



My Home is Someone's Workplace:

Re-envisioning Domestic Employment in New York State

Cover image description: An employer, who is a senior in a wheelchair, and a home care provider are facing the camera and smiling, with a brick building in the background.

Reader Accessibility: The report uses 14-point font to support readers with low vision and all images include descriptions for screen readers.

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FOREWORD

“There are only four kinds of people in this world—those who have been caregivers, those who currently are caregivers, those who will be caregivers, and those who will need caregivers.”

— Former First Lady Rosalynn Carter

Nearly one in five households—close to 2.7 million people—in New York State hires someone to do domestic work. The data in this report demonstrate clearly that domestic workers providing house cleaning, child care, and home care services play a crucial role in the lives of those who employ them. Whether you’re a working parent struggling to juggle family and your job and needing support for childcare or housework, or you’re a senior or person with a disability who needs home care support to live comfortably and safely in your home, domestic workers make it possible.

This report illuminates the complexities of the domestic employment relationship. It builds from a first-ever representative portrait of the diverse individuals and families who employ domestic workers in New York State. By understanding who domestic employers are, their employment practices, and the challenges they face, we can better understand how to fix our broken care system so that it meets the needs of both employers and the workers in their homes.

In *Caring for America: Home Care Workers in the Shadow of the Welfare State*, Eileen Boris and Jennifer Klein identify a number of pressing social issues that converge in the home care arena:

[a]n aging society and an inadequate national long-term care policy, the rise of a vast medical-industrial complex, the neoliberal restructuring of public services, the need for disability rights, the crisis of domestic labor and decline of family income, new immigration and systemic racial inequality, the expansion of the service economy, and the precariousness of the American labor movement.¹

Many of these issues apply across the different segments of the domestic employment sector. Addressing them and transforming the domestic employment system is fundamental to the health and well-being of individuals and families

across the country. With the data collected from our research, we aim to contribute to a statewide discussion about how to build a new care sector that could be a model for the rest of the nation: a sector that provides affordable and accessible care for all who need it and provides workers with the living-wage jobs, benefits, and supports they need to care for their own families. At this political moment, New York needs to take the lead in building a care and support infrastructure that works better for everyone.

This report highlights the interdependence of workers and employers. In this context, all of us, whether or not we currently employ a worker in our home, will one day reap the benefits of a transformed care infrastructure.

Shining a light on domestic employers

While there have been some studies of the domestic workforce, including the 2012 study “[Home Economics](#): The Invisible and Unregulated World of Domestic Work” by the National Domestic Workers Alliance and the University of Illinois at Chicago, to date little information has been gathered about domestic employers. In 2016, our colleagues at the UCLA Labor Center released a statewide study on California’s domestic employers, which aligns with some of our key findings about the diversity of employers across geography, race, and class.

A domestic employer can be an affluent parent employing a full-time nanny; a fixed-income senior employing a housecleaner who increasingly takes on more personal care tasks; a low-income millennial with a disability learning how to be a home care employer while navigating the bureaucracies of various care agencies and public funding programs; or a middle-aged child managing her elderly parents’ long-term, round-the-clock support by multiple home attendants while caring for her own children.

At the same time, domestic workers who help form the backbone of our families’ and communities’ well-being, and of our economy, are deeply underpaid, lack basic health benefits and paid leave, can be subject to exploitation and abuse due to lack of oversight, and are often unable to support themselves and their own families.

But even if employers had sufficient information and the intention to implement fair wages and conditions for workers in their homes, many still face hurdles to implementing key fair care practices because of a systemic problem in how our society values and pays for care.

Care and long-term support in the home is simply not affordable or accessible for the vast majority of employers. Individual employers should not have to shoulder the burden that results from the lack of a comprehensive care infrastructure, and neither should domestic workers be denied fair pay and benefits and, in so many other ways, bear the brunt of this systemic failure. Rather, we need to organize to transform the care sector so that every kind of care and support throughout the lifecycle is accessible to all those who need it, and those providing these needed services can support their own families.

As Ai-Jen Poo, Director of the National Domestic Workers Alliance, says in *The Age of Dignity: Preparing for the Elder Boom in a Changing America* (New Press, 2015), bringing real change to the domestic workplace will require engagement in three distinct but interrelated spheres: changing individual employer practices, changing policy and legislation, and shifting the surrounding culture and attitudes toward care.

Home care in focus

Throughout the report, we include more targeted sections specifically related to home care. The home care-related analysis and recommendations in this report will help to inform a new collaboration of worker, employer, and family caregiver organizations—the New York Caring Majority—that is embarking on a comprehensive campaign for universal long-term care in New York State.

The existing long-term care “system”—so fragmented that it barely merits the name—provides inadequate support to our loved ones who are aging or living with disabilities, and is out of date and out of touch with the current realities for both those in need of care and caregivers. Pushing for increased investment in the home care sector is especially urgent right now. Seniors and people with disabilities who are dependent on Medicaid risk losing crucial services as a result of current negotiations in Congress to “repeal and replace” the Affordable Care Act and the proposed 2018 Federal Budget that would impose hundreds of billions of dollars in additional Medicaid cuts.²

Therefore, this report includes recommendations connected to long-term care and affordability of care in New York State. Some of these recommendations will guide a new collaboration of worker, employer, and family caregiver organizations—the New York Caring Majority—embarking on a comprehensive campaign for universal long term care in New York State.

The care sector matters now more than ever

In this highly polarized political moment, care is an issue that people on both sides of the political aisle can recognize as important to a wide range of constituents. It is perhaps one of the few issues where the possibility for recognizing our interdependence can transcend our political differences. All of us need care at some point in our life cycle, and many of us provide it to others. Now more than ever, we need to invest in solutions that can protect and unite, rather than divide, all New Yorkers for the long haul. We must invest in comprehensive public systems and policies, moving toward a vision of universal family care that meets the full range of New Yorkers' care and support needs.

While the domestic workplace sits at the nexus of multiple systemic problems related to the social safety net—and of complex attitudes toward parenting, immigrant rights, disability rights, caregivers and care-recipients, and women's roles in society—for far too long, public attitudes have regarded the domestic work relationship as private, informal, and shaped only by personal factors rather than political and systemic ones.

Now is the time for creative, innovative, and bold solutions to the growing care crisis. This report seeks to contribute to a conversation about how we can transform our care and support infrastructure in New York and beyond.

Ilana Berger

Director, Hand in Hand: The Domestic Employers Network

EXECUTIVE SUMMARY

Domestic employment is integral to the economic and social fabric of New York State, providing crucial care and support for millions of New Yorkers and supporting the economic livelihoods of hundreds of thousands more.³ This report builds from findings of a randomly sampled survey of New Yorkers, offering the first-ever representative portrait of domestic employers in New York State.

The survey results that spurred this report reveal many facets of domestic employment, but some clear storylines emerge. Domestic work helps many New Yorkers to balance work and family and makes it possible for seniors and people with disabilities to remain in their homes and communities. Yet, despite its great value, domestic care and support is unaffordable and inaccessible to many who need it. Simultaneously, domestic workers do crucial work that helps form the backbone of our economy and of our communities' well-being, and previous research has shown that they are often underpaid, lack basic health benefits and paid leave, are subject to exploitation and abuse due to lack of oversight, and are often unable to support themselves and their own families.⁴

Chapter 1 of the report defines domestic employment, discusses why it is important, and sketches the existing policy and organizing landscape of domestic employment in New York State. Chapter 2 summarizes key findings from the survey of New York State domestic employers, providing insight into who domestic employers are, some of the challenges they face, and conditions of possibility for change. Chapter 3 concludes the report by recommending a set of actions that would extend access to domestic care and support for those who need it, and improve conditions for those who provide these important services.

Chapter 1: Background

Domestic employment entails paid household work. Domestic employment includes paid housecleaning, home care for seniors and people with disabilities, and childcare. Most employers hire and pay directly, though agencies and public funding play a prominent role in the

home care industry. The fragmented nature of domestic employment and the context within which it occurs present special challenges for efforts aimed at improving conditions for workers and employers.

Domestic services fulfill crucial care and support needs. With more women working outside the home than just a few decades ago, domestic services help many households to balance work and family. Demand for home care has grown due to longer lifespans, the aging of the baby boomer generation, and the desire of growing numbers of seniors and people with disabilities to live in their homes rather than in institutional settings.

Domestic employment is a key source of jobs.

Home care is one of the fastest growing occupational categories in New York and around the country. In general, the kinds of services provided by domestic workers cannot be easily replaced through automation or outsourcing, which means that domestic employment is likely to increase in importance as a source of jobs in decades to come.

Home care is one of the fastest growing occupational categories in New York and around the country.

Job quality and access to quality care and support are key reform issues. New York has already taken some important steps creating a more robust and equitable domestic employment system—e.g., by expanding public support for home care further than in most states and becoming the first state in the nation to pass a Domestic Workers’ Bill of Rights. Still, there is a long way to go in improving conditions for those who need domestic services and those who provide them.

Chapter 2: Survey highlights

Millions of New Yorkers hire domestic workers. Almost one-fifth (17.8%) of New Yorkers hire a domestic worker, amounting to nearly 2.7 million people across the state. Of these employers, 29.8% (around 800,000 people) hire a home care provider, 16.7% (around 450,000) hire a nanny, and 53.6% (over 1.4 million) hire a housecleaner.

Most domestic employers hire directly and pay out-of-pocket. Most of those engaging the services of a domestic worker (64%) hire directly, and an even larger majority (77%) pay out-of-pocket, while less than a fifth (16%) report that they receive public support to pay for their services.

Most domestic employers play a role in setting terms. Two-thirds of employers (66%) set hiring terms such as pay, number of hours and schedule, and time off. In setting these terms, very few employers rely on government sources of information (6%) or on online sources of various kinds (4%).

Home care is structured differently than other parts of the domestic employment sector. More than half of home care employers obtain services either through an agency (47%) or another non-direct channel (12%); nearly half (44%) rely on public funding to help pay for the services they receive; and just over half (55%) play a role in setting employment terms.

Many who provide unpaid family care are unable to access the home care support they need. Nearly one fifth of New Yorkers (18%) provide unpaid care for an senior or a person with a disability. Of these, almost a quarter (24%) said they would hire a domestic worker if affordability challenges did not get in the way.

Cost prevents many domestic employers from accessing all the care and support they need. More than a quarter (26%) of New Yorkers who employ a domestic worker report that they need more hours of service than they receive. Of these, a large majority (84%) say that cost is a factor in why they do not obtain all of the hours of service they need.

Cost challenges are especially acute for home care employers and people of color. Nearly half of home care employers (45%) and people of color (46%) say they would hire for more hours of service if they could, with an overwhelming majority saying cost is a reason they do not.

Most of those receiving domestic services value formal training. Most of those receiving domestic services (69%) say they would be more likely to hire a provider with job-related training. A majority (60%) also say they would pay more to someone with job-related training.

Many of those receiving domestic services think workers deserve higher pay. A majority of New Yorkers engaging the services of home care providers (70%) and nannies (57%) and many who hire housecleaners (31%) say that, if cost were not a factor, they believe their provider deserves higher pay.

Implementation of the Domestic Worker Bill of Rights is an ongoing challenge. Just under one third of those employing domestic workers (29%) know about the New York Domestic Workers' Bill of Rights. Most are able to correctly identify what the law requires among a set of multiple choice options, but promoting implementation and enforcement of the bill is an ongoing challenge.

There is wide interest in joining a domestic employer organization. A majority of those engaging the services of home care workers (53%) and nannies (56%) along with many receiving housecleaning services (25%) say that they would be interested in joining an organization of domestic employers.

Chapter 3: Recommendations

Expand public investment in caregiving and access to domestic services.

New York needs to expand public support for hiring for domestic services to help ensure that all New Yorkers are able to access the care and support they need, and to ensure that the value of domestic work is reflected in how it is compensated.

Domestic workers provide essential services to millions of New Yorkers.

Promote education and awareness of employer best practices and legal obligations. These efforts should address the complex challenges employers face in navigating the home as a workplace, accessing information about basic labor protections and regulations, and finding models for best employment practices.

Enforce and expand worker protections. Domestic workers provide essential services to millions of New Yorkers. Legal reforms and enhanced enforcement of existing legal protections would help to ensure basic fairness and improved job quality for the hundreds of thousands of people who earn their living as domestic workers in New York state.

