

Scholars in Support of the Domestic Workers Bill of Rights

Posted on September 14, 2012 by Rosemary Feurer

The California Domestic Workers Coalition will be delivering our letter to Governor Brown's office next Monday, so if you are willing, [please sign this letter and forward the link](#) to other interested colleagues, please do so as soon as you are able and they will be added to the letter the Governor receives.

The Letter

To Governor Brown:

As scholars, we write urging you to sign AB889, the Domestic Worker Bill of Rights. Many of us research and write about domestic work or related fields of labor, race, gender and immigration studies. Some of us are also employers of nannies, personal attendants, and housekeepers. Some of us, or our family members, once worked in the care work industry. AB889 corrects an historical legal injustice, that is, extending basic labor law protections to household workers who might have benefited from Wage Order 15, but were excluded as "personal attendants" in 1976.

First and foremost, domestic work is real work. It deserves the same protections and labor standards available to all other workers. Domestic workers are not teenage babysitters but supporters of families. They serve elderly, young, and disabled people as well as clean and cook for individual families. Their exclusion from the labor law is a legacy of slavery, segregation, and discrimination against women of color, native born and immigrant.

Second, house cleaners, those who tend to homes, come under California labor law. The regulation of domestic workers is nothing new, but certain domestic workers- nannies and caregivers- continue to be excluded. AB 899 fills in the gap; it will allow the Department of Industrial Relations Board to adopt regulations to implement and enforce AB 889. The agency will define employer obligations regarding overtime pay, meal and rest breaks and uninterrupted sleep by hearing from all stakeholders.

Third, the charge that casual employers would be harmed is preposterous since the truly casual employer is intended to be exempt from AB 889 and the bill charges the Department of Industrial Relations with creating regulations that ensure this as well.

Fourth, the home is not a private sphere outside of the law or apart from society. Government enters the front door of our residences through sending benefits and tax rebates, through protecting us against crimes of all sorts, including domestic violence, and by mandating food and product safety for the goods and services we use. If government can mandate criminal checks of care workers, it certainly can mandate their decent treatment by home employers.

Fifth, the regulation of domestic labor is as easy and as difficult as the regulation of any small business. To the extent that employers are educated and workers organized, then labor standards become the norm. Employers-in this case private households- are apt to live up to the norms of the community-rather than face approbation and exposure of their wrongdoing, with subsequent penalties.

Finally, some have argued that this law invites legal trouble and that is reason not to sign it. To us this is a spurious claim. To begin with, this law is legal. As the Supreme Court affirmed in *Evelyn Coke vs. Long Island Care at Home*, legislatures have the right to change the labor law to add home care and other household workers. Furthermore, we look to our policymakers and elected officials to author and sign legislation that push our current laws to be more just and coherent.

We urge you to sign this bill and lead the way to a better day for those too long left in the shadows, those whose labor in homes makes it possible for others of us to go out to work.

Signed,

Eileen Boris, UC Santa Barbara (Informational contact)

Kathleen Coll, Stanford (Informational contact)

Rina Benmayor, CSU Monterey Bay

Alisa Bierria, UC Berkeley

Kia Caldwell, UNC Chapel Hill

Piya Chatterjee, Scripps College

Deborah Cohler, San Francisco State U.

Andrea Davies, Stanford

Arlene Davila, NYU

Alice Echols, USC

Penny Eckert, Stanford
Chris Erikson, UCLA
Peter Evans, UC Berkeley
Estelle Freedman, Stanford
Susana Gallardo, San José State U.
Angela Garcia, Stanford
Barbara Harthorn, UC Santa Barbara
Tobias Higbie, UCLA
Ann Holder, Pratt Institute
Pierrette Hondagneu-Sotelo, USC
Tera Hunter, Princeton
Aida Hurtado, UC Santa Barbara
Sanford Jacoby, UCLA
Laura Kang, UC Irvine
Keyvan Kashkooli, UCLA
Robin D. G. Kelley, UCLA
Lisa Levenstein, UNC Greensboro
Nelson Lichtenstein, UC Santa Barbara
George Lipsitz, UC Santa Barbara
Cameron Macdonald, U. of Wisconsin
Vanessa May, Seaton Hall U.
Cecilia Menjivar, Arizona State U.
Mike Messner, USC
Sonya Michel, U. of Maryland
Ruth Milkman, CUNY Graduate Center
Mireille Miller-Young, UC Santa Barbara
Premilla Nadasen, Queens College, CUNY
Laury Oaks, UC Santa Barbara
Alice O'Connor, UC Santa Barbara
Tiffany Linton Page, UC Berkeley
Rhacel Salazar Parreñas, USC
Gretchen Purser, Syracuse U.
Mary Romero, Arizona State U.
Erika Bree Rosenblum, UC Berkeley
Vicki Ruiz, UC Irvine
Leila Rupp, UC Santa Barbara
Ivan Sag, Stanford
Leslie Salzinger, UC Berkeley

Ofer Sharone, Massachusetts Institute of Technology
Jenny Sharpe, UCLA
Jodi Short, UC Hastings College of Law
Lok Siu, UC Berkeley
Cinzia Solari, U. of Massachusetts, Boston
Barrie Thorne, UC Berkeley
Chris Tilly, UCLA
Sheila Tully, San Francisco State U.
Miguel Unzueta, UCLA School of Management
Barbara Voss, Stanford
Tiffany Willoughby-Herard, UC Irvine
Barbara Winslow, Brooklyn College, CUNY
Noah Zatz, UCLA Law School

Author



[Rosemary Feurer](#)

Rosemary Feurer is Professor of History at Northern Illinois University. She is the author of *Radical Unionism in the Midwest, 1900-1950*, among other books and essays. She is working on *The Illinois Mine Wars, 1860-1940* and a new biography of Mary Harris "Mother" Jones.