

Testimony of Domestic Workers
Before the New York State Assembly Committee on Labor
Public Hearing on Domestic Employment Conditions in New York State
November 21, 2008, 11:00 a.m.

Witnesses:

Elizabeth, domestic worker

Freda, domestic worker

Angélica, domestic worker

Joycelyn Gill-Campbell, organizer and former nanny

Monica, domestic worker, member of DAMAYAN Migrant Workers Association

Testimony of Elizabeth
Domestic Worker in Manhattan

My name is Elizabeth. I am a domestic worker. I want to tell you my story. Thank you for listening to us.

I started working with a family in Manhattan, which lasted for three consecutive years. In that house, I worked with about 8 other people. We were harassed, we suffered sexual harassment—this is what the male employer did. Many people left because they could not deal with it.

The second day on the job, the employer started in on me. I was in the living room when he went to shower. From there, he called out to me, “Elizabeth, please get me the phone.” I entered the room and responded, “Where are you?” “In the shower,” he answered. When I entered, he had the curtain opened completely. I was shocked. I grabbed the phone and threw it. I was furious.

From then on, I became very aggressive. I was no longer the same person who had started. He never tried anything with me again. I wish I could say the same about the other workers.

Some gave in because they needed the money to support their families. This made me very uncomfortable so I asked the employers to let me hire the workers myself. So I brought my daughter, my sister, my niece and others I knew. Every Friday, when he paid us, he would have his penis out. Most of them would leave after only a few weeks. Everyone in the building knew what was going on, so they thought I was the old man’s lover because of how long I lasted there.

Once, my niece was preparing a baby bottle. He passed behind her, up close—one would not assume ill intentions because the kitchen is narrow—but then remarked that her legs and backside were...something like that. She answered him, “Yes, I know what I have is very nice, but don’t you dare touch me.” He responded “No, I’m sorry.” He knows how to take care of himself so as not to get into trouble.

During the day, three of us would work there. My daughter would arrive at 8am. The

employer's wife would leave for work at 8:30-8:45. He would stay in the house alone with my daughter and the children. In that interim until 9:30 he would take out his penis and walk around the house. He would call her to the bedroom and she would find him in there with his pants down. My daughter kept this to herself for a long time until she finally told me about it one day. And then she would plead with me, "Mom please be on time, I can't be alone with him for a long time." I am supposed to start work at 11am, although they didn't pay me for these hours, I would arrive early to be with my daughter.

That is when I approached DWU and asked them to write me a letter. I gave it to him and just like that he fired me, saying that he no longer needed my services. I was also demanding holidays, sick days, and vacation because in all the time I worked with them I never once got to rest; I was exhausted. He said they didn't have any money and added, "I don't need you but I do need Marcela." How could I leave my daughter there?

Oh how they repaid me. They didn't care about anything – not about the children's feelings, or my own. Three years working with that family, I really became attached to the children. I've gone to see them 2-3 times now, and everything is business as usual. The other workers have said, "That man is fresh. But we have to pretend that we don't see anything...because we really need this job." He continues doing what he does, and his wife is none the wiser. When he fired me, she begged, "Elizabeth don't go," because she knew that I was good at my job.

When a person goes to work in someone's house, she doesn't know what she'll find. Values differ. For example, I have worked with very respectful people. I don't think this man has the slightest clue about decency. But whatever their values, it shouldn't impact us as workers, we should be respected no matter what. We are respectful people, we are educated about our rights, and we demand to have those honored. The fact that we've had the misfortune to land in this work doesn't mean we have to put up with the treatment or much less be quiet about it.

We give the best of ourselves, because they leave in our hands their most treasured loved ones. The children I cared for only ate pizza and chicken nuggets, the whole time I was there. So I would share my lunch with them, and I would buy and feed them grapes, pasta, and vegetables. I would do it without permission so at the end of the week I'd hand in my receipts. The end result was healthy, happy, well-nourished children.

We work hard. And yet domestic work is undervalued. As domestic workers we have the same rights as any other worker in New York City. It shouldn't matter whether someone works in a bank, shines shoes, or is a lawyer. There are basic human rights that we all have, and that's why we are fighting for the Domestic Workers Bill of Rights, which would recognize this important workforce for the first time ever. And we're doing this to benefit every single person. We are fighting for everyone, it doesn't matter who they are, whether they're in a really good positions or whether they are in a really bad position. Everyone comes to this country with some degree of education and we approach our jobs with dignity and respect, so we expect to have the same in return, that we all be treated with respect.

Thank you.

Testimony of Freda Nanny in Manhattan

My name is Freda. I have been in this country for over 12 years doing childcare. I worked for one family for 10 years.