Support employer and worker outreach and organizing. Due to the fragmented and often individualized nature of domestic employment, employers and workers face a host of barriers to organizing. Stronger collective organization among employers and workers would help to drive improved standards in the industry.

Support the development of high-road enterprises and practices. In addition to encouraging and enforcing basic minimum standards, we need culture change efforts aimed at shifting norms about fair treatment of domestic workers, more training opportunities for domestic workers, and support for the development of high-road enterprises.

CHAPTER 1

BACKGROUND

Domestic employment is integral to the social and economic fabric of American society and New York State. This chapter provides some background on domestic employment, helping to situate Chapter 2’s discussion of key findings from our survey of domestic employers in New York State and the set of recommendations we offer in Chapter 3.

Section 1.1 begins by defining domestic employment, the different kinds of services it includes, and the context in which it occurs. Section 1.2 then considers the importance of domestic employment for those providing and receiving domestic services, and as an arena for addressing problems of socioeconomic inequality. Section 1.3 concludes by briefly sketching the landscape of policy and organizing aimed at expanding access to domestic services and improving job quality for domestic workers.

1.1 Defining domestic employment and the context in which it occurs


Domestic employment involves paid household work. Domestic employment includes a range of different kinds of paid work based in the home of the person(s) receiving services. We distinguish three key segments within the domestic employment sector: home care for seniors and people with disabilities, housecleaning, and childcare (see graphic on the next page). Although domestic work includes both paid and unpaid labor, our focus in this report is on services provided for pay.

Since domestic services are provided to individuals and households, domestic employment tends to be more fragmented than other forms of employment. Unlike most forms of employment, domestic employment also occurs largely outside of the public domain. Particularly in the case of home care and child care, domestic employment often involves the development of strong

personal ties and relationships of mutual interdependence.⁵ However, there is also potential for employers to engage in unlawful, exploitative, and/or abusive behaviors and employment practices that may remain hidden from view.⁶

WHO DID WE INCLUDE IN OUR SURVEY?

Our survey sample included 451 New Yorkers who hire for cleaning services, child care, or home care in their own homes.

	<p>HOUSECLEANING</p> <p>Employers hire housecleaners to perform a wide range of tasks including cleaning, vacuuming, washing dishes, and doing laundry.</p>
	<p>CHILDCARE</p> <p>Employers hire “nannies” to provide childcare services in their own homes. Our survey focuses on these childcare providers rather than center-based childcare workers or “family childcare providers” offering services out of their own homes. When we discuss childcare in this report, we are referring to domestic services provided by nannies unless otherwise specified.</p>
	<p>HOME CARE</p> <p>Employers hire home care workers to provide personal care, and, in some cases, medical care in the home. Our survey includes seniors and people with disabilities who receive such services, and it also includes people who manage such services for a loved one.</p>

The organization of domestic employment varies. Throughout this report, we often use the term “domestic employer” to refer to those receiving domestic services. In cases where public funding and/or private agencies are involved, however, key employer functions are often shifted away from the person receiving services and/or shared jointly with other parties. Moreover, in cases where services are delivered only occasionally or administered by multiple providers, the person receiving services may be considered to be more of a “client” than an “employer.”⁷ We use the term employer with these caveats in mind.

There are important differences in how home care, child care, and housecleaning are structured. For example, a public funding system often helps people to pay for home care and has set the context for the development of private agencies that provide these services.⁸ In contrast, public funding for childcare is generally geared toward center-based and “family” child care rather than in-home childcare, and housecleaning tends not be supported by public funding (except in some cases where it occurs as part of the delivery of home care services).⁹

Domestic workers face legal and institutional exclusions.

Domestic workers have been excluded historically from key labor and employment laws in the US, including New Deal-era legislation governing wage and hour rules and the formation of unions. In the South

during this period, most black workers were either domestic workers or farm workers, and Southern politicians—unwilling to let go of the legacy of slavery, and intent on maintaining conditions of white supremacy—forced the exclusion of these categories from legal coverage.¹⁰

Domestic workers have been excluded historically from key labor and employment laws in the US.

Progress towards correcting these exclusions remains unfinished. For example, most domestic workers continue to face significant legal barriers to forming unions and bargaining collectively over wages and other working conditions.¹¹ Even when the law does cover domestic workers, the fragmented and hidden character of employment in this sector often presents challenges in implementing and enforcing the law. One reason for this is that employers—including those who would like to do the right thing—are often unfamiliar with resources providing information about relevant laws and best practices.

1.2 Why domestic employment is important

Domestic employment fulfills crucial care and support needs. In the 1970s and 1980s, women’s labor force participation in the US grew at an unprecedented pace. In 1970, around half of women of prime working age were in paid employment; by 1990, nearly three quarters were.¹² Hiring for domestic services has helped many families to negotiate this shift. Since working women still shoulder a disproportionate share of caregiving and other domestic responsibilities as part of the “second shift,” hiring for nanny and housecleaning services often plays an especially prominent role in their ability to balance work and family.¹³

THE SANDWICH GENERATION

From other studies in New York and elsewhere, we know that many of those providing care for aging parents and other adults are also caring for children—part of a “sandwich generation” that often experiences the pressures of caregiving for multiple generations financially and in a variety of other ways.

As Ai-Jen Poo describes in her book *The Age of Dignity*, “20 million [Americans] are struggling in the sandwich generation: squeezed, pulled, and torn between the demands of their children and the needs of their parents. As the number of Americans aged sixty-five or over mushrooms from about 42 million today to 71 million by 2030, the pressure on middle-aged children will become untenable.”¹⁴

Longer lifespans and aging of the baby boom generation in recent decades have fueled an increase in the need for home care services, and this demand will intensify in the future.¹⁵ Home care is necessary for many who wish to “age in place” rather than moving to nursing homes or other institutional care settings.¹⁶ “Independent living” has also been a cornerstone principle of the disability rights movement that emerged in the 1960s, with home care playing a crucial role in allowing many people with disabilities to live on their own terms.¹⁷

A key milestone for disability rights

The US Supreme Court's *Olmstead v. L.C.* decision of 1999 was a game changing moment in the history of civil rights for people with disabilities and the home care industry. In the *Olmstead* decision, the Court used the Americans with Disabilities Act to rule that people with disabilities have the right to receive state-funded supports and services to live in their own communities rather than institutions if they met certain broad criteria.¹⁸

Domestic employment is a key source of jobs. Domestic employment has long been an important employment sector, and its importance is likely to grow in the years to come. One reason for this is rising demand, particularly in the home care industry. In December 2015, the US Bureau of Labor Statistics projected that “home health care services” would see the highest relative employment growth of any industry in the US economy between 2014 and 2024, and the second highest employment growth in absolute terms (following only construction).¹⁹

Another set of reasons for the rising importance of domestic employment as a source of jobs has to do with the changing structure of the US economy. Factors such as outsourcing and labor-saving technological change have eliminated many jobs in recent decades. But the kinds of services provided by domestic workers are not easily outsourced or replaced via automation.²⁰ These dynamics within the world of work will combine with the demographic trends noted above to make domestic employment ever more important as a source of jobs in the years to come.

Unpaid domestic labor is taken for granted as something that women will perform out of “love and obligation.”

The existing domestic employment system reflects and shapes patterns of inequality. Wage and income inequality in the US have risen in recent decades, and New York state is currently the most unequal state in the country, with New York City ranking as one of our most unequal cities.²¹ In this context, those at

the top whose incomes have been rising can better afford to hire for domestic services even as those providing these services often join the ranks of an expanding low-wage workforce whose earnings have generally stagnated.²²

The fact that domestic workers are overwhelmingly women and disproportionately women of color and new immigrants figures prominently in the story of why their work is undervalued.²³ Unpaid domestic labor is taken for granted as something that women will perform out of “love and obligation,” and the failure to fully appreciate the value of this unpaid work influences our collective sense of how it should be valued when it is done for pay.²⁴ The racial complexion and immigrant origins of this workforce have contributed to the idea that domestic labor is “disposable,” and the history of racialized legal exclusion noted above continues to affect conditions in the domestic employment sector today.²⁵

Disparities are also evident among domestic employers. While many domestic employers can well afford the services they need, there are also many who remain unable to access all the care and support they require. Making domestic services accessible to them would help to create a more equitable “care grid.”²⁶ Improving pay and other working conditions for domestic workers would help to improve their standard of living and ability to support their own families. In a variety of ways, domestic employment is a key front for addressing problems of socioeconomic inequality in New York and around the country.

1.3 The policy and organizing landscape in New York

New York has taken steps toward reforming its domestic employment sector. New York has a long way to go in forging a robust and equitable domestic sector. But it is important to acknowledge some of the important steps that have already been taken, which serve as a foundation for future reform efforts. In 2010, for example, a coalition of domestic worker organizations partnered with progressive employers and other allies to win passage of the New York Domestic Workers’ Bill of Rights—the first law of its kind in the country.²⁷ A watershed moment in New York and nationally, passage of the bill addressed a number of key exclusions from state and federal labor law (for more on specific provision of the law, please see Appendix D).²⁸

New York has also marked progress towards making domestic care and support more accessible to those who need it. As detailed in Chapter 2, significant cost and access challenges remain for many New Yorkers. But New York is at the leading edge among states in extending home care support beyond the federal floor (for more, see the discussion on p. 22).²⁹ New York

also took a step in supporting those providing unpaid care to family members by passing a paid family leave law that will go into effect at the beginning of 2018.³⁰

Ongoing efforts seek improved job quality for domestic workers. Efforts to improve job quality for domestic workers in New York are multi-pronged. Following passage of the Domestic Workers’ Bill of Rights, domestic worker organizations and their allies have sought to promote awareness and enforcement of the bill and other relevant laws while pushing for additional legal reforms. These organizations have developed domestic worker trainings focusing on job-related skills and awareness of basic rights, often in collaboration with academic institutions.³¹ Promoting culture change aimed at recognizing the value of domestic labor has been another key area of focus—e.g., in 2015, the National Domestic Workers Alliance and Hand in Hand partnered in building employer awareness of their home as a place of employment with the “My Home is Someone’s Workplace” campaign (for more on this, see Appendix C).³²

New York has a rich history of collective action by domestic workers.

The expanding need for home care

In the coming years, the home care sector could be the single biggest driver of employment locally and nationally. It is already one of the fastest-growing sectors of the healthcare industry (Bureau of Labor Statistics, 2015), and the need for home care will only increase as our nation faces an unprecedented elder boom.

Every eight seconds, another baby boomer turns 65; the population of people over age 65 will more than double by 2025.⁵⁸

New York City’s senior population alone is expected to reach 1.4 million by 2040, and close to one million New Yorkers could need home care in the next few decades.⁵⁹

Experts say that 70% of those 65 and older will need long-term care within their lifetimes—20% for five years or longer—yet only 35% of Americans have set aside any money for long-term care needs, and only around 10% have purchased private long-term care insurance to help defray these costs.⁶⁰

Organizing collectively remains challenging given the fragmentation of the domestic employment sector and the legal exclusions noted above. However, New York has a rich history of collective action by domestic workers, and there are currently several community-based worker centers that serve as hubs for domestic worker organizing. In New York as in a few other states, some home care workers have been able to achieve improved working conditions via unionization (for more, see discussion on pp. 22-23).³³ There are also numerous home care, housecleaning, and nanny cooperatives operating throughout New York—arrangements through which domestic workers are able to take greater ownership and control over their livelihoods (for a listing of some of the domestic worker organizations currently active in New York state, see Appendix E).

There is growing advocacy around access to domestic services.

