories of workers expendable with little or no warning. It is another moment in the history of the ways in which 'contamination' and 'purity' have been written onto the bodies and work lives of immigrants more broadly (Boris, Chap. 4, this volume).

The pandemic created a new urgency in defining who is an 'essential' worker; like agricultural workers, healthcare workers, and delivery workers, domestic workers have found themselves at the centre of a debate about how and whether their labour is valued (cf. Marchetti, 2020). Not coincidentally, these groups have historically been, and continue to be, disproportionately recruited from immigrants and workers of colour. While migrant populations have been affected worldwide by sudden restrictions, it should be noted that the immigration situation in the US differs from the European context. The US immigrant population is more settled and permanent and has a larger number and proportion of undocumented (unauthorised) migrants who, by the nature of restrictions, are often less mobile. On the other hand, a large proportion of migrants in Europe are mobile within the Free Movement Area (Pew, 2019, 2020; IOM, 2019). In the US, despite being a permanent and indispensable part of the economy, large numbers of immigrants have been and still are structurally marginalised (Boris, Chap. 4, this volume).

In addition, the relief measures applied by governments have left out many domestic workers, their subcategories, and workers of certain backgrounds. In one study it turned out that more than half of the white US-born workers and less than one-fifth of all other workers reported receiving a stimulus check, the basic form of COVID-related relief in the US (Rosińska, 2021). This is true for many European countries – for instance live-in workers in Germany and self-employed workers in Austria have not been covered by Covid-related protections (Leiblfinger et al., 2020). Domestic workers in Italy and Spain did not have access to emergency income or special unemployment provisions but were included after grassroots pressure in both countries (Marchetti & Jokela, forthcoming). The situation of immigrants, especially those who are unauthorised, is the worst – as was the case in pre-pandemic times – with only a minority of countries, like Portugal, extending benefits such as healthcare to all residents irrespective of their status (ibid.). In France, frontline workers could be fast-tracked for citizenship. In the US, as in most countries, we did not see the 'effective membership' inclusion (cf. Triandafyllidou, Chap. 1, this volume), but rather a reinforcement of divisions and rebordering.

To understand and learn from the response of domestic workers' organisations to the crisis at hand, we will discuss the impact of the pandemic on domestic workers, including the relief measures that excluded or included them, and how these filtered through their demographic composition. We will present the history of legal exclusions in this sector and domestic workers' struggle for recognition and analyse how their activities during the pandemic are rooted in the long history of this activism. In particular, we analyse the worker centre as a site of activism for both domestic workers and immigrant workers. We examine how the strategies traditionally used by these organisations, including service provision, education, organising and advocacy (cf. Fine, 2006), have continued to be important, and have been adapted and amplified to address the needs of the workers during the pandemic in the short and long term (cf. Pleyers, 2020). We argue that worker centres skilfully engage the controversial terminology of 'essential' workers in order to reinvent the connections between immigrants' rights and general workers' rights to the advantage of domestic workers.

#### 7.2 Methods

Drawing on an online ethnography of organisations and ongoing policy reviews, we analyse the multilevel response of domestic workers' organisations to address the crisis. This analysis is embedded in the authors' respective experiences of researching and collaborating with Massachusetts-based worker centres. Specifically, we draw on Anna Rosińska's study *Intersections of class and ethnicity in paid domestic and care work*<sup>1</sup> within her visiting research at the University of Massachusetts Lowell (2018–2020) and Elizabeth Pellerito's work as the Director of the Labor Education Program at the University of Massachusetts Lowell (an extension programme that provides education about workers' rights and organising skills to adult workers outside the university system) and as a member of the board of several organisations (including the Women's Institute for Leadership Development, WILD<sup>2</sup>).

To understand organisations' responses and measures affecting domestic workers, we engaged in online ethnography (Caliandro, 2018; Pink et al., 2016). This entailed ongoing online observation and participation in the period from March to November 2020, including attending around 20 online events aimed at training and supporting workers at various stages of the pandemic, as well as taking notes and documenting the meetings through screenshots. Anna Rosińska was modestly involved as a volunteer in distributing the NDWA funds by Matahari in Massachusetts; she has also met online with the Brazillian Women's Group, Dominican Development Centre, and Polish workers from Arise Chicago in the course of her research,

<sup>&</sup>lt;sup>1</sup>This project has received funding from the European Union's Horizon 2020 research and innovation programme under the Marie Skłodowska-Curie grant agreement No 799195.

<sup>&</sup>lt;sup>2</sup>http://wildlabor.org/

including during the pandemic. Elizabeth Pellerito co-organised events that were attended by members of the Brazilian Workers Center. We were also closely following and analysing new policy measures with the help of policy briefings and following experts who were guest speakers at the aforementioned events.

The online ethnography pertains primarily to Massachusetts-based organisations, and the policy review to federal level initiatives; however, in the chapter we will discuss selected cases from activism and policy measures at the national level as well as activism from several states other than Massachusetts.

# 7.3 Domestic Workers in the US at the Intersection of Race, Class, and Ethnicity

Historically, domestic workers in the US were first recruited from enslaved populations. After abolition, these roles were re-categorised as domestic servant positions and were still very distant from what we understand as gainfully-employed workers; they were often occupied by formerly enslaved women and eventually their descendants (Rollins, 1985; Nadasen, 2015; Boris, 2019; Boris & Nadasen, 2008). While New Deal-era labour laws brought a wide range of workers under the umbrella of the labour protections traditionally provided by unions, domestic work and other sectors largely populated by people of colour, African Americans in particular, and immigrants were excluded from the start (farm work, other service jobs). The lingering effects of this exclusion, or in many cases actual legal marginalisation of these occupations, forms a baseline condition for domestic workers also under the pandemic of Covid-19.