A domestic worker is someone who works in someone's house, who helps with the children, who does the housekeeping.

I was not interested in DWU until a member told me, "Freda, one day, you will need DWU." I joined because domestic workers and the people in DWU are so great, so wonderful and united. I wanted a place where you can have a voice.

As I said, I worked with one family as a nanny, taking care of one child. They were great; I had no problems with them. The father is an attorney who has his own office; the mother is an attorney at Citibank. But recently, in 2005, I started working with a different family that had twins. The woman is an attorney, and her husband is a cardiologist. When I started, I was employed to take care of the twins, but they also had an 18-month-old son. Eventually she let go of the cleaner and put the twins in school full-time, from 9 to 2. Because of that, she said I should do the housecleaning, the laundry, everything. I said, "I'm a nanny, I don't do cleaning." Then, she also wanted me to take care of the 5-year old son, so now I had three kids to take care of, plus the housecleaning.

When you work from 7:30 to 6:30 every day, you're tired. I was like a zombie. But she never wanted to give me any vacation. She only gave me one week. I left her a note, saying, "Please don't do to others what you would not like done to you." Plus, I never got overtime, just a flat salary.

One day, I got sick. I was sweating and shivering, and I fell on the couch. I needed to go home, but she said, "Freda, I have a meeting, take two Tylenols." I took two Tylenols and lay on the couch. She didn't come home at 6pm like she promised. Domestic workers are not supposed to get sick, you're not supposed to take time off. Last year, both of my employers were sick for two weeks, and they both lay in bed for two weeks, but I still had to come to work full time. When I needed to go to the doctor, I would come to her a month ahead and she would write it down and say, "I'll see what I can do for you." Sometimes she would say, "Do you have a friend who can fill in for you?" Then, she wouldn't pay her – I'd have to pay her myself.

I never got a job contract. She said we don't negotiate because she paid me good and she saw no reason to give me a raise. I was not happy with my pay but I was grateful for it. It was not manageable for my family. I told her that after a year, I'm entitled to an increase of pay and a Christmas bonus, and she said, "We'll see." When December came and I stood up and said, "I expect to get my bonus, it's been six months," she gave me one week's salary and that was it.

I also didn't appreciate how I was treated. The husband hardly said "Hi" or "Good morning" to me. He would just walk straight past me. I don't think he realized I was a black woman when his wife hired me.

Finally, in October, the family got a dog. My employer told me I had to walk the dog, but I refused because it was not in my job description. I am not a dogwalker.

When she came home, she paid me for the week, and she said, “Take the next week, I think you’re tired.” She gave me that week’s pay and the following week’s pay. At the end of the following week, she called me at home and said, “Oh, Freda, we don’t need you anymore, we got someone for less who will do all the work you’re not willing to do.” I was and am still very upset.

I am a mother of four – all who are still in school – and not having my job anymore has affected our whole family. Now, only my husband has to hold down the fort. We have our expenses – rent, bills. It’s a strain.

Employers need to respect us as workers. The Domestic Workers Bill of Rights is important to me because it will give us our privileges. When the employers know that these rights exist, they will not treat us like they do now. They treat us now the same as they treated us in the 1940s. The bill would cause employers to treat us with dignity.

We hope that the Bill of Rights will pass so that we get what we deserve. The Bill of Rights passing would mean freedom. This would be one of the greatest things. I would be so amazed and so happy. All domestic workers would really be happy that we’d achieved something and that we got the respect we deserve.

Testimony of Angélica Nanny and Housekeeper in Manhattan

My name is Angélica Hernández and I am a domestic worker.

I am grateful to the Assembly Labor Committee Members for organizing this hearing to recognize the importance of shedding light on the working conditions domestic workers in this city face. I am also grateful to you for the opportunity to share my story.

In 2007, I began working for a family in Manhattan, cleaning their apartment; I would later also begin to take care of their child. I had to clean, do laundry, iron, take clothes to the dry cleaners, go food shopping, and prepare food for the entire family.

Later, I also began to take care of the child. He used to sleep with me. I used to work constantly, day and night, taking care of the child and then clean while he slept. My salary was low.

On Saturdays I would do heavy cleaning while the mother was out with the child. She traveled frequently so I would stay with the child. Their son and their home were my responsibility. While she was away, I would buy things we needed for the house, sometimes with my own money. She never had to come back from her trips because of a problem.

In general, I worked between 19 to 20 hours a day, with very bad pay, without overtime.

One day, while at the park with the baby, I met a member from Domestic Workers United, who approached me with a flyer that contained information about a great opportunity—a nanny course—so that the domestic workers could learn more about domestic work and their rights. I was interested in the course because I wanted to improve my understanding of child development and get certification because this would help mothers feel at ease that they were leaving their child in capable hands. I asked my employer for permission to attend the meeting about it. It bothered her that I returned to the house later than expected. I apologized and explained that this course would help me to do my job better.