Organizing among domestic employers has different dimensions. Progressive employers play a vital role in supporting the efforts of domestic workers to achieve greater visibility and improved working conditions. Domestic employers and their allies also mobilize to expand access to care and support to all who need it. These access issues take on special urgency with respect to home care, as living with dignity and independence often hinges on access to domestic services for many seniors and people with disabilities. Expanded access to home-based child care could also help many lower-income parents to juggle work and family—e.g., those working the late shift for whom other childcare options are often inadequate.³⁴

Efforts to improve job quality for domestic workers and improve access to domestic services are connected. In addition to cost issues, the growing workforce shortage poses challenges within the home care industry in particular. Especially in more sparsely populated areas of upstate New York, home care providers are in short supply.³⁵ The share of New Yorkers above age 60 is projected to grow across New York in the coming years, from some 20.7% of the population in 2015 to 25.7% of the population by 2030.³⁶ In this context, improving the quality of home care jobs will incentivize more people to want to take up employment in this sector. Given what we know about the connections between job quality and care quality, it will also help sure that seniors and people with disabilities receive the kind of care they deserve.³⁷

HOME CARE IN FOCUS

Background

The US home care system has changed dramatically over the past 150 years. Historically, family members and neighbors have provided unpaid care in the home for seniors and people with disabilities.³⁸ In the 1800s, charitable organizations and visiting nurse associations started providing in-home care to the poor and others who could not obtain the care they needed from friends and family.³⁹ By the 1920s, public health concerns generated momentum for home-based care to be shifted to hospitals and other institutions, diverting resources away from many of the organizations that had been administering home care.⁴⁰ However, starting in the early post-World War II period, there was a growing consensus that home care services could play an important role in helping those requiring long-term care to continue living at home while saving on the cost of institutional care—the beginnings of a “deinstitutionalization” movement that continues into the present day.⁴¹

The enactment of legislation creating Medicare and Medicaid programs in the 1960s transformed the home care industry. Medicare, a federal program that provides health insurance to seniors and certain younger people with disabilities, provides coverage for acute medical care. However, it does not generally cover long-term care needs that are “personal” (e.g., bathing and feeding) or “instrumental” (e.g., shopping and housecleaning) in nature. Medicaid, which provides insurance for people with very limited economic resources, does cover many aspects of long-term care.⁴² But tight eligibility rules mean that most people—including many on the lower end of the income spectrum—are largely left to their own devices in figuring out how to pay for long-term care for themselves and their loved ones.⁴³

As many of those needing long-term care and support struggle to finance it, the home care workforce often faces challenges supporting themselves and their families on what they earn. A 2015 report found that the median annual income for a home care worker in the US was \$13,000.⁴⁴ Eileen Boris and Jennifer Klein argue that, in addition to shaping who is able

to receive home care services, government involvement has played a pivotal role in “creat[ing] the labor market for home care” and setting the conditions under which pay remains low.⁴⁵ Low-income women of color—overrepresented among those receiving public welfare support—have been seen by policymakers as a group that could provide these services cheaply. When federal wage and hour protections were expanded in the 1970s, the continuing exclusion of home care workers signalled how this workforce was regarded.⁴⁶

In recent years, there have been important changes to the home care system and the political environment surrounding it. In 2015, the Obama administration ended the exclusion of most home care workers from federal wage and hour protections when the US Department of Labor issued a new set of regulations defining the companionship exemption to the FLSA, and the Obama administration’s Medicaid Expansion extended long-term care support to many people who previously would have been ineligible.⁴⁷ Under the Trump administration, however, some home care agency groups are pushing for reinstatement of the companionship exemption in its previous form, and President Trump’s 2018 budget proposal included \$800 billion in cuts to Medicaid.⁴⁸ The ongoing debate on these issues suggests that basic questions related to the development of a more robust and equitable home care system are far from settled.

Against this general backdrop, it is also important to understand the particularities of the home care system in New York. As in most other areas of US social policy, there is significant variation across states in how home care is configured, and the following are some key points that should inform future efforts aimed at reforming New York’s home care system:



Image description: A senior is sitting down with a caregiver standing on either side. All three are looking at the camera and smiling.

New York has taken steps to extend home care support, but significant gaps remain. New York has been a leader in expanding eligibility for Medicaid, helping many New Yorkers to pay for the long-term care and services they need. The Expanded In-Home Services for the Elderly Program (EISEP), which was created in the 1980s, helps to extend support for long-term care to seniors without Medicaid coverage.⁴⁹ Medicaid Buy-In for Working People with Disabilities (MBI-PWD) also expands coverage to people with disabilities whose income would normally put them above the eligibility threshold.⁵⁰ Despite



Image description: A close-up of an elder resident of a cooperative housing apartment building in New York City speaks about her experiences.

these important steps, inadequate funding and remaining gaps in eligibility mean that many New Yorkers do not qualify for help paying for the long-term care and support they need.

New York has strengthened labor protections, but enforcement remains a challenge. A recent report from the National Employment Law Project notes that New York home care workers are “covered by federal minimum wage and overtime, by NY minimum wage, and by NY overtime law except that live-in workers receive overtime after 44 hours/week (rather than 40 hours) under NY law.”⁵¹ Workers in the publicly funded system in New

York City and surrounding counties have also been eligible for living wage and “wage parity” protections.⁵² Still, given the varied and often fragmented nature of employment, there are ongoing challenges around identifying cases of wage theft, holding accountable those who violate the law, and ensuring that workers receive the compensation they are legally owed.

Some of New York’s home care workers have been able to unionize. As in a number of other states across the country, the role of Medicaid and Medicare in the home care system has formed a basis for unionization. Unlike California and other states in which the state

government has been deemed the relevant bargaining partner, union contracts in New York have been established directly with private agencies that are part of the Medicaid and Medicare delivery system.⁵³ Using this approach, many personal care aides (who provide personal care) and home health aides (who provide personal and medical care) in the downstate area have unionized with the Service Employees International Union (SEIU). Extending collective representation to personal assistants hired directly by home care employers and other home care workers throughout the state remains an unfinished project.

Agencies and managed care organizations are key players in New York’s home care scene.

In New York, most home care agencies that provide services to Medicaid and Medicare recipients contract with managed care organizations—an arrangement designed to help ensure the quality and cost-effectiveness of the care being delivered.⁵⁴ In crafting approaches to reforming New York’s home care industry, it is important to understand the workings of this ecosystem. Key employer functions often reside with home care agencies, and managed care organizations play an important role in determining what agencies can invest in job and care quality.

New York currently has several home care worker cooperatives.

New York has a small but vibrant and growing community of worker cooperatives, including several in the home care industry. Founded in 1985, Bronx-based Cooperative Home Care Associates is by far the largest worker co-op in the country with more than 2000 home care workers, who are also members of SEIU.⁵⁵ CHCA has significantly lower worker turnover than the industry average and a guaranteed minimum hours policy that helps to address the week-to-week income volatility that creates difficulties for many home care workers.⁵⁶ A multi-year, multi-million dollar worker cooperative development initiative supported by the New York City Council indicates that there may be momentum for expanding membership in home care cooperatives in the years ahead.⁵⁷

CHAPTER 2

SURVEY HIGHLIGHTS

In this chapter, we present key findings from a randomly sampled phone survey of New Yorkers conducted in 2016, providing the first ever representative portrait of domestic employers in New York State (for more on the survey methodology, please see Appendix A; to compare the demographics of domestic employer and the New York adult population as a whole, see the tables in Appendix B).

Section 2.1 provides a basic profile of the nearly 2.7 million New Yorkers who hire for domestic services. Section 2.2 discusses key findings on the structure of domestic employment, showing what we might expect from the discussion in Chapter 1—that employers generally hire and pay for services directly, often without relying on sources beyond their personal networks to set employment terms. Section 2.3 discusses key findings on the cost challenges facing domestic employers and those who would hire for domestic services if they could afford to, while Section 2.4 reports what employers say about pay, training, and their familiarity with the New York Domestic Workers’ Bill of Rights.

Building on the discussion in Chapter 1, the *Home Care in Focus* section of this chapter shows that public funding plays a prominent role in New York’s home care landscape, and, in contrast to the nanny care and housecleaning segments of the domestic employment sector, that most home care employers do not hire directly. This section also reports survey findings that indicate many of New York’s home care employers continue to confront significant cost and access issues despite existing public supports.

2.1 A basic profile of New York’s domestic employers

Millions of New Yorkers receive domestic services. Nearly one-fifth of New Yorkers (17.8%) hire a domestic worker, amounting to almost 2.7 million people across the state.⁶¹ 29.8% of employers (around 800,000 people) hire a home care provider, 16.7% (around 450,000) hire a nanny, and 53.6% of employers (over 1.4 million) hire a housecleaner (see Figure 1).

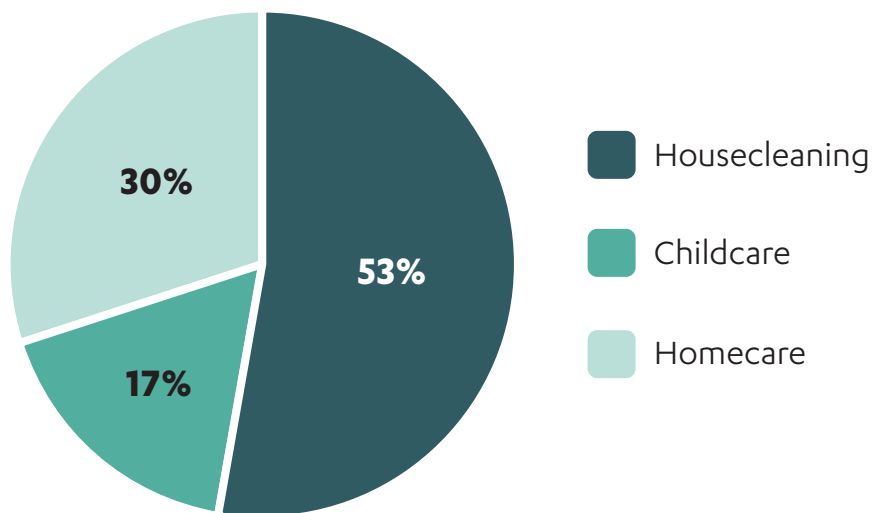
Figure 1. Employment in different industry segments

Image description: Pie chart with the following data: 30% of employers hire a home care provider, 17% hire a nanny, and 53% of employers hire a housecleaner

New York's domestic employers are diverse. Domestic employers are women and men of all ages with a range of different ethnic and racial backgrounds and levels of education and income (see Appendix B). The middle part of the income distribution of domestic employers tracks quite closely with the picture for all New Yorkers (see Table 1), but there are notable

Table 1. Income distribution of domestic employers relative to New York population as a whole

	New Yorkers in general	New York domestic employers
Less than \$25,000	23%	10%
\$25,000 to 49,999	21%	22%
\$50,000 to 99,999	29%	27%
\$100,000 to 149,999	14%	19%
\$150,000 to 199,999	6%	8%
\$200,000 or more	7%	13%

Table 2. Interest in joining an employer organization

	Yes	No	Unsure	Already a member
Housecleaning	25%	63%	11%	1%
Childcare	56%	33%	8%	3%
Homecare	53%	37%	10%	0%
Total	39%	50%	10%	1%

differences at the top and bottom: 13% of domestic employers earn \$200,00 or more compared with 7% of all New Yorkers and 10% of domestic employers earn less than \$25,000 compared with nearly one-quarter (23%) of New Yorkers.

Domestic services fulfill important needs among New Yorkers. Nearly two-thirds of domestic employers—65%—say that hiring a domestic worker helps them to strike a balance between work and family. A substantial share also say that they do so because they are physically unable to do the work themselves (28%), do not have friends or family who can perform the work (21%), or would otherwise have to resort to institutional care for themselves or a loved one for whom they are hiring (15%).

There is wide interest in joining a domestic employer organization. A majority of those engaging the services of home care workers (53%) and nannies (56%) along with many receiving housecleaning services (25%) say that they would be interested in joining “a network or organization that provide[s] resources such as access to qualified providers, assistance with tax-related issues, and information on legal obligations of being an employer” (see Table 2). Only 1% of domestic employers are currently members of such an organization.

Flora Margolis & Namrata Pradhan



Image description: At home, two parents are sitting on a sofa with their children and the nanny whom they employ sitting between them. One child is sitting on the mother's lap, the other child is being embraced in the nanny's arms and lying across the other parent's lap. Everyone is looking at the camera and smiling.

Flora Margolis, originally from Ann Arbor, Michigan, lives with her husband and two children in Brooklyn. As a clinical social worker with years of experience providing counseling for pregnant women, new parents, and couples struggling through the early parenting years, Flora knows well that networks of care and support are a critical part of raising young children. That's why she is deeply grateful to employ Namrata Pradhan as nanny to Maya, age 5, and Ari, age 3.