The 1935 National Labor Relations Act (NLRA) and the 1938 Fair Labor Standards Act (FLSA) excluded domestic and several other categories of workers. A 1974 amendment brought many (but not all) domestic workers under the umbrella of the law's protections. Under the FLSA, domestic workers who work at least 8 h per week are entitled to the standard federal minimum wage and overtime protections – unless they are employed 'on a casual basis' to provide babysitting or companionship services, in which case they may be exempted [§206(f) and §213(a) (15)], though the definition of 'companionship' was considerably narrowed in 2015.

Similarly, the Occupational Safety and Health Act (OSH Act, 1970) exempts employers with fewer than ten employees, employees in the public sector, or those who are 'self-employed', a designation that has been used as a loophole to exclude many categories of independent contractors from key recordkeeping requirements that help ensure enforcement. OSHA acts as a federal baseline; individual states may pass laws that meet and exceed these standards, including an application of these standards to state, county, and municipal employees and other employees in the public sector. At this time, 24 states fall solely under federal OSHA jurisdiction (OSHA, 2020).

Because federal law has been generally considered weak and difficult to enforce in private households, domestic workers have successfully turned to state-wide protections, increasingly in the form of Domestic Workers' Bills of Rights (DWBORs). As of February 2021, ten states (New York, Hawaii, California, Massachusetts, Connecticut, Illinois, Nevada, Oregon, New Mexico, Virginia) and two cities (Seattle and Philadelphia) have passed laws that in various ways include all or some domestic workers in the general labour regulations (Boris et al., 2015; Wolfe et al., 2020).3 While the laws are not uniform, they require employers to provide a written contract for domestic workers, protect against wage theft, enforce health and safety language for home workplaces including recordkeeping and the responsibility to post safety information, and perhaps most importantly, provide an avenue for civil litigation against employers. Despite the low likelihood of advancing federal standards under an administration that was hostile to labour but encouraged by the successes at the state level, the NDWA proposed the Domestic Workers Bill of Rights Act to Congress in 2019, a first attempt to not only include domestic workers under general labour regulations but to address the specificity of this sector at the federal level.

# 7.4 Being a Domestic Worker in the US Under the Pandemic: Impact on the Ground and the Relief Measures Excluding Domestic Workers

There are several dimensions of the pandemic's impact that affect domestic workers unevenly. First, Covid-19 is affecting workers as an illness. Because the pandemic is actually a *syndemic* (Horton, 2020) – or, in other words, comprised of concomitant pandemics of the virus, racism, and the economic crisis – workers disproportionately from racial and ethnic minorities and who work for the lowest wages are to be expected to be hit the hardest by the virus (OHCHR, 2020; Clark et al., 2020). No data is available on the incidence of the cases among domestic workers, but information on the disproportionate number of Hispanic and Black people getting sick and dying from Covid-19, and evidence of personal care givers contracting the virus and missing from work at large numbers, hint at the possible impact on the group (see also Gelatt, 2020).

Secondly, measures such as lockdowns and stay at home orders implemented to curb the spread cause, in and of themselves, many workers to lose their jobs. Government orders differentiating between essential and non-essential businesses, for example, make the work of self-employed cleaners 'illegal' for periods of time in some states (Wilson & Stimpson, 2020; Gelatt, 2020).

<sup>&</sup>lt;sup>3</sup>The most recent bill was passed in Virginia in February 2021, https://www.facebook.com/ CareInActionUS/photos/a.1945630589063175/2546275405665354/

Thirdly, there are measures designed to manage the economic impact of the disease and the lockdowns in the form of Covid-related relief policies. Domestic workers are excluded from some of these regulations as an occupational group, and sub-categories of workers are left out because of their status as undocumented immigrants, for example (Wilson & Stimpson, 2020). All three factors have a disparate impact on domestic workers.

Based on available reports and the analysis of our own data, we have identified a polarisation into two further variants of vulnerability under the pandemic: some workers are vulnerable because they are without a job and other domestic workers are vulnerable because they are still on the job.

'Vulnerable because out of work' is the type of impact that has been the most highlighted in media coverage of the pandemic and the available research data are the most alarming about it. The *Six months in crisis report* on Spanish-speaking domestic workers, most of them housecleaners, states: 'by late March, more than 90% of workers lost jobs due to Covid-19' and 70% were out of work in early May (López González & Anderson, 2020). The *Notes from the storm* report on Black immigrant workers identified that '[i]n all locations, 70% of the Black immigrant domestic workers surveyed have either lost their jobs (45%) or received reduced hours and pay (25%)' (IPS, 2020).

People who lost their jobs have struggled financially to cover basic expenses. According to our analysis, this scenario has been typical for cleaners and some nannies. They have struggled with rent payments and faced housing and food insecurity (López González & Anderson, 2020). Losing jobs or having hours cut is common among domestic workers, alongside housing insecurity and the lack of a safety net, also according to the IPS report (IPS, 2020).

Other workers found themselves in a situation where they were required to work, sometimes more, and in dangerous conditions and under a lot of stress. They are 'vulnerable because still on the job'. This was especially common in the situation of PCAs that, by the nature of their job, are usually in contact with multiple clients. Frontline workers including PCAs have reported not having access to personal protective equipment (PPE). Lack of PPE, lack of medical insurance, and exposure to Covid-19 were mentioned as the major threats to those still on the job (IPS, 2020; for more on the differentiated impact on domestic workers in various jobs, see Rosińska, 2021).

Within every job, particular vulnerability was experienced by undocumented workers. They were more likely to lose their jobs in two of the three locations studied by WeDiB (López González & Anderson, 2020). Domestic workers often do not have any formal safety net, whether due to their status as undocumented immigrants or as workers not recognised by employment regulations. Those immigrant workers who can travel to and from their country of origin often rely on healthcare and other services that are more affordable back home. This has been cut off due to the closing of borders (Wilson & Stimpson, 2020).

While domestic workers face increased vulnerability from the syndemic itself and the lockdown measures that jeopardise their employment, the federal relief measures passed early in the pandemic included some domestic workers under the 130

umbrella of workers in need of relief. The Families First Coronavirus Response Act (FFCRA) provided for increased food assistance and, at least in theory, provided for emergency paid medical leave for care of oneself or a family member through December 2020, to be paid by the employer (FFCRA, 2020). However, undocumented immigrants are largely excluded from food aid programmes like SNAP and WIC, are ineligible for federal stimulus checks, and may be less likely to seek assistance in the first place due to their vulnerable legal status, concern about the risk of deportation when applying, and the potential impact of applying for public support on current or future visa applications (see López González & Anderson, 2020; IPS, 2020). Emergency paid sick leave provisions are only available to full-time employees (US Code §5102).

The Essential Workers Bill of Rights, introduced in April 2020 by Senator Elizabeth Warren and Representative Ro Khanna, would rectify many of these exclusions by naming domestic and care workers under the umbrella of eligible workers. The policy would explicitly provide health and safety protections, premium pay, universal paid sick leave, childcare, and more, but also tackle broader labour issues such as the misclassification of workers and corporate tax breaks.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), also passed in March 2020, widened the umbrella of eligibility for unemployment insurance (UI) and extended the amount of time an individual can collect UI (US Code §2102); established moratoria on foreclosure and eviction in properties that receive federal funding (US Code §4022–4); and issued one-time stimulus payments and additional boosts to UI payments for a short period of time. While the importance of expanding unemployment insurance to independent contractors and other vulnerable employees should not be underestimated, the barriers to collection remain in place for employees without a steady, full-time work history and, in particular, for undocumented workers.

As for OSHA, the agency's response to Covid-19 has been widely criticised as slow and inadequate, largely attributed to bureaucratic inefficiency and lack of political will to protect workers in the anti-worker and anti-immigrant Trump Administration. There is no OSHA standard for worker safety during the pandemic in spite of advocates pushing for one; more disturbingly, OSHA has declined to provide workplace enforcement of Covid-specific guidance. While OSHA grants employees the right to refuse unsafe work, the standard for refusal and the enforcement of this policy is weak and it seems unlikely that domestic workers could benefit from this clause (Berkowitz & Sonn, 2020). Individual states with OSHA regulations have likewise been overburdened to the point of incapacity. Each of these Acts and agencies need to be understood within the exclusionary historical

<sup>&</sup>lt;sup>4</sup>A more widespread eviction moratorium has been declared by the CDC, though at the time of writing it is set to expire in March 2021 with no further relief in sight and with Covid-19 cases and new unemployment applications still soaring.

<sup>&</sup>lt;sup>5</sup>One of President Biden's first acts when he took office in January 2021 was to direct OSHA to create such a standard, though at the time of writing it has not yet been issued.

context of US labour law. While these Acts did provide some basic protections to domestic workers, nonetheless immigrants remained in precarious situations.

Mindful of the developments and some improvements under the new administration that took office in January 2021, the rest of this chapter depicts the response of the organisations throughout 2020, under particularly difficult circumstances.

#### 7.5 Domestic Workers' Activism in the US

In the US, organising in the domestic sector has a rich and deep history going back to the end of the nineteenth century. In the early days of the movement, from the 1881 washerwomen's strike in Atlanta, Georgia, Black domestic workers who dominated the sector became the first advocates of domestic workers' rights. Black domestic workers' activism peaked in the Fifties, Sixties, and Seventies (Nadasen, 2015). One of the results of that period of activism was the passing of the amendment to the Fair Labor Standards Act in 1974 that included domestic workers under these laws, discussed in the previous section, as well as advancements on the state level, for example by the efforts of Women's Service Club of Boston, which was able to enact legislation including domestic workers in state labour regulations.<sup>6</sup>

Starting from the 2000s, there was a new wave of domestic worker organising that was principally led by immigrant workers. The movement broadly shifted its energies toward mobilising and organising diverse immigrant and local workers on a large scale. These efforts bore fruit in the form of the National Domestic Workers Alliance (NDWA), established in 2007 by 13 organisations from around the country. Among the NDWA's achievements is inspiring the Domestic Workers Bill of Rights passed in New York in 2010, and consequently, in nine more states and two cities; one of their recent initiatives was the National Domestic Workers Bill of Rights that was presented to Congress in July 2019 and re-introduced in July 2021.

Along with advocacy organizations like the NDWA that span the entire country, domestic workers in the US have largely built power through worker centres in the twenty-first century. These centres are often organised along lines of race, ethnicity, or nationality, and have historically organised African American workers and immigrants working in precarious industries left behind by organised labour. Because of the growing prevalence of immigrants in the sector, and the fact that domestic workers are excluded from the list of industries that can unionise at the federal level, many (though not all) worker centres that have developed in the US have by necessity focused on *both* economic justice and immigrant justice, in many cases presenting them as inseparable. And because these centres provide a space for the most precarious workers to come together, they face a unique set of challenges, even in pre-pandemic times. Many worker centres find creative ways to overcome these challenges, including creating multi-lingual spaces, providing childcare during

<sup>&</sup>lt;sup>6</sup>https://archives.lib.state.ma.us/handle/2452/497429

meetings, and using public spaces like parks or libraries or even buses for outreach. This has been the case in Massachusetts, where activism has largely been led by the Massachusetts Coalition of Domestic Workers (MCDW) formed in 2010 by two workers centres: the Dominican Development Center that works with Dominican personal caregivers, and Matahari, a women's worker centre that principally represents nannies and au pairs from all over the world but was established as an organisation for gender justice; and by the Brazilian Women's Group, a grassroots organisation that mostly mobilises Brazilian cleaners. Throughout 2020 and as of August 2021, the Massachusetts Coalition of Domestic Workers steering committee has been composed of Dominican Development Center, Brazilian Women's Group, Brazilian Worker Center, Massachusetts Coalition for Occupational Safety and Health (MassCOSH) and Women's Institute for Leadership Development (WILD).

Janice Fine defines the work of immigrant worker centres in particular into three types: service delivery, advocacy, and organising; to this, we would add education and participatory research as additional categories that are central to the missions of many centres (2006). All these activities, and more, were a vital part of everyday work for the domestic workers organisations long before the pandemic. For example, the Brazilian Worker Center provided food help for community members in need; the MCDW first successfully campaigned for the Bill and then organised regular trainings and workshops around the Domestic Workers Bill of Rights; and Matahari established neighbourhood chapters and organised International Nanny Training Day and other forms of learning and outreach. The events were multilingual. The Brazilian Women's Group established a cleaning cooperative that emphasised justice at work and safety for the environment and cleaners. Together with NDWA, Boston-based organisations carried out local research that contributed to the Home Economics report (Burnham & Theodore, 2012). These are only some of the multitude of pre-pandemic activities (see also Tracy et al., 2014).

## 7.6 Domestic Workers' Activism Under the Pandemic. Addressing the Old Problems and the Covid-19-Related Challenges

In many ways, domestic workers' organisations and worker centres in general have always operated in an emergency mode – trying to make up for the permanent deficiencies in social security measures for immigrant and working class members. So, in a way, they have been more prepared for the pandemic than many other organisations because they have been forced to organise incredibly vulnerable and often dispersed workers on an ongoing basis. Globally, social movements adapted to the challenges of the lockdown, and as Geofrey Pleyers explains, have continued, modified, or invented five basic activities: protests, workfare actions and strikes;

<sup>&</sup>lt;sup>7</sup>http://www.massdomesticworkers.org/about-steering-committee

solidarity efforts; monitoring policymakers; and popular education and politicisation (2020). Popular education, monitoring policymakers, pushing for social reform, and solidarity efforts have been at the heart of the work performed by domestic workers organisations.

In what comes next, we discuss four types of activism: service delivery, popular education, organising, and political advocacy (including participatory research), during the Covid-19 pandemic. The organisations continued some of these activities, added new ones to respond to immediate needs, but also considerably expanded some actions, trying to use the pandemic as an opportunity to push their agenda forward. We will also analyse in what ways immigrant and domestic workers' rights intertwined during the pandemic. In each case, we offer a review of existing practices and close-ups of selected practices.

#### 7.6.1 Service Delivery

Though direct service often plays a role in the daily work of worker centres, the pandemic pushed this form of interaction with workers to the forefront, particularly in light of the fact that immigrant and undocumented populations face unique barriers in accessing government relief programmes as described above. We define service delivery as any programme that provides food, cash assistance, or legal aid to meet material needs of members. Whereas pre-pandemic service provision was dominated by assistance with wage and labour complaints and access to government services, translation, and ESL classes, widespread loss of income meant that many organisations shifted to providing large-scale material relief in the form of food and supplies. Both the NDWA and many worker centres across the country offered some version of a mutual aid programme in which members could receive weekly food deliveries, masks, and PPE, or apply for cash assistance grants. For example, the NDWA has established a Coronavirus Care Fund that has assisted over 30,000 domestic workers and their families. The Brazilian Worker Center in Boston has begun weekly food and diaper distribution, and paired this work with political campaigns and education including census outreach and advocacy for a bill that would provide access to driver's licences to undocumented immigrants (see video at https://youtu.be/R-QEflFsutQ and in Advocacy subsection).

Matahari Women Workers' Center of Boston reports that they have distributed over \$340,000 in direct aid to more than 700 applicants, with priority funding going to domestic workers and undocumented workers. This number includes the NDWA funds and likely also money distributed through MassUndocuFund, a joint initiative between Massachusetts Jobs with Justice, Matahari, and One Fair Wage, which to date has distributed over \$1 million to more than 800 undocumented families in Massachusetts. The Chinese Progressive Association in San Francisco reports on their website that they distributed \$30,000 in assistance to 60 families; however, they also report that they received 4500 applications.

Before the pandemic, the models for mutual aid work in the US included trade unions, the work of the Black Panther Party, African American-led earlier domestic workers organisations (Nadasen, 2015), and more recently the work of disability justice organisers, most notably Mia Mingus and the Bay Area Transformative Justice Collective. The context of mutual aid organising during Covid-19 differs from these other examples in the extent to which these funds have gone mainstream and the availability of foundation grants for distribution in networks that might have been more tightly regulated prior to the emergency.

Many of the mutual aid networks that have popped up have been regionally based, primarily online, and largely in English. One area of future study should be the extent to which mutual aid networks as constituted in the pandemic replicate the structural inequalities already present in more traditional models of non-profit work; in this context it appears likely that the mutual aid work of worker centres, particularly those focused on immigrant women, is able to address some of the imbalance present elsewhere.

#### 7.6.2 Popular Education

Popular education has always been at the core of domestic work activism. We define popular education as programming that uses liberatory pedagogy to deconstruct the expert/novice dichotomy (i.e., it values the prior knowledge and experience of students) and, crucially, seeks political change as an outcome. Rather than simply providing information and expecting students to absorb that knowledge, popular education asks students to reflect on their own experiences and the systemic causes of oppression, and then asks them to take political action to create change. Popular education centres language justice by acknowledging that members have different linguistic needs and by providing the resources in many languages and making sure that as many members have information available in a language in which they feel most comfortable. Typically, pre-pandemic training was offered in person and translated simultaneously. As an example, the National Domestic Workers Alliance Assembly in February 2020 was translated into seven languages and the International Nanny Training Day organised by Matahari in 2019 was made available in five languages simultaneously. As Covid-19 in general was a very new phenomenon, having information about the virus and about safety measures quickly became vital. Suddenly language justice became fundamental, a life and death type of situation, especially early in the pandemic. As more information were becoming available, the organisations provided online resources and training in more languages. In particular, the organisations provided information on the virus itself, on safety measures that workers should take, and on cleaning and disinfecting in an efficient but also safe manner.

In Massachusetts and in other states that have passed Domestic Workers Bills of Rights, considerable energy has been dedicated to promoting and enforcing these Bills. These efforts continued under the pandemic, but on top of regular educational

resources, there was also a need to expand the topic as new information and regulations were becoming available. Workers' rights training continued to be provided but included information on the safety net measures and how to access them.

What changed under the pandemic was that training went online, with various organisations adjusting to the remote format in different times. The online events mushroomed and making online resources available grew in importance. One of the first online Covid-19 related trainings was the webinar "What domestic workers need to know during the public health crisis" organised by Matahari on 19 March 2020. The presentation was available in English and Spanish, and emphasised the accessibility of state laws irrespective of the immigration status.

The Massachusetts Coalition of Domestic Workers covered the topic of paid sick leave and new unemployment benefits in a Zoom call held in Spanish, Portuguese, and English on 9 April with a lawyer from Greater Boston Legal Services answering questions. The regulations were so new that the lawyers did not have answers to all the questions, but as a follow-up a leaflet in Spanish and Portuguese was distributed, providing basic information and contact details. The New York chapter of the NDWA held a 'Paid sick leave webinar/Pago por ausencia laboral seminario' on 28 April 2020 that discussed regulations including Federal Families First Coronavirus Response Act, New York State Emergency Sick Leave, New York City Safe and Sick Time, and Westchester County Safe and Sick Time. Likewise, the Chinese Progressive Association in San Francisco carried out Know Your Rights trainings in Chinese and English.

The Women's Institute for Leadership Development held their annual Summer Institute over Zoom (it is usually held over 3 days on a college campus in June). Whereas the Summer Institute usually focuses on leadership development and specific skills workshops for women in unions and workers' organisations, the 2020 version happened over the course of one day and focused all workshops on pandemic-related information while providing simultaneous interpretation in English, Spanish, and Portuguese.

The information provided at many of these trainings was perhaps more geared towards those still employed (workers' rights, paid sick leave, refusing unsafe work, tips on cleaning safely), but also about applying for unemployment insurance, including 'new unemployment' available under the CARES Act to new categories of workers (for example, independent contractors, especially pertinent to some house cleaners). This holds especially in the light of the overwhelming prevalence of unemployment related to workplace closures in the US in comparison to Europe (ILO, 2020a), of how common furloughs were, and within the domestic sector, how common it was to lose a job (ILO, 2020b).

Among online resources, we wanted to highlight the information and resource hub created by the NDWA, available at <a href="https://membership.domesticworkers.org/coronavirus">https://membership.domesticworkers.org/coronavirus</a>. As early as May 2020 the NDWA launched a simple webpage with a list of links such as "What is coronavirus?", "Tips for home care workers", "Information on accessing health care". By November 2020 this page had grown into a Coronavirus Resource Centre, with articulate subsections that offer learning opportunities, support, and ways to get involved. The swift adaptation to an online format was a way to provide members with information, but also gave them a new

platform to connect and continue the sense of community, and also seek help through applying to the Coronavirus Care Fund and get involved (more under Organising below).

#### 7.6.3 Organising

We define organising as bringing people together in the same space (physical or virtual) to build power, define goals, and take action together in order to change their conditions. While it can be read more broadly as encompassing all of the other areas of work, organising specifically focuses on relationship building, often via group meetings or one-on-ones. Because of the marginal position of domestic workers, in comparison to more traditional union organising, worker centres' focus has not been on membership as in the case of unions but on organising for change and creating a common space to come together. In addition, domestic workers' movement organising historically was community-based rather than workplace-based because of the particular character of the household as a workplace and workers' isolation (Nadasen, 2015). This took creative forms such as recruiting members on the bus rides by Dorothy Bolden in Atlanta, Georgia, in the 1960s, and more recently required a lot of in-person outreach, like for example distributing flowers to nannies and au pairs in Boston public parks alongside information about the organisation during Nanny Appreciation Week (September 2019); working through neighbourhood sections, including local new members' orientations sessions; and working with members in one-on-one sessions - all of which are examples of past Matahari work.

The isolation of domestic workers has always been an inherent part of the sector so in some ways domestic workers were always going to be better positioned to adapt to organising in shutdown. Some groups quickly moved their organising (and education) efforts online. In doing so, it was important not only to keep the information flow but also to provide a space of emotional care. Dominican Development Centre and NDWA NY chapters host regular weekly check-in sessions. NDWA offered a Care Together text line for emotional support and weekly Connection Calls to address isolation and distress. The purpose was to stay in touch, provide each other company in times of isolation, and exchange experiences. Many of the meetings start with a circle of everybody sharing something personal. Some of these events have built-in fun segments. For example, a circle meeting of MCDW had a music listening component. The We Dream in Black chapter of the NDWA launched the 'Unbossed agenda' at a separate dance party with a professional DJ. The WILD Summer Institute included a multilingual talent show, with members sharing poems, performances, stories, and singalongs in their native languages.

New Labor is a worker centre and advocacy organisation in New Jersey that largely focuses on Hispanic workers in precarious industries including, but not limited to, domestic work. They built an online video library with interviews from a variety of workers on a set topic each week during the pandemic – from shutdown

to culturally relevant holidays to the right to refuse unsafe work to the Black Lives Matter movement. This gives workers a forum to come together, educate one another, share stories and experiences, and advocate for initiatives like a New Jersey domestic workers' bill of rights. (https://newlabor.org/covid19/).

It should be noted here that as organisations were moving online, their members had to adjust as well, and to the best of our knowledge, there was no training on digital literacy nor was there support for broadband or internet access. While the online move was the only one available, it may have also left behind those workers who are not confident with technology, live in rural areas without reliable broadband, or cannot afford consistent access to internet service.

#### 7.6.4 Political Advocacy

Despite the dire and immediate needs of members, the organisations engaged in political advocacy alongside providing support to individual workers at previously unknown levels. We define political advocacy as the venue to address the ground-level problems at the systemic level by creating political pressure to effect changes in legal statutes and interpretation. According to the survey with Spanish-speaking workers, this is precisely what workers want. When consulted about priorities in negotiating the new federal relief package in August, they pointed to free Covid-19 testing and treatment regardless of immigration status, childcare support, and food support for those in need (López González & Anderson, 2020).

This issue was part of a major study of Spanish-speaking domestic workers through the Alianza chatbot by NDWA. In fact, research efforts mushroomed under the pandemic. The organisations very quickly realised that they needed data to back up their claims. And the domestic sector in general is very hard to accurately estimate because of the prevalent informality and the fact that some of the workers are undocumented. There always is a need to study the sector and hence some of the research projects brought to light under the pandemic were part of long-planned endeavours, like the We Dream in Black study of Black immigrant workers in Massachusetts, California, and Florida, published as the Notes from the storm report (IPS, 2020). Established projects shifted to encompass the pandemic in new ways. The Alianza survey switched from monthly to weekly to better reflect the swift changes in workers' lives as they moved in and out of work. Another early project was the 'Listening campaign' by Matahari, in which organisers called 92 members to collect information about the Covid-19 crisis impact – and presented the results early in the pandemic, in May. All these instances were either participatory, carried out with, by, and for the members, or very strongly embedded in already established communication practices, like the chatbot Alianza that allowed the NDWA survey of more than 16,000 Hispanic domestic workers (López González & Anderson, 2020).

In general, it seems that organisations that worked with specific communities on a given terrain were swamped with needs and applications for support, and it was probably more difficult for them to get involved in advocacy during the crisis. NDWA and some state-level umbrella organisations like the Massachusetts or California Coalitions of Domestic Workers were probably better equipped to handle both direct service provision in the form of funds and push for new legislation simultaneously. They acted at the federal and state levels respectively, pushing for passing Families First, CARES, or HEROES acts, but also to include domestic workers in the state health and safety regulations, as was the case of California Coalition of Domestic Workers, or protesting against ending the eviction moratorium in Massachusetts by the Massachusetts Coalition.

As is evident, some initiatives were focused on Covid-19, while some were grounded in more general issues and needs. Some were more reactive, some more proactive. Federal-level advocacy was more about organising against exclusion by advocating for the inclusion of domestic workers in relief bills, including the Essential Workers Bill of Rights introduced by Sen. Warren and Rep. Khanna. But the (unsuccessful) California initiative, for example, was one of the proactive efforts trying to highlight the needs of care workers in times when they are considered essential and closer to the centre of attention than usual.

This advocacy reflected the organisations' collective identity scope and wider alliances they wanted to support. It is important to note that there were initiatives directly connected to domestic work, but also addressing needs of larger categories of workers and only partly overlapping with the domestic workers, like the aforementioned eviction moratorium. Several efforts were grounded in the immigrants' rights framework already present in their activism. Two examples include the Driving Families Forward campaign and the advocacy around the term 'essential work'.

A key example of how traditional advocacy campaigns have overlapped with the impacts of Covid-19 is the Driving Families Forward campaign in Massachusetts. A coalition of labour unions, worker centres, economic justice organisations, and immigrants' rights organisations began a campaign in 2019 for the passage of the Work and Family Mobility Act, which would provide the right to apply for a drivers' licence to undocumented immigrants (though there had been a much longer history of advocacy on this issue in the region). The coalition is co-led by Natalicia Tracy, director of the Brazilian Worker Center, and Dalida Rocha, Political Director of Service Employees International Union (SEIU) 32BJ Local 615, representing largely janitors and security officers in New England.

Before the onset of Covid-19, the campaign focused on convincing state legislators to co-sponsor the bills in the Senate and House; building community support and endorsements from key sectors including labour, faith, social justice, and, crucially, law enforcement; and mobilising the public to contact their legislators in support of the bills. Key talking points in support of the Act prior to March 2020 included public safety, the need for mobility and limitations of public transportation, immigrants' rights, and economic stability for both undocumented immigrants and state tax revenues.

After the onset of Covid-19, the campaign shifted its messaging to address broader concerns relevant to the pandemic, including public health and spread of disease, and the stability of supply chains. A flyer released by the campaign declares,

'Work & Family Mobility Act becomes even more critical during Covid-19 pandemic/Licencia de Conducir Para Inmigrantes se vuelve critico durante la pandemia de Covid-19'. The flyer's text explains that immigrants are part of the essential workforce – including agricultural workers, cleaners, and healthcare workers – that others rely on during the pandemic and that public transportation does not allow for safe social distancing on their way to and from work, access to drive-through-only Covid-19 testing sites, and safer transportation for children accessing in-person education. A driver's licence would also allow easier access to food and healthcare for immigrants and their families, helping to lower the total disease burden on area hospitals. Finally, the flyer explains that the agricultural industry is largely staffed by immigrants who do not have safe access to and from work without a driver's licence; providing licences would help stabilise supply chains during a time of shortages.

The rhetorical strategies of the new flyer are largely the same, relying on both the human rights of immigrants and on the self-interest of non-immigrant populations in granting rights that would increase public health and safety. However, the campaign was able to shift its rhetoric toward the issues at the forefront of public anxieties around the pandemic, while being careful not to play into xenophobic narratives about immigrants spreading disease. A higher disease burden is not inherent to immigrants, the flyers are clear to note, but rather due to laws and regulations that could be improved to stop the spread of the disease for everyone. These flyers were included with food distribution by the Brazilian Worker Center, and social media posts about immediate assistance were nearly always accompanied by action items to push for the passage of the Work and Family Mobility Act. In this way, Covid-19 response almost always included multiple of the categories we analyse here, in this case including service, education, organising, and advocacy.

The pandemic edition of the 'Driving Families Forward' campaign made an explicit reference to the essential work argument, present in the public discourse and some regulations. Also, the National Domestic Workers Alliance has repeatedly claimed that 'Domestic work is essential work' and campaigned for the Essential Workers Bill of Rights, which explicitly includes domestic workers. The label itself appears a controversial way of obliging some workers to sustain the work-from-home mode of a minority of workers, even if, for example in Massachusetts, dividing businesses into essential and non-essential was aimed at keeping the bare minimum of activity to curb the spread of the virus. There are several other problems with being an essential worker under the pandemic. Some workers do not have much choice but to work, even if the workplaces are not safe for them, with employers not providing personal protective equipment, as was the case of personal care aides and many healthcare workers.

Risky work is required of workers who as undocumented immigrants, concentrated among others in agriculture, meatpacking, and domestic work, have little protection in case they get sick. So why are the immigration justice and domestic workers organisations making an appeal to this category and embracing it? In our opinion, they are trying to counter the overall exploitative narrative by using essential work as a platform to access rights otherwise unavailable rather than just

accepting the risky obligation to provide vital services, no strings attached. There is a symbolic aspect to it, and in a way stating that domestic work is essential work, for example by the NDWA, is another way of saying 'we make all other work possible', 'we are fundamental'. This is a way to have their importance recognised under new circumstances. There is a long historical tendency to treat domestic workers as 'disposable domestics' (Chang, 2000), meaning that they are both fundamental for everyday life but also so marginalised and replaceable that it is possible to just 'dispose' of them. By claiming the status of essential workers under these new circumstances, the organisations are counteracting the disposability and reinforcing the fundamentality narrative.

The important step implied in claiming the status of essential workers seems to be about making domestic employment official and formalised. Informality of the sector is one of its biggest problems, and it has a devastating impact on a laid-off person who cannot claim any benefits because they were not in formal employment to start with. This is more common among undocumented workers. Essential workers should not work without a contract, right? But by claiming this status, the organisations aim at more than just helping the workers to step out of the shadows. It is about gaining the benefits that they consider due. As essential workers, they require personal protective equipment, inclusion in relief funds, keeping their jobs, or having the right to stay home to care for themselves or a loved one – or all. Just recently, Matahari has argued that domestic workers should be included in Phase 2 of the vaccine rollout in Massachusetts just like all essential workers. These organisations are trying to navigate the 'essential work' paradoxes as best they can, to the advantage of domestic workers.

Domestic jobs are not created equal and the impact has been diverse depending on whether you are a nanny, a PCA, or a cleaner. Some workers, predominantly PCAs and some nannies, found themselves working more and confronted more challenges and risks on the job. Some, as most cleaners and some nannies, were laid off with short notice and often no access to any relief or benefits (cf. Rosińska 2021). It seems that recognising all domestic workers as essential prevents problems tied to both kinds of situations: protection for those on the job, paid time off to anybody who needs a break, and inclusion in unemployment and relief measures in case the workers are out of a job.

Similarly, some organisations and unions have pushed for 'hazard pay' for low-paid workers whose jobs cannot be done remotely, mainly in grocery and retail sectors. This strategy, like that of harnessing the rhetoric of essential work and workers, is not without controversy. Specifically, it positions these workers as central for white collar survival during the pandemic but presumes a return to the status quo when the social 'emergency' has ended; it also raises the fraught question of how exactly to quantify the lethal risks taken by the working classes on behalf of the wealthier classes. A more equitable approach would mean that nobody feels inclined to put themselves and their families at risk because of financial need. This is

<sup>&</sup>lt;sup>8</sup> A letter to demand vaccine access for all domestic workers: https://linktr.ee/mataharijustice

balanced by the desire to gain some benefit more tangible than gratitude for these workers. Those in the informal sectors, who may or may not be documented, are essential in the sense that their labour contributes to the comfort or survival of others but are simultaneously declared disposable by employer and government policies that write them out of relief benefits.

### 7.7 Concluding Remarks

During a health and safety campaign at our public university employer this spring, management refused to provide face coverings for the maintenance workers on campus – and simultaneously tried to unroll a 'safe return to campus' plan for research workers in labs that included free daily masks for researchers. Ultimately, when the coalition of campus unions pointed out that treating different categories of workers differently affects the spread of disease for everyone, the university's administration changed its mind and began to provide face coverings for all workers, including the lower-paid, immigrant workers in the maintenance unit.

The Covid-19 pandemic emphasises that real public health cannot be divided into sectors based on income, ethnicity, or immigration status. But what the *syndemic* teaches us is that introducing a pandemic into a system that is already largely out of balance and historically rooted in unequal treatment means that some – usually, those with the least to lose – will face much greater risks.

While public rhetoric in the US since March 2020 has emphasised togetherness and unity – for example, businesses and cities posting signs declaring 'we are all in this together' and 'support our essential workers' – the situation of domestic workers paints a very different picture of the real situation. Flattening the curve, after all, is never about stopping the virus in its tracks; it always presumes a base level of cases (and fatalities) that are seemingly unavoidable, and in this way, the most vulnerable workers are expected to act as shock absorbers that allow the rest of the system to function.

The organisations' responses to the Covid-19 crisis span from the initiatives addressed at individual workers in terms of organising funds and resources to provide financial, material, and food security to continuous training and organising in the online mode to continued and amplified policy campaigns at the federal and state levels when it comes to hazard pay, health and safety regulations, or eviction moratoria, while skilfully navigating the contentious label of 'essential work' to the workers' advantage.

There has been an overwhelming need for direct financial and material help. To a certain extent it seems that some of the funds have been redistributed or were distributed differently than they would have been had there been no disaster situation. As much as these organizations have done their best to absorb some of the shock placed upon these workers, this support has been far from sufficient, and the blooming of mutual aid initiatives should not be the sign of relieving the state of its responsibility to its citizens; in fact, the organisations were balancing the enormous

on-the-ground service delivery and education initiatives with relentless efforts to change the system and include domestic workers in the relief measures and protections. They availed themselves of the sudden prominence of care under the pandemic (Fine & Tronto, 2020) and used it as an opportunity to push their agenda forward for a systemic change.

As immigrant workers form the majority of domestic workforce and domestic workers' organisations, immigrants' rights are at the heart of the domestic workers' movement, both before and during the pandemic. Domestic workers' precarity has been reinforced under the pandemic both in terms of job situation as well as immigration status. This has required organisations to address the needs of domestic workers simultaneously as workers and as immigrants even more than before. Under the pandemic, the tool of the intersectional work continued to be language justice – offering popular education on workers' rights in multiple languages. Another tool has been to be vocal and participate in issues geared towards immigrants as such, towards immigrant workers (not only domestic workers) as in the driving licences campaign, or against the eviction moratorium, which impacts an even larger population.

We should ask a question about the costs for the organisations operating in constant overdrive mode; it is a situation that if protracted will lead to burnout in an already underfunded and understaffed area of activism and cannot be a model of dealing with social crises. The organisations are doing necessary work that should not leave the impression that 'people are always going to cope'. That is why it is of vital importance for all the actors to support reforms advocated for by the organisations. We also wish to avoid narratives of 'resiliency' or 'grit' that risk oversimplifying the achievements of these organisations during a time of immense emotional, financial, and physical stress. After all, the pandemic is a battlefield (Pleyers, 2020) and too many of those in power still want to 'return to normal' after vaccination rollout has been achieved.

So far in the US the successes of domestic workers' organisations under the pandemic have been moderate, with initiatives failing or being stalled. But it is hard to say that the public and the policymakers are not aware of domestic workers, whether through a mural celebrating essential workers in Chicago<sup>9</sup> or through explicitly listing domestic workers in the still-unpassed 'Essential workers bill of rights'. For these organisations, a 'return to normal' cannot be the solution for workers who were already marginalised and excluded before the pandemic, and their work emphasises their commitment to building a new and more equitable normal for the future.

<sup>9</sup>http://iamsamkirk.com/murals

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