She told me that the class was useless because I already did a fine job. I insisted that I get Saturdays off instead of Sundays so that I could attend the course. She demanded to review the documents from the organization. She was not pleased with the information about our rights as workers, how we, who do this work, deserve training and protection.

A few days later, I was fired, and this is what happened:

The employer scolded me for not taking the child to the park. She was furious and yelled at me. I asked her to stop. She continued insulting me and pushed me. She insisted that I return the keys to the apartment. I understood then that she was firing me, that I had to leave and that I should gather my things. So, she grabbed me by the hair, slapped me and punched my arm. She grabbed my things and threw them on the floor yelling and stomping on them. She said that I was born to be a servant, not a nanny. And that Domestic Workers United didn't know what they were talking about because I did not have rights.

These are the consequences of what happens in the industry. They don't respect us. They mistreat us. They don't pay us or they pay us poorly. There are many things that we suffer in this industry because they don't acknowledge us as real workers, we don't have protections. It is important that you, the legislators, support and make the Domestic Workers Bill of Rights a reality.

Now more than ever, we urge the passing of this bill, because is workers like us who are the most affected by the financial crisis, because we have no safety net; we have no basic rights under the law. Right now it's hard to find work, and when we do have one, we're the first to be let go. There are workers we know who have already had their hours cut or been fired because employers say that they can hire someone else for less. The majority of the domestic workers are the primary breadwinners in their families, so we see the affect not only on ourselves but also on our families.

Although we are trusted with people's children and prized possessions, our work is not valued in society. Where is the caring, and where is the respect – the same that we bring to our work – from these families? We earn it, we give the best of ourselves with your children, families and homes. We deserve respect for this work. We deserve justice. We deserve and we need the Domestic Workers Bill of Rights.

Thank you.

**Testimony of Joycelyn Gill-Campbell
Organizer, Domestic Workers United
Former Nanny in Manhattan**

My name is Joycelyn Gill-Campbell, I was a nanny for 10 years before I became a full time organizer with Domestic Workers United. In 1998 while working as a nanny for a family in Manhattan, I was made to wear a white uniform like Florence Nightingale, white shoes, white pants and shirt. The only thing that was missing was the little white hat. I was taking care of one little girl, they also had two dogs, however one of the dogs developed cancer in one of his legs and could not walk, so my employer went out and bought a double stroller which meant that I had to push the little girl and the dog through the streets of Manhattan in this stroller. I worked 12 to 15 hours per day and was only paid \$271.00 every two weeks, which you can see was just \$135 and 50 cents per week. The conditions were worse than this because I had to sleep in the den with the sick dog in a cage next to me. I had to get up every 4 hours and put eye drops in his eyes.

On July the fourth I did not go to work. I was asked how I can do that because it was their holiday and not mine. I had to work every holiday, and did not receive any extra pay. One day I went to the doctor because I was not feeling well and he recommended that I rest for a week because my blood pressure was extremely high. When I informed my employer, the question she asked was how can he give you a week off, and she refused to accept the letter from the doctor. She said that when you're sick you only need a day or two, and she expects me to be at work with the kids. I had no health care and was not paid for the week off that the doctor recommended I take.

These conditions and the stories of other nannies in the playground made me realize that there's no respect for nannies in this industry. Some of us have to wait until the families we work for finish eating then go to the table to eat what's left. We as domestic workers are dehumanized and treated as less than real workers. We are excluded from almost every major labor law; even the definition of employee in the labor law excludes us. Here in a global city and hidden in the apartment buildings across the 5 boroughs, in Long Island and Westchester, the unthinkable happens. Domestic Workers are abused and exploited. It is the work of these hard working women of color who are mostly immigrants that makes all other work possible. Our labor helps to make sure that the professionals we work for can go to work and have leisure time and yet for generations since slavery, we have been forced to work without recognition or adequate protection and at the whim of our employers.

We know that change is possible and today we are calling on you to hear our cry and pass the domestic workers Bill of Rights which includes basic rights and benefits for domestic workers in the entire metropolitan area. This bill is about justice and equality. It's about reversing the history of injustices that we in this industry have suffered. It's about labor standards and it's about respect and recognition for this work that makes all other work possible. We know that this bill will not alleviate all the problems that workers face, but we know that it will bring equality to an industry that has long suffered and long been ignored.



DAMAYAN Migrant Workers Association

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Domestic Workers Testify to Mounting Crisis of Abuse, Insecurity and Exploitation

New York Assembly Hearing on Domestic Workers Bill of Rights

Testimony by Monica Ledesma

November 21, 2008

Good afternoon ladies and gentlemen.