Namrata was a lawyer in her native city of Katmandu, Nepal, where her main focus was industrial and aerospace law, and later, practicing family law led her to do grassroots community work with women at a non-governmental organization funded by the International Labor Organization. This is what originally began to draw Namrata into becoming an activist.

After Namrata immigrated to New York and found that her credentials as a lawyer were not honored here, she turned to childcare as a profession. At her first job interviews, she would tell the employers that she had practiced law, but no one seemed to want to hire her. "In order to get jobs, I had to fit into people's picture of what I should be," Namrata explained. "I was almost crying because people didn't want a highly educated person, they just wanted you to work as a donkey." Finally, Namrata secured a nanny position with a family, and ended up working with them for eight years.

It was during this time that Namrata became a member of Adhikaar, a women-led non-profit in Queens that organizes Nepali-speaking communities. She also became more involved in the National Domestic Workers Alliance, serving as a representative on their national board of directors. "As I began organizing with others in my community—nannies like me, cooks, elder caregivers, and others—I knew that we needed to work together to improve the situation of women doing domestic work." She left her previous job and found the opportunity to work with Flora, who interviewed her shortly after Maya was born in 2012. They felt an

immediate connection. Flora explained, “I was so grateful that she had all this life experience, big aspirations, and diverse interests. It showed us that she was well-rounded.”

Namrata appreciates that Flora supports her work as a community leader, since she is now a member of the Hopewell Childcare Worker Cooperative, and still serves as an organizer with Adhikaar. She spends her Fridays alongside other domestic-worker leaders promoting implementation of the New York Domestic Workers’ Bill of Rights, and building relationships with other workers around the country. It helps that Flora carefully plans and communicates clearly about Namrata’s work schedule.

Flora’s desire to be a responsible employer stems from her deep appreciation for Namrata’s work as a caregiver. **“It’s so hard to put into words the value of what she does for us. Namrata made it possible for us to have a second child and not have a breakdown. She’s our only family here, and I feel her absence when she’s not with us.”** But Namrata notes that Flora’s actions, in the way that she approaches her role as an employer, speak louder than her words. Flora is a core member of Hand in Hand: The Domestic Employers Network, which she first found out about through Jews for Racial and Economic Justice, about a year after Namrata starting working with her family. Because of Flora’s work supporting mothers, she had always been sensitive to the question of parents who were struggling with the process of hiring a nanny, without any guidance on what to do. Her own experience was one of wanting to value Namrata’s work and honor the relationship, recognizing that her relationship with the person caring for her children would be one of the most important relationships in her life. She did not want her practices as an employer to be carried out without any standards. Hand in Hand’s resources helped Flora ensure that she was doing the best she could as an employer. **“This is the person taking care of your kid,” Flora reiterates, “Do you really just want to try to get a deal?”**

Flora is hopeful about this moment as New Yorkers who employ nannies and home care workers become more aware of ways to get involved and support the domestic worker movement. “People are starting to see what’s happening to low-wage workers and immigrants, and want to do something to help. For many of us employers, treating the person who works in your home with dignity is how you can have an impact.”

2.2 The structure of domestic employment

Most domestic employers hire and pay directly without external funding support. A significant majority of domestic employers (64%) hire providers directly and an even larger majority pay for the services they receive directly (77%). Less than one-fifth of domestic employers rely on government funding (16%) or benefits from their own employers (2%) to pay for providers' services.

Most domestic employers set terms without consulting sources beyond people they know. Some two-thirds of domestic employers (66%) "play a role in setting terms such as how much the provider is paid, hours worked, and time off." 35% consult personal networks to help set terms and 29% consult the workers providing services, while very few consult government sources (6%) or online sources of various kinds (4%).

Those hiring through agencies play less of a role of setting employment terms. Just over a third of domestic employers hire "through an agency or Internet provider" (27%) or "some other means" (9%). Of those who hire through an agency or Internet provider, less than half (44%) play a role in setting employment terms and an even smaller share (38%) pay directly for their services (see Table 3).⁶²

Table 3. The relationship between how employers hire and whether they set terms

	One or some terms	No terms
Hired directly	76%	24%
Through an agency or internet provider	44%	56%
Other	56%	44%
Total	66%	34%

Figure 2. Work schedules

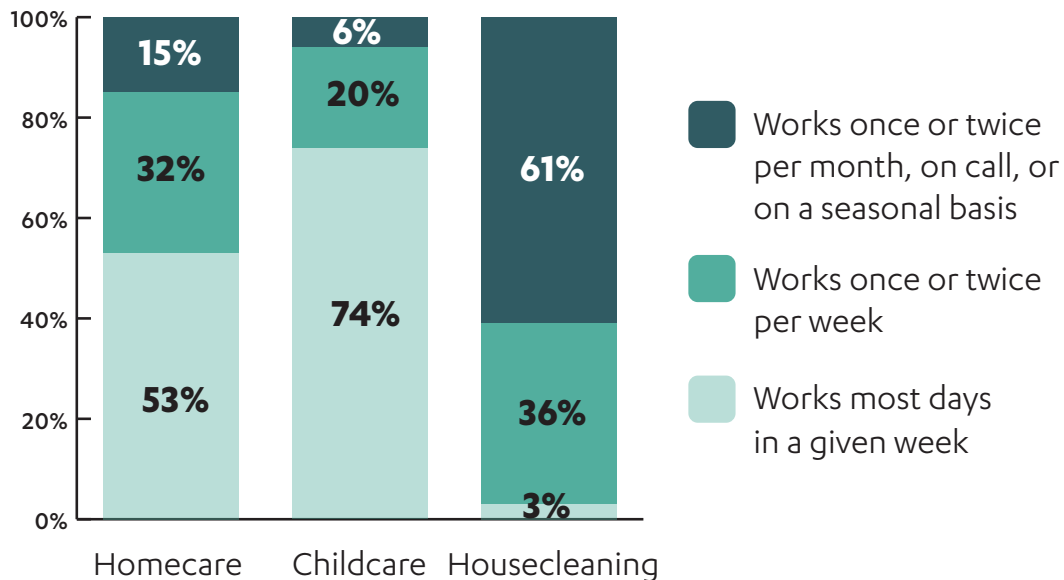


Image description: Bar graph with the following data: First bar is for homecare showing 53% of home care employers hire for these services most days in a given week, 32% for once or twice per week, and 15% for once or twice per month, on call, or on a seasonal basis. The second bar is for childcare showing 74% of nanny employers hire for these services most days in a given week, 20% for once or twice per week, and 6% for once or twice per month, on call, or on a seasonal basis. The third bar is for housecleaning showing 3% of housecleaner employers hire for these services most days in a given week, 36% for once or twice per week, and 61% for once or twice per month, on call, or on a seasonal basis.

Domestic employment varies in the duration and frequency of services.

More than half of domestic employers (58%) report that their primary provider has been working with them for more than a year. The regularity of services ranges from “on call” (5%), “seasonal” (2%), or “once or twice per month” (29%) to “once or twice per week” (32%) or “most days in a given week” (30%). Domestic employment often takes on a particular kind of intensity when employers hire for live-in (10%) and/or 24-hour services (8%).

Use of housecleaning services is much less frequent than nanny and home care services. While a majority of nanny employers (74%) and home care employers (53%) hire for these services most days in a given week, only a small fraction of those engaging the services of housecleaners do so (3%) (see Figure 2). Other research suggests that although many housecleaners work substantial hours on a weekly basis, they are generally providing services for many different employers.⁶³

Cheryl Demuth

Cheryl Demuth is a middle-class white woman from Middletown, NY, who has lived in Kingston for the last 12 years. From her home, she runs an infant and toddler daycare program. Cheryl employs Hilda, a housecleaner, for five hours every other week to clean her home and the daycare center. She initially got connected to Hilda five months ago through Ilana Berger, the parent of one of the children she cares for, who is also the Director of Hand in Hand. Cheryl's philosophy is that "the people that cross our lives are important and should be treated as such."

As part of the hiring process, Cheryl invited Hilda over to look at the space and set a rate for cleaning. Hilda suggested \$120 for five hours of cleaning, but Cheryl felt that was too low and offered \$150. Cheryl also offered to make an employer contribution to a health insurance plan for Hilda. Cheryl recognizes the importance of keeping her home and daycare space really clean, and feels it is important to compensate fairly for this valuable work, which is essential to her business.

Cheryl explained, "I want people to feel welcomed being in my home, whether it's the children I care for, their parents who drop in regularly, or the person I employ to clean the space. Especially when I've hired someone to work in my home, it makes me feel like I should get to know them, connect with them in a meaningful way, so it's not a one-sided relationship."

For this reason, Cheryl feels it has been easy to navigate the employer-employee relationship, and tries to make her home welcoming and comfortable for Hilda. Over the course of working together, the two have become close. Together, Cheryl and Hilda visited a school that Hilda was inquiring about for her son who is struggling in school, and that Cheryl wanted to see for the toddlers she is working with who are aging out of her daycare. Cheryl also provides support to Hilda, who is a native Spanish speaker, to help with her son's homework. Sometimes they share dinner together and have been getting to know each other's families. "It's been a real pleasure getting to know Hilda, who she is, including her family life. One thing that has changed between us is we hug when we say hello and goodbye, which she initiated, and I appreciate. Creating meaningful connections with people is important when you're a caregiver," Cheryl says.

2.3 Cost challenges

Cost prevents many New Yorkers from accessing domestic services. More than one-fifth of New Yorkers would hire for domestic services if cost issues did not get in the way. 9.1% of New Yorkers (amounting to nearly 1.4 million people) would hire for home care services if they could afford to do so; 2% (over 300,000) would hire for childcare; and 10% (1.5 million) would hire for housecleaning.

Many domestic employers do not receive all the services they need due to cost. Among New Yorkers who hire domestic workers, more than a quarter (26%) say they “need more hours of service than [they] receive.” Employers with incomes under \$100,000 are overrepresented among this group (see Table 4). Of employers who would like to hire for more hours, most (84%) say “cost is a factor” in why they do not (see Figure 3).

Table 4. Employers needing to hire for more hours by level of income

	Yes	No
Less than \$25,000	31%	69%
\$25,000 to 49,999	34%	66%
\$50,000 to 99,999	40%	60%
\$100,000 to 149,999	17%	83%
\$150,000 to 199,999	4%	96%
\$200,000 or more	11%	89%

Cost challenges are especially acute for people of color. Two-fifths (40%) of employers identifying as people of color said they need more hours of service than they receive, as opposed to 24% of whites. Nearly half of Black respondents (46%) said they are not receiving all the hours of service they require. 97% of people of color identify cost as a factor in why they do not receive all the services they need, compared to 78% of whites.

Figure 3. Role of cost in not hiring for more hours

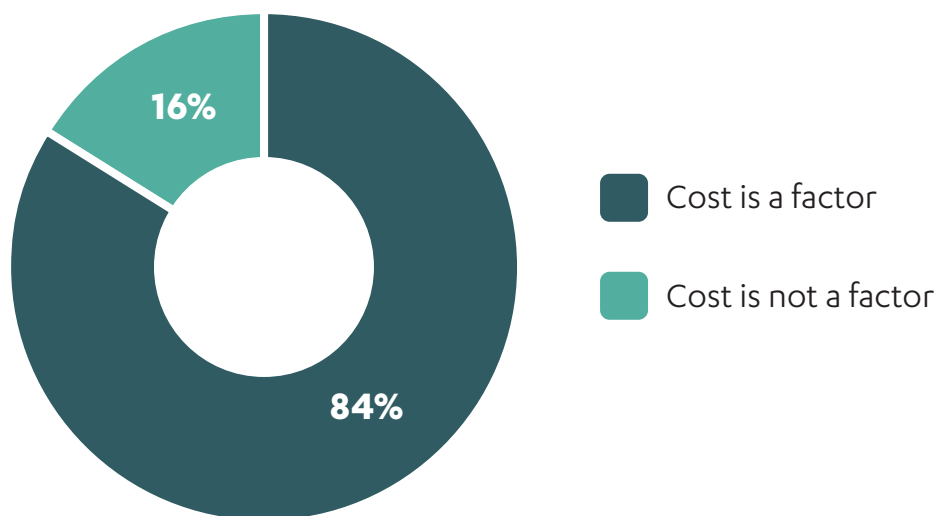


Image description: Donut chart showing that of the employers who would like to hire for more hours, 84% say cost is a factor in why they do not, while 16% say that cost is not a factor.

Kelly McMullen, Director of the Ulster County Office for the Aging

Kelly McMullen has served as the Director of the Ulster County Office for the Aging since 2014. The Office for the Aging receives federal, state, and county funding through the Older Americans Act, through which the office provides support for home-delivered meals, legal services, personal aides, medical alerts, Medicaid counseling, and transportation, and oversees a volunteer program.

In New York State, the shortage of home care workers varies by county. Kelly believes Ulster County is lucky in that they have six home health agencies with whom they contract, and therefore finding adequate care is not a problem. However, more rural counties, such as those in western New York, are facing a severe shortage, leaving seniors in dangerous conditions in their homes.

Offices for the Aging in New York State receive funds to cover home care for seniors who do not meet the Medicaid threshold to qualify for care. Each office works with seniors and family caregivers to first assess whether a senior can qualify for Medicaid by spending down their assets or entering into a pooled trust. If these options are unavailable, the county is able to direct the senior into a program called Expanded in-home Services for the Elderly Program (EISEP), which pays for home care. However, funds are very limited, resulting in an 85-person waitlist and an allotment of only four to six hours of care per week per qualifying senior. Kelly states that four to six hours of care could keep a senior safely in their homes by providing enough hours for two showers a week, shopping, and cleaning, if the seniors are also receiving delivered meals through programs such as Meals on Wheels. However, because of the waitlist and the inadequacy of funding for EISEP, seniors are dying while waiting for care.

Kelly states that if seniors do not have savings and do not qualify for Medicaid, they are going to remain on her waitlist. Even when seniors are able to pay out-of-pocket for care, they face barriers to finding adequate help. Agencies are often not an option because of the high overhead and reluctance to provide care to people who are not paying through insurance. Families and seniors have to navigate the hiring process, background checks, and social security, not to mention New York State labor laws. There is little help and few places to turn to for advice on hiring directly.

There is another stark problem in the current care infrastructure in New York: low pay, few benefits, and the reluctance to provide full-time work for home care workers. “What we pay has to be addressed in terms of how much we value

home attendants and the work they do,” Kelly says. She also explains there is a so-called “silver tsunami” on the way, as people over age 85 are our fastest growing population and seniors are going to need home care.

“Imagine the economy you can build for people who may have worked in manufacturing if they had a well-paid job with a living wage to take care of their homes and families, to spend in the local economy,” Kelly says. The Medicaid rate needs to increase to pay a living wage that values the worker and the senior alike. Ultimately, Kelly believes that if we ignore the reality of care and long-term support in this country, the future for seniors’ ability to live with dignity in their homes and communities is uncertain.

2.4 Pay, training, and the law



Image description: Two members of Hand in Hand: The Domestic Employer Network are standing together looking at the camera and smiling and with their arms around each other.

Many of those receiving domestic services think workers deserve higher pay. Overall, nearly half of domestic employers (47%) think those providing services deserve higher pay “if cost was not a factor.” 70% of home care employers think those providing services deserve higher pay, along with 57% of nanny employers and 31% of those receiving housecleaning services.

Domestic employers value

job-related training. 69% of domestic employers (including 89% of nanny employers, 83% of home care employers, and 55% of housecleaner employers) say they would be more likely to hire someone with job-related training. 60% of domestic employers (including 78% of nanny employers, 74% of home care employers, and 47% of housecleaner employers) say they would be willing to pay a higher wage to someone with job-related training (see Figure 4).

Most domestic employers do not know about the Domestic Workers’ Bill of Rights. Less than one-third of employers (29%) know about the New York Domestic Workers’ Bill of Rights. When asked about the law’s specific provisions, significant majorities can correctly identify what the law is from a multiple choice set of options. However, our survey was unable to address the extent to which these provisions are being observed in practice.⁶⁴

Employers find out about the Domestic Workers’ Bill of Rights through a variety of sources. Among those who know about the New York Domestic Workers’ Bill of Rights, 32% say they first heard about it through the media; 19% through a community organization; and 17% from a friend, relative, or colleague (see Figure 5), suggesting that efforts to promote further awareness could use a range of different channels.

Figure 4. Impact of formal training on employers' stated hiring and pay decisions

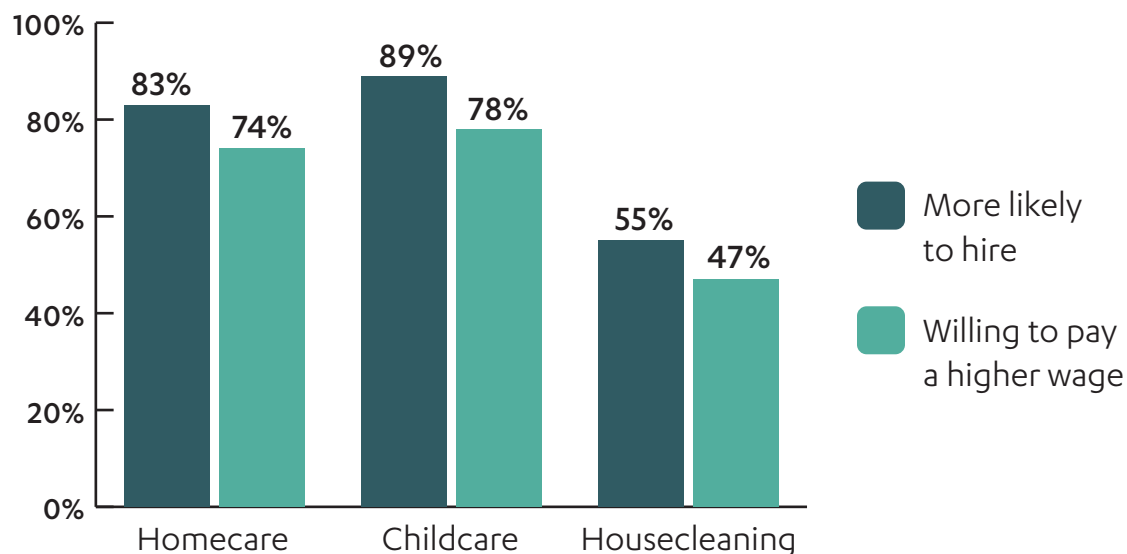


Image description: Bar charts for the impact of formal job-related training on employers' stated hiring and pay decisions. First set of bars is for homecare: 83% more likely to hire, 74% willing to pay a higher wage. Second set of bars is for childcare: 89% more likely to hire, 78% willing to pay a higher wage. Third set of bars is for housecleaning: 55% more likely to hire, 47% willing to pay a higher wage.

Figure 5. How employers found out about the Domestic Workers' Bill of Rights

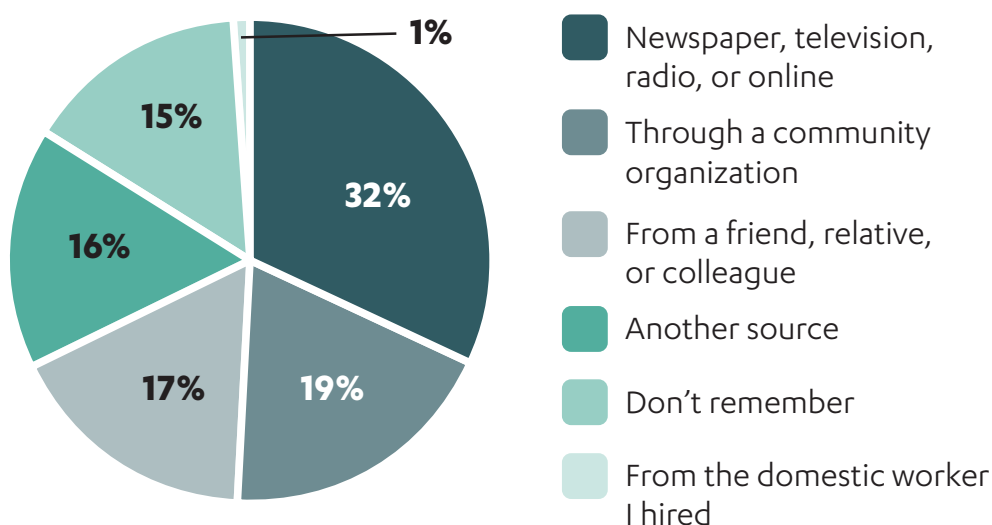


Image description: Pie chart showing how employers first heard about the New York Domestic Workers' Bill of Rights: 32% through newspaper, television, radio or online; 19% through a community organization, 17% from a friend, relative, or colleague; 16% from another source; 15% don't remember, 1% through the domestic worker they hired.

Public testimony of Rebecca Preve, Director of the Franklin County Office for the Aging and New York Connects Program⁶⁵

“Our office handles dozens of calls from consumers, physicians, family members, hospitals and community-based organizations on a daily basis and we work diligently to provide the information and assistance that is necessary. The assistance includes benefits and application assistance for Medicaid and other state and federal programs, person centered counseling, home visiting, assessments, cross systems referrals and problem solving, health insurance counseling and more. Our office additionally handles all intakes for adult protective services intervention and is the referral mechanism for the Medicaid and managed long-term care services. We additionally administer the Expanded In-Home Services for the Elderly Program, known as EISEP, for non-Medicaid eligible older adults in need of personal care level one and personal care level two and case management services.

As you are aware, the goal across New York State and across the country is to provide individuals the opportunity to remain in their communities and out of institutional care. This is the basis for the Olmstead Supreme Court decision and subsequent Olmstead state plans, as well as New York State’s triple aim better care, better health, lower costs. The overarching goals across the programs and services is to provide the right care in the right setting for the right price. The role of our office is to provide insight, direction and assistance in obtaining appropriate care and the lack of home health professionals has become a massive barrier in meeting the state and county’s goals.

[...]

I would like to share with you a story of one older client that highlights the barriers we have in providing care. My office received a call from [an] 88-year-old caregiver that was assisting a friend and needed extra help. The client is a 91-year-old World War II veteran that retired after a career working in a local factory. The gentleman had no living family, had extensive mobility issues and necessitated assistance with basic activities of daily living including bathing and personal care services. The client was assessed in June 2015, and thankfully we were able to authorize him under EISEP, a state funded program administered through local offices for the aging for individuals over income for Medicaid and cannot afford to privately pay for services.

EISEP provides personal care level care one and two, case management and ancillary services to individuals who are at risk of a Medicaid spend down and nursing home placement and can keep individuals safely living in their own homes for under \$10,000 a year. The average client is in their 80s, is just above Medicaid eligibility, lives alone and has limitations in three or more ADLs or five or more

IADLs as well as five plus chronic conditions. The program is predicated on keeping individuals out of emergency departments, skilled nursing facilities and is a critical pre-Medicaid tool. He was authorized to receive 23 hours of personal care services per week including bathing, dressing and toileting services. The authorization was provided to the two providers for home health aides in Franklin County and remained unfilled for months. During this time, our office received desperate phone calls from his elderly friend and concerned community members. The local Veterans Administration also contacted the office after receiving similar calls from the caregiver desperately seeking assistance. Finally, after 62 days an aide was found to fill 10 of the authorized 23 hours of care. During this time period, he was brought to the emergency room four times never meeting admission criteria. Additionally, Office for the Aging attempted to assist his caregiver in utilizing the consumer directed program and was unable to do so as they did not have any friends, family or other supports available. It was seven months before this World War II veteran was able to receive care for the most basic of human needs.

Another heartbreaking story in our Adirondack region includes an elderly disabled mentally ill Medicaid client that had no family or informal supports. She was in receipt of case management services and was authorized for over 40 hours of week of home health aide level care along with an authorization for a private duty nurse. Her main issue included an inability to independently transfer and toilet herself and the hours that she had been authorized were not able to be filled. The private duty nurse that was authorized was also not available and the client was frequently found by her case manager to be in soiled Depends that she was not able to independently change.

The situation continued to deteriorate and the client was forced to go to the local emergency department. Due to regulations regarding hospital admission criteria, she was deemed an admission denial as she has no acute needs and simply needed assistance with her activities of daily living. The local hospital and case management providers met and due to the client being completely unsafe in the community, nursing facility placement was sought. Again, this is a client that wished to remain in her own home and was forced to an institution based on the lack of home healthcare providers. Sadly, as the client had a history of mental illness and was a very low score for placement she was forced not only out of our area, but out of the state. The closest facility that would accept her was in Massachusetts and she was transferred there this year.

Unfortunately I could continue with case after case of individuals across health, disability and aging organizations that have faced these issues. This is not a rural or an urban issue. It is global. It is across all payer sources and across all demographics.”

HOME CARE IN FOCUS

Findings



Image description: Three senior residents of a cooperative housing apartment building in New York City are seated at a table. One is looking at the camera and smiling, and the other two are in conversation and smiling but not looking at the camera. The backdrop shows bookshelves.

The home care-related findings presented here build on the discussion in Chapter 1. As one would expect given the overall landscape of government funding, public support is more widespread in home care than in the childcare and housecleaning segments of New York's domestic employment sector. However, substantial cost challenges are reported by home care employers

and those who would like to obtain home care services for themselves or a loved one, suggesting that existing levels of funding are not fully meeting the needs of New Yorkers.

Also in line with what we would expect from the background discussion in Chapter 1, home care employers are more likely to hire through an agency or other indirect channel than nanny and housecleaner employers, and less likely to play a role in setting employment terms. As we discuss in Chapter 3, this has important implications for strategies aimed at improving conditions in the home care industry for recipients and providers of care alike.

Public funding plays an important role in New York's home care system. A far higher share of home care employers report using one or more government plans to help pay for their services (44%) than either nanny employers (14%) or housecleaner employers (3%) (see Figure 6).⁶⁶

Many home care employers have modest incomes. Related to the stronger role of public funding in home care, home care employers are more heavily concentrated in the \$25,000 to \$50,000 and \$50,000 to \$100,000 annual income brackets than their counterparts in the other two segments, and less concentrated in annual income brackets above \$100,000.

Figure 6. Use of government funding to pay for services

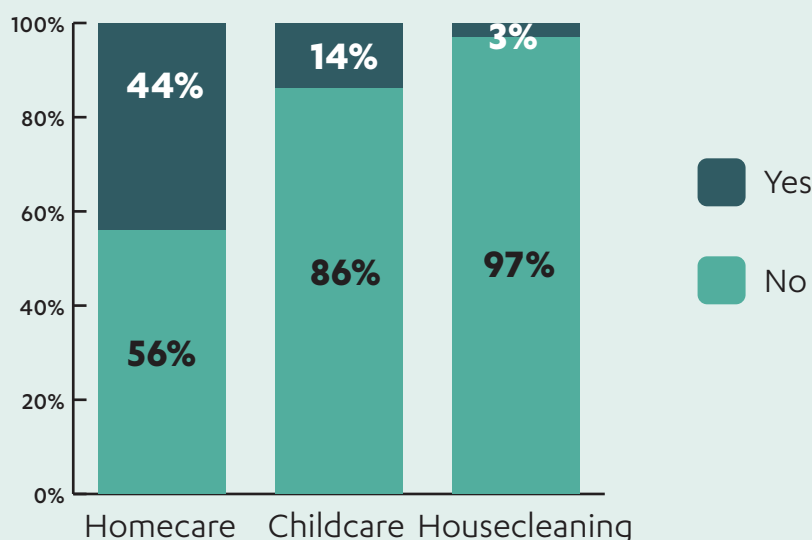


Image description: Bar graph showing employers' use of government funding to pay for services. First bar is for housecleaner showing 97% no and 3% yes; second bar is for childcare showing 86% no and 14% yes, third bar is for homecare showing 56% no and 44% yes.

Home care employers face particular cost challenges. Despite public funding, home care employers confront particular affordability challenges. Nearly half of home care employers (45%) reported that they needed more hours of service than they receive. Among nanny employers, around a quarter said they need more hours (26%), and just under one-sixth of employers of housecleaners (16%) said the same (see Figure 7).

Figure 7. Share of employers saying they need more hours in different industry segments

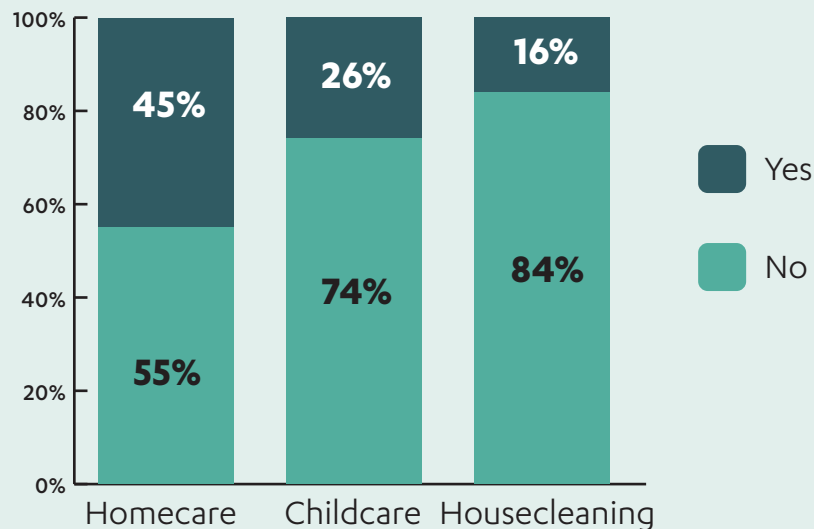


Image description: Bar graph showing share of employers that say they need more hours of services than they receive. First bar is for housecleaner showing 16% yes and 84% no; second bar is for childcare showing 26% yes and 74% no, third bar is for homecare showing 45% yes and 55% no.

Many who provide unpaid family care cannot access domestic services due to cost issues. Nearly one-fifth (18%) of New Yorkers provide unpaid care for a senior of a loved one with a disability. Of these New Yorkers, 24% (translating to more than 660,000 people) said they would hire a domestic worker if affordability challenges did not get in the way.

Most home care employers hire through agencies or other indirect channels. Most home care employers say they hired through an agency (46%) or another non-direct channel (12%), while substantial majorities of nanny employers (65%) and housecleaner employers (76%) say they hired directly (see Figure 8). The wider prevalence of agencies in home care is related to the public funding system, as many agencies serve publicly funded clients.

Nearly half of home care employers do not play a role in setting employment terms. Related to how they hire for services, a higher share of home care employers say they do not play a role in setting

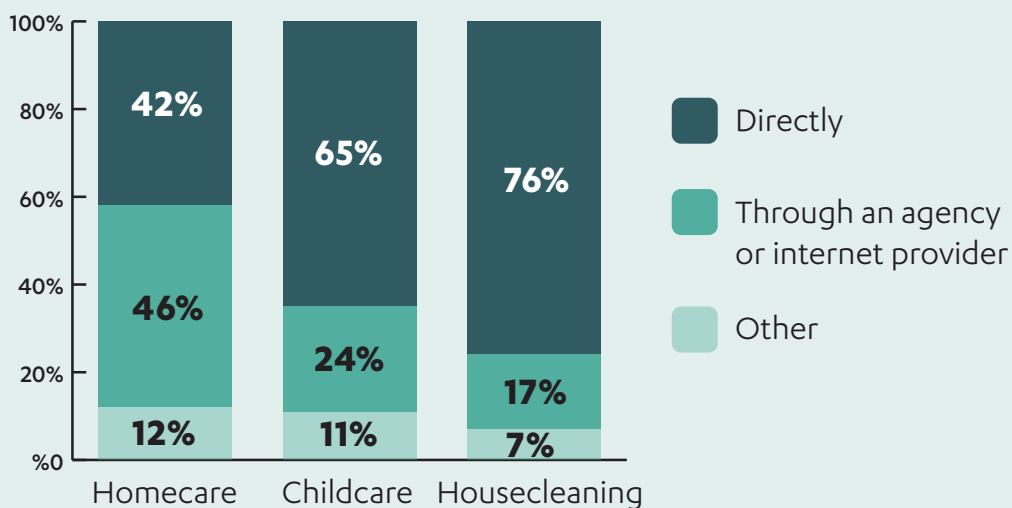
Figure 8. How employers hire

Image description: Bar graph showing how employers hire. First bar is for homecare showing 42% hire directly, 46% through an agency, and 12% other non-direct channel; second bar is for childcare showing 65% hire directly, 24% through an agency, and 11% other non-direct channel; and third bar is for housecleaning showing 76% hire directly, 17% through an agency, and 7% other non-direct channel.

employment terms (45%) than housecleaner employers (35%) or nanny employers (16%) (see Figure 9). Indeed, nearly two-thirds of those receiving home care services (65%) who hire through an agency say they do not play a role in setting terms.

Figure 9. Relationship between how employers hire and whether they set terms

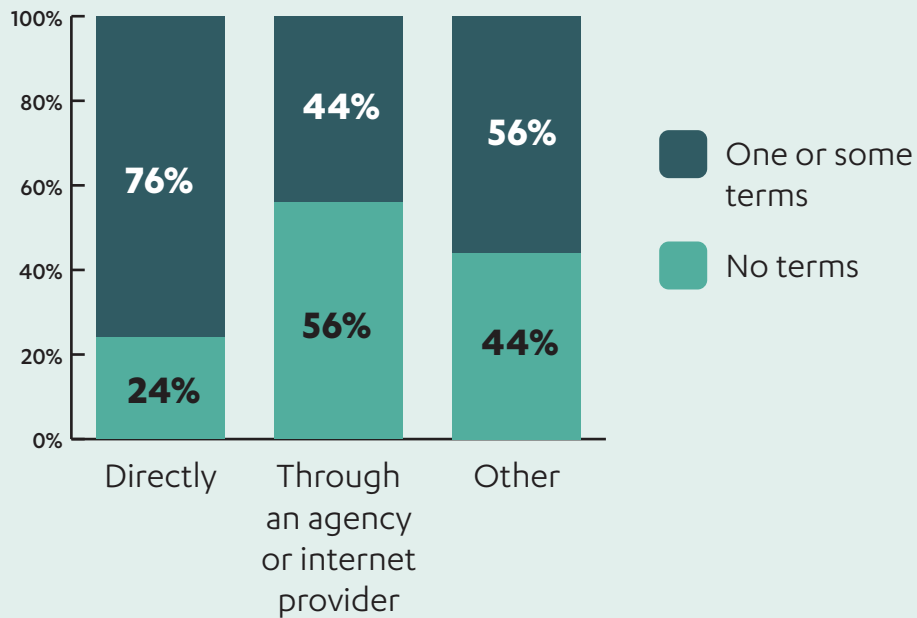


Image description: Bar graph showing the relationship between how employers hire and whether they set employment terms. First bar is for employers who hired directly showing 76% did set terms, 24% did not; second bar is for employers who hired through an agency showing 44% set terms, 56% did not; third bar is for employers who hired through some other non-direct channel showing 56% set terms and 44% did not.

Ashley Anderson



Image description: A young woman in a wheelchair looks off camera to her left. The backdrop shows a brick home with a window.

Ashley Anderson tends to keep to herself, but is open about her challenges in obtaining adequate support to thrive as an independent, active 24-year-old. Born in the Bronx, Ashley has lived in New York City for most of her life. Her heritage spans Colombia, Jamaica, Puerto Rico, and the Dominican Republic. As a spicy food aficionado, Ashley was excited when moving to Brooklyn three years ago brought her within shouting distance of some excellent West Indian fare.

Before taking up residence in the supportive apartment complex where she currently lives, Ashley spent years moving around. She was born with cerebral palsy, and a complicated family life propelled her into New York City's foster care and shelter system. "Moving into the shelter system at

age 18 was terrifying," she says, "I felt invisible, like just another ward of the state."

Ashley's medical condition has added challenges to forging her own path in the world. "I feel like I've lived so much life already," Ashley says. As a wheelchair user, she has fought hard to obtain the services she needs to live with dignity and independence.

"I figured out early on that I had to be my own advocate," Ashley says. The first shelter that she moved into was not accessible for people with disabilities. Eventually, after significant lobbying on her part, she moved into an accessible shelter. However, gaining access to on-site home care services entailed another long, arduous process. Ashley called Homeless Services several times a week for months before she was finally able to enroll in a managed care program that would pay for these services.

As she dealt with all of that plus her physical health issues, Ashley found herself facing strains to her mental health. She started spending time at Fountain House, a community organization that supports people with mental illness, and they assisted her in submitting an application to the city's supportive housing system. She knew that she wanted to move somewhere she could live with greater independence, and after another long process she was allotted a place at the facility where she currently resides.

Ashley has received home care services in her current location, but the services were scaled back over time. As she has worked more hours in her job as a peer counselor, and with assessments of her health status, her managed care plan made sharper cuts to her hours of care than she believes were warranted. The nature of Ashley's condition means that she has significant ups and downs, so being assessed on a good day contributes to her receiving less care than she needs. Some days, lacking all the support she requires, Ashley remains in bed and does not eat. It is in these moments that she finds herself turning further inward, battling despair.

Recently, Ashley stopped receiving home care services altogether. She had to switch agencies several times during her stay at the supportive housing facility, and during the most recent transition, the new agency failed to send providers on three consecutive weekends. This resulted in a suspension of her home care coverage. Without this support, she is forced to navigate an inaccessible apartment, putting her at risk for falls and injuries, and possibly for re-entering the shelter system because there are not enough accessible apartments. For Ashley and countless others in her situation, home care is the difference between living independently and being institutionalized. Restoring coverage of her services will require another round of intensive self-advocacy, and yet, she is beginning to grow weary of taking on another fight with the system. She is working with the support of Hand in Hand to get her home care restored, and to retain it into the future.

Ashley's story makes clear that the challenges facing home care recipients with modest economic resources go beyond affordability alone. Even when they technically qualify for public support, Ashley and others like her can face significant hurdles to accessing all the services they need. Ashley also speaks about the difficulties faced by home care workers. "They're hardly paid anything given the value of the work they do," she says. Among the many home care workers with whom she has interacted, many have not had the job security to call in sick or attend to family emergencies. Many also have trouble piecing together enough shifts to cover their basic living expenses.

As she becomes increasingly involved in thinking about the broader questions of care and support infrastructure that go beyond her own experience, Ashley has been coming out of her shell and wowing audiences with her combination of wit and wisdom. As she shares her experiences and insights at gatherings throughout New York City, she is motivated by a desire to ensure that, as she puts it, "others do not have to go through the same struggles as I did."

CHAPTER 3

RECOMMENDATIONS

Building on the background discussion in Chapter 1 and drawing on key findings reported in Chapter 2, this chapter offers a set of recommendations for reforming New York’s domestic employment system. Section 3.1 sets a basic framework for the recommendations we propose, highlighting two key principles—improving job quality for domestic workers, and expanding access to high quality domestic services—that should guide future reform efforts. Section 3.2 identifies five key areas on which policy and organizing efforts should focus, and recommends some specific actions that would take us further in the direction of developing a robust and equitable domestic employment system and care infrastructure in New York State.

3.1 Two key principles

All of us need care and support at some stage in our lives. Most of us will also serve as providers of care and support to others. This report shows that there are currently millions of New Yorkers who rely on domestic services, often to live independently or balance work and family. We also know that hundreds of thousands of New Yorkers support their own families by providing these services. Domestic employment is a key pillar of New York’s “care grid,” and how this system evolves will have enormous implications for how well we are able to address our population’s care and support needs and provide good jobs in our state’s 21st century economy.

Building on the progress that has already been made, further transforming New York’s domestic employment system will require sustained community engagement, substantial shifts in law and policy, and significant culture change. Domestic workers and employers will need to join hands with policymakers, business and community leaders, and others to lead these changes. Transforming New York’s domestic employment system will require confronting many of our

state's and our nation's deepest and most enduring inequalities. New York's caring majority will need to be mobilized both around shared interests and the idea that the quality of life of all New Yorkers should rise together.

Efforts to reform New York's domestic employment system should be organized around two key principles:

Expand access to high quality domestic services. As discussed in Chapter 3, many of those receiving domestic services are unable to access all the care and support they need due to cost barriers. Many more are unable to hire for these services at all due to affordability issues. Even as gender roles and household configurations have changed and ideas about who should enjoy the dignity of independent living have shifted, we need a greater investment in the domestic employment system to help realize our highest ideals and fully address the care and support needs of all New Yorkers.

Improve job quality for domestic workers. Doing so is a matter of basic fairness: The people who offer such essential care and support for others should be able to provide for their own families. Raising the bar on job quality for domestic workers would help to steer New York's economy towards the high road, and, given the shortage of home care workers in particular, it would create incentives for more people to take up employment in this crucial sector.

In this report, we have noted some of the important ways in which job quality and access to quality services go together. However, in a context of scarce resources, there is also, at times, a perceived tension between these principles, as higher pay and improved affordability are seen as being at odds with one another. How, then, to deal with the cost issue in a way that does not compromise on worker pay, and vice versa? The answer is clear: greater public investment in our state's care and support infrastructure would be the game changer promoting enhanced affordability for domestic employers and improved pay for domestic workers.

The agenda we outline below is ambitious but achievable. At a time when many of our national political leaders seek to gut public investment and extend tax cuts to the richest among us, this report calls on political leaders in New York State to do just the opposite. As the most unequal state in the country,⁶⁷ New York should set an example of shared social commitment for other cities and states around the country to follow, making investments that transform our domestic employment system and the broader care infrastructure in our state.

3.2 Five areas for reform

1 Expand public investment in caregiving and access to domestic services

Cost barriers prevent many New Yorkers from accessing domestic services (see pp. 32-33). This includes many people who provide unpaid care and support for family members and loved ones (see p. 42). Expanding public funding would ensure that people are able to access the care and support they need, and raising reimbursement rates would help workers to support their own families.

Create universal, publicly-funded home care services and supports.

Building on existing programs including Medicaid, Medicare, and EISEP, coverage for acute and long-term care should be extended to all New Yorkers who need it, and to the full extent necessary to live with dignity and independence.

Adjust funding allotments to account for state minimum wage increases.

As we move along the path to creating universal home care access, funding should be expanded in step with statewide minimum-wage increases, ensuring that home care employers do not see a reduction in hours of service and home care workers do not see a reduction in hours of work.

Expand access to childcare, including individual nanny care in the child's home.

New York City's recent enactment of a universal pre-K program was a step in the right direction. New York should take additional measures to extend child care access to all who need it. This should include a pilot program allowing lower-income parents for whom nanny care is the best option (e.g., those working the night shift, or who have schedules that do not conform to regular daycare hours) to use public funds to pay for it.

Provide more support for family caregivers. New York's Paid Family Leave Law was a step in the right direction. New York should take further action to provide resources, respite services, and financial support to those who provide care and support to family members and loved ones. Special efforts should be made to ensure that domestic workers, who provide crucial care and support for others, are able to care for their own family members.

2 Promote education and awareness of employer best practices and legal obligations

Most domestic employers in New York are not familiar with the New York Domestic Workers' Bill of Rights. Although most domestic employers can correctly identify provisions of the New York Domestic Workers' Bill of Rights from a multiple choice set of options, there is still much work to be done in ensuring implementation (see p. 36). Most employers also report that they play a role in setting employment terms but do not consult sources beyond those whom they know in doing so, with only a tiny fraction consulting government sources (see p. 29). Taken together, these findings underscore the need for expanding education and awareness of best practices and legal obligations among domestic employers.

Clarify and spread awareness of legal rights and responsibilities.

Collaborate with domestic employer and worker organizations, unions, and relevant government agencies to develop and distribute information to employers and workers about their rights and responsibilities. Ensure that outreach occurs throughout the downstate and upstate regions of New York, in both urban and rural areas.

Promote employer education on best practices. Disseminate standardized procedures for setting employment terms, including sample contracts and legal checklists, and widen public awareness of these tools so that employers more uniformly apply these standards (for information on a newly developed nanny contract app that is a good example of such a tool, see Appendix C).

3 Enforce and expand worker protections

In addition to education efforts noted above, our survey findings that most employers do not know about the Domestic Workers' Bill of Rights and do not rely on information sources beyond people they know to set employment terms point to the need for stronger legal enforcement. The fact that domestic employment arrangements are often made at the household level suggests that more resources are needed to fully investigate legal violations and promote legal enforcement (see discussion on p.29). Since a sizable share of domestic employers hire through agencies, attention should also be devoted to holding agencies accountable in cases where they are responsible for legal violations. (discussion on p.29)

Improve workplace standards through law and policy. Legislative reforms are needed to continue improving conditions for all working New Yorkers throughout the state. Further reforms ensuring that domestic workers have access to legal protections available to other workers are also needed—e.g., many domestic workers could benefit from protections promoting predictable scheduling and paychecks such as those recently extended to retail and fast food workers in New York City.

Increase resources for legal enforcement. There is a need for additional resources and capacity so the relevant government agencies can investigate violations and enforce the law in areas including the New York Domestic Workers’ Bill of Rights; health and safety; and the statewide minimum wage, which will increase in the coming years.⁶⁸ Investigators should also be trained in the specific structure and dynamics of the domestic work sector so that they can pursue claims more effectively. Government agencies should actively partner with worker organizations to regulate the sector and enforce minimum standards.

Strengthen the system for ensuring legal compliance by agencies.

Given the diversity in the size and functioning of agencies, this could be incorporated into licensing requirements and auditing. For example, following Chicago’s example, New York could curb wage theft by removing the licenses of agencies that fail to adhere to wage and hour law. Legislation promoting legal enforcement in New York’s nail salon industry (another industry with widespread variation in level of compliance) could also inform our state’s approach to strengthening oversight over home care and other domestic service agencies.

4 Support employer and worker outreach and organizing

The fact that most domestic employers hire providers directly (see p. 29) creates a high degree of fragmentation and presents challenges for collective organization by employers and workers alike. Most New Yorkers receiving nanny and home care services would be interested in joining an employer organization (see p. 26). Outreach to those who might be interested in joining employer and worker organizations should be expanded.

Support outreach to domestic employers. Outreach across the state of New York would help to bring more domestic employers into organizations that offer a variety of resources and help them to network with other employers. It could also help promote implementation of the Domestic Workers’ Bill of

Rights and other worker protections. Special efforts should be made to reach employers who face challenges around accessing needed care and support, including navigating the public funding system.

Support outreach to domestic workers. There are numerous worker centers throughout New York state with significant numbers of members who are domestic workers. Additional outreach and support would help to expand membership in communities throughout New York State.

Change New York law to allow collective organization among domestic workers. Amending New York's State Employment Relations Act (SERA) would help to correct the historic wrongs written into the National Labor Relations Act (for more on this, see discussion on page 14) and open the door for more domestic workers to win collective representation.⁶⁹

5 Support the development of high-road enterprises and practices

In addition to promoting awareness of basic standards and legal requirements, it is important to exceed legal minimums with high-road practices in the domestic employment sector. The finding that most nanny and home care employers and many housecleaner employers believe providers deserve higher pay (see p. 36) supports the advancement of norms around higher pay and better working conditions. The fact that employers value job-related training (see p. 36) adds impetus to the idea that training for domestic workers should be expanded, with potential benefits for both employers and workers. Since agencies play an important role in domestic employment, particularly in the home care industry (see p. 42), engaging agencies around job quality and access to services is important to improving conditions.

Promote culture change around how domestic services are valued.

Building on the finding that many employers think their providers deserve a higher wage, we need broader culture change efforts aimed at spreading norms that go beyond mandatory minimums for pay and terms of employment (for an example of such an initiative, read about the Fair Care Pledge in Appendix C).

Expand access to training for domestic workers. Existing domestic worker training opportunities strengthen job-related skills and promote awareness of workplace rights and strategies for developing strong relationships with

employers. Alongside other efforts to promote improved job quality, more resources should be devoted to making job-related training for domestic workers more widely available.

Support the development of high-road enterprises. Further supporting the development of a network of high-road enterprises in the domestic employment sector could promote the spread of high-road policies and practices. Building on the current New York City Council initiative, more support should be given to the development of worker cooperatives and, potentially, multi-stakeholder cooperatives that give representation to workers and employers.⁷⁰

Create a care innovation fund. An innovation fund could promote the development of new approaches and support research into how different policies and practices affect domestic workers and those receiving care and support. A key component of such an innovation fund would be to identify the existing and potential role of government in financing and supporting the development of high-road models—e.g., public support could help Alia, a platform designed to provide benefits for housecleaners, to scale up (for more about Alia, see Appendix C).

APPENDIX

A. Methodology

Survey data presented in this report are based on the New York Domestic Employer Survey conducted with a sample of New York State resident employers of home care providers, housecleaners, and childcare workers providing in-home nanny services. An analytical report further examining the results of this New York State Domestic Employer Survey will be forthcoming in 2017. Please contact co-author Sanjay Pinto at sanjaypinto@gmail.com for information regarding this analytical report.

The New York Domestic Employer Survey was developed by Hand in Hand: the Domestic Employers Network in partnership with Cornell University, Fordham University, and New York University. It was also formulated in partnership with the UCLA Labor Center and employer and worker organizations in California, which fielded a similar survey in that state.

The New York Domestic Employer Survey consisted of a series of questions related to hiring, cost and affordability, hours worked, training and employer sociodemographic and household characteristics. The survey was directed at adult respondents (age 18 or older) who resided in the State of New York. Respondents eligible to complete the survey had to indicate during the screening questions that they employed at least one person who met the study's definition of a domestic worker.

The survey was administered by the Yasamin Miller Group (YMG), which worked with the Castleton University Polling Institute to conduct the phone interviews for the study. Polling Institute interviewers pilot tested the survey prior to commencing the study by running through several practice records. These records had fake phone numbers but were otherwise identical to the sample that would be used in the live survey. The callers completed several test interviews with a variety of answers, looking for errors in skip logic and question order, as well as typos. Their feedback was used to refine the instrument one final time before live

calling began. After calling was underway, the researchers translated the survey instrument into Spanish, and a Spanish-speaking interviewer conducted interviews with Spanish-speaking households.

Live calling was conducted from June 1st to November 12th, 2016. Calling hours were Monday through Friday 9AM to 9PM, Saturday 10AM to 2PM, and Sunday 2PM to 6PM (Eastern Time). Households that did not speak English were either put on hold to be called back in Spanish, or were removed from the calling pool and flagged as having a language barrier if they spoke neither English nor Spanish.

Calls were placed to landline phones and cellphones across the state of New York. Three types of sample were used during the course of the study: regular random digit dial (RDD) landline (n=11,554), cell phone numbers that were geographically targeted from Survey Sampling International's SmartCell product (n=45,604), and targeted listed landlines based on income and age parameters (over median income and age 45 or older) (n=4,116). Each of the types of sample was stratified into two geographic regions: (1) New York City area/Downstate (all five city boroughs and Westchester County) and (2) all other portions of New York State (Upstate).

Before completing the survey, respondents had to pass a battery of screening questions. Respondents were screened based on whether or not they lived in New York State, were 18 years of age or older, and whether or not they hired any domestic workers who did housecleaning, child care, or provided care for an older adult or adult with a disability in either their own home or another home in New York State. In addition to the 400 respondents who completed the full survey, another 51 partially completed interviews (and were eligible respondents who hire domestic employees). In addition, a total of 1,630 respondents participated in the screening questions and were found not to qualify for the study because they did not hire anyone, but would like to, and 43 respondents were coded as not qualifying because they did not hire anyone, but full screening data was not collected. Another 383 were screened out for not living in New York. The 400 completed interviews with residents who hire domestic employees were divided into four categories based on whether or not the respondent was contacted on a landline or cellphone and the geographic strata:

Landline Upstate	N=53
Cellphone Upstate	N=153
Landline Downstate	N=91
Cellphone Downstate	N=103

In total, 61,274 numbers were dialed. It is estimated that 16,048⁷¹ of the 61,274 telephone numbers dialed for this project are households in New York State. Of all the households that were called, 2084 screened out of the full survey because they did not hire a domestic worker. 1630 of these respondents answered a short set of questions about whether they provide unpaid family care and would like to hire a domestic worker, and the results are included in the report. 451 people screened into the full survey because they hire a domestic worker. Given the number of those who screened in and out of the survey, we calculated that the overall rate of adult New Yorkers hiring a domestic worker is 17.8% ($451/(451+2084)$).

In-depth interviews were conducted with a subset of survey respondents who indicated they would be willing to do a follow-up interview and a sample of those within Hand in Hand's network in New York State.

B. Data tables of employer population

These tables show the demographic breakdown of the New York population, domestic work employers, and domestic work employers by three categories of work—housecleaning, childcare, and homecare.

The New York State population data are drawn from the U.S. Census Bureau American Community Survey 5-year estimates for 2010 - 2014 for the population 18 and over living in New York State. Employer data are drawn from the New York State Domestic Employer Survey (see APPENDIX A).

Gender

	New York population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
Female	52%	58%	56%	64%	57%
Male	48%	42%	43%	36%	43%
Transgender	<1%	<1%	1%	--	--

Age

	New York Population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
18-24	10%	1%	2%	1%	1%
25-49	35%	36%	31%	77%	21%
50-69	23%	35%	27%	16%	61%
Over 70	10%	27%	39%	5%	18%

Race/ Ethnicity with Hispanic

	New York Population*	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
White, Non-Hispanic/ Latinx	57%	70%	79%	52%	66%
Black, Non-Hispanic/ Latinx	14%	12%	6%	17%	19%
Native American/ Alaskan Native, Non-Hispanic/ Latinx	<1%	1%	1%	0%	1%
Asian, Non-Hispanic/ Latinx	8%	4%	4%	3%	3%

	New York Population*	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
Other/ multiple, Non- Hispanic/ Latinx	2%	3%	2%	7%	3%
White, Hispanic/ Latinx	8%	6%	5%	12%	4%
Black, Hispanic/ Latinx	1%	<1%	<1%	0%	0%
Native American/ Alaskan Native, Hispanic/ Latinx	<1%	0%	0%	0%	0%
Asian, Hispanic/ Latinx	<1%	0%	0%	0%	0%
Other/ multiple, Hispanic/ Latinx	9%%	4%	3%	7%	30%

*Full population, includes under 18.

Educational Attainment

	New York Population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
Less than high school	14%	2%	2%	3%	0%
High school or GED	27%	14%	13%	17%	16%
Some college, vocational or associate degree	25%	24%	20%	21%	34%
Bachelor	19%	31%	32%	31%	30%
Masters or higher	15%	29%	34%	27%	20%

Household Income

	New York Population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
Less than \$25,000	23%	10%	9%	11%	11%
\$25,000 to less than \$50,000	21%	21%	17%	23%	28%
\$50,000 to less than \$100,000	28%	27%	23%	22%	37%

	New York Population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
\$100,000 to less than \$150,000	14%	19%	23%	22%	11%
\$150,000 to less than \$200,000	6%	8%	9%	8%	8%
\$200,000 or more	8%	14%	19%	15%	6%

*Full population, includes under 18.

Race/ Ethnicity

	New York Population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
White	64%	76%	84%	65%	70%
Black	16%	12%	6%	18%	19%
Native American/ Alaskan Native	<1%	1%	1%	0%	1%
Asian	8%	4%	4%	3%	3%
Other/ multiple	11%	7%	5%	15%	7%

Hispanic

	New York Population	All domestic work employers	Housecleaning employers	Childcare employers	Homecare employers
Yes	18%	10%	8%	20%	8%
No	82%	90%	92%	80%	92%

C. Resources for domestic employers

Hand in Hand: The Domestic Employers Network offers information to domestic employers about their legal obligations. Hand in Hand also offers many resources and tools to help employers navigate the home workplace, and to implement best practices. Many of these resources, including sample work agreements, an employer's checklist, guides to providing paid sick and vacation days, as well as answers to frequently asked questions, can be found on Hand in Hand's website: <http://domesticemployers.org/qa/>

Hand in Hand's resources are largely linked to the **Fair Care Pledge**, which offers tips on how to be a Fair Care employer with regard to fair pay, paid time off, and clear expectations. Many domestic employers sign the pledge to demonstrate their commitment to, and interest in, following best practices of employment. The Pledge was co-created by the National Domestic Workers Alliance and Hand in Hand. <http://faircarepledge.com/>

Hand in Hand's **Sanctuary Homes campaign** provides specific resources and action guides for employers related to respecting and preserving the dignity of every individual in our communities, particularly by extending solidarity and sanctuary to immigrants, people of color, people with disabilities, Muslims, LGBTQI folks, women, and other communities that are under attack. This includes building community defense against efforts to dismantle Medicare, Medicaid, and the Affordable Care Act, organizing with others to create widening circles of sanctuary in our homes and neighborhoods, and participating in other campaigns and actions led by frontline communities. Resources include guides for how to talk to a domestic worker and show support, legal resources for workers and employers, and organizing toolkits. <https://mysanctuaryhome.us/>

You can find generic sample work agreements at **ContractsforNannies.com**. ContractsforNannies.com is an online mobile-friendly site that allows the user to fill in a form and customize their own agreement, while providing tips, descriptions of relevant regulations and useful resources at the same time.

Alia is a pilot project in New York City that allows employers to buy into a fund to provide basic benefits for housecleaners. Most domestic workers don't receive the workplace benefits that the majority of US workers take for granted, such as paid time off and basic insurance protections. Alia collects small, regular contributions from multiple clients to create a meaningful funding stream for independent workers. Alia (www.myalia.com) was created by the Fair Care Labs at the National Domestic Workers Alliance.

D. New York State Domestic Workers' Bill of Rights

In November 2010, the New York Domestic Workers' Bill of Rights, the first law of its kind in the country, went into effect. Correcting the racial exclusion of domestic workers from the protections of labor laws, and recognizing that even small employers must comply with minimum standards, the law requires employers to⁷²:

- Pay workers at least the minimum wage for all hours worked.

- Pay overtime at 1½ times the worker's regular rate of pay for each hour worked over 40 in a workweek (or over 44 hours in a workweek for live-in workers).

- Provide one day (24 hours) of rest per week, and pay overtime if the worker agrees to work on that day. The law encourages employers to set their employee's day of rest to coincide with the employee's day of worship, if they have one.

- Give at least three paid days off after one year of employment.

- Provide a written notice to the worker about policies on sick leave, vacation, personal leave, holidays, and hours of work.

- Give the employee a written notice listing the regular and overtime rates of pay and the regular payday, in English and the employee's primary language.

- Keep detailed payroll and time records.

- Register with and make contributions for unemployment insurance and, for full-time employees, workers' compensation and disability insurance.

E. Domestic worker organizations

Worker centers

Adhikaar organizes domestic workers in the Nepali community in New York City. <http://www.adhikaar.org/>

Damayan Migrant Workers Association is based in New York and New Jersey, and is of and for Filipino im/migrant workers and led by Filipino women domestic workers. <http://www.damayanmigrants.org/>

Cidadao Global - promotes and defends the human rights of Brazilian immigrants and strengthens citizen participation and political visibility through leadership development, essential services, community organizing, civic engagement, and cultural preservation. <http://www.cidadaoglobal.org/>

Community Resource Center of Mamaroneck, NY promotes the cultural, economic, educational and professional integration of immigrants to the already established larger community and advocates for those in need. <http://www.crcny.org/>

La Colmena works with day laborers, domestic workers, and other low-wage immigrant workers in Staten Island and is incubating two worker-owned co-ops for domestic laborers – one for babysitting and childcare and another for general cleaning services. <https://www.lacolmenanyc.org/>

National Domestic Workers Alliance (NDWA) is the nation's leading voice for dignity and fairness for the millions of domestic workers in the United States, most of whom are women. NDWA provides legal information and support, as well as many other resources for workers. <https://www.domesticworkers.org/>

New Immigrant Community Empowerment (NICE), located in the Jackson Heights/Woodside day laborer stop in Queens, builds the power and advances the rights of immigrant workers in New York. <http://www.nynice.org/>

We Dream in Black - NY Chapter aims to strengthen and expand our base of Black domestic workers and amplify their historical and current contributions to the broader domestic worker movement. <https://www.domesticworkers.org/worker-organizing-leadership>

Workers Justice Project is a Brooklyn-based worker center that addresses the racial and economic injustice that day laborers and domestic workers face by building collective power and creating solutions to the problems our members experience at work and in communities where they live. They also run day laborer and cleaning cooperatives.

<https://workersjustice.org/>

Worker cooperatives

Beyond Care is a nanny worker cooperative based in Sunset Park, Brooklyn.

<http://beyondcare.coop/>

Hopewell Care Childcare Cooperative is a nanny cooperative based in Carroll Gardens, Brooklyn. <http://www.carrollgardensassociation.com/current-campaigns/childcare-worker-cooperative/>

Cooperative Home