My name is Mona. I am a Filipina domestic worker and a member of DAMAYAN Migrant Workers Association. I strongly believe that domestic workers like me play a key role in our society. As immigrant women workers, we are far from our home country and we consider our employers' family as our second family. We work hard to fulfill our tasks and to meet our employer's expectations. We take care of our employers' children like they are own. Without us, highly paid professionals will not be able to function well at work. We provide the most valuable care for our employers yet our own basic human needs are denied, neglected and legally unprotected. We deserve nothing less than the passage of the NY Domestic Workers Bill of Rights.

I have directly experienced slavery, abuse, discrimination, sexual harassment and countless violations of my human rights. In 2000, I took a risk of leaving my life in the Philippines and agreed to work as a domestic worker for a diplomat. I thought coming to the US would resolve my financial needs – that I would be able to support my ailing mother. I thought the US was a land of promise where all people have freedom, dignity and justice. But I found that was a big lie.

My employer made me work seven days a week for more than nine months. I was paid an alms wage of 250 dollars a month. I worked endlessly doing all the house work, babysitting a four-year-old boy, doing carpentry and repair work in the house and even shoveling seven inches of snow. All this was not enough for my employer and she wanted me to also be her driver!

The backbreaking work was only the beginning of my misery. My self-esteem began to diminish when she would unapologetically disrespect and degrade me. When she was frustrated and couldn't control her son's tantrums, she threw dirty clothes on my face. When I was sick, she continued to make me work. I will never forget this one horrible Sunday morning, after a heavy snow storm. Despite a high fever, my employer forced me to go sledding with the family. Not only did she not care to give me medicine, when I told her that I couldn't take the zero degree temperature and being in seven inches of snow, she was furious. Eventually, I found the courage to escape.

But every domestic work after that one was difficult. How can I forget a Westchester employer who threw a piece of stale pizza, without a plate, on a table and told me that was my dinner? How can I forget the Park Avenue employer who repeatedly called me stupid and had the habit of smirking and snapping at me without reason? How can I forget the numerous times when I resigned from a fulltime housekeeping position to avoid malicious sexual harassment of male employers? How can I forget an employer who accused me of stealing \$2 Niagra Cornstarch for ironing clothes?



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I am not a thief. I am not an object for sexual pleasure. I am a human being.

Unfortunately, abuse is a common experience for all of us immigrant women domestic workers. I have witnessed my sister workers suffer in this system that continues to fail us. DAMAYAN currently has a campaign for a Filipina domestic worker, Marichu Baoanan. Marichu is a nursing school graduate who filed 15 counts of trafficking, forced labor and racketeering against former Philippine UN Ambassador Lauro Baja in June 2008. Marichu was tricked into being domestic worker in the Baja household for approximately three months. She was forced to work at least 18 hours a day, seven days a week, with no days off, for merely \$100—approximately 6 cents per hour. But she managed to escape and is now fight for her rights. An international campaign for justice has been ongoing and we are awaiting the results of the lawsuit in the US Southern Court District of New York.

Marichu and I are part of the global crisis that enslaves Third World women into dehumanizing conditions – working in a foreign land as second-class immigrants. We are two of the 10 million Filipinos abroad who are treated as products in the global market. We prop up the Philippine economy with more than \$20 millions in remittances. We also contribute to the annual \$952.6 billion that is generated by New York City's economy. We not only shoulder the crisis of our homeland, but we also carry the weight of the deepening crisis in the US. Billions of dollars turns into profits as a result of our labor and at the expense of our dignity and humanity.

What a tragedy that this country claims to promote justice, freedom and equality globally. Here in this very land, as I have experienced and witnessed, hundreds of thousands are still shackled in chains – in a system that perpetuates abuse and violence against women workers like me.

We are not animals. We are not machines. We get tired. We get exhausted. We get sick. We have feelings. Working and barely surviving under such poor conditions is slavery.

But we have a great opportunity to take action to reverse centuries of slavery and injustice. I ask you to listen to the suffering of women workers like me. I ask that you open your hearts to feel our need for comprehensive legal recognition as workers. I ask that you use your position of authority to urgently act to protect more than 200,000 domestic workers who are the most vulnerable in these times of crisis. We do not want special treatment. We only want what is fair. We want to be equal.

Let me borrow a popular saying of our Black American sisters and brothers: "Rosa sat so Martin could walk. Martin walked so Obama could run. Obama ran so we can fly." It is up to us to fly towards a better future with genuine freedom, hope and an end to slavery. We can do this by ensuring the passage of the Domestic Workers Bill of Rights. With this victory, we can fly together.

Thank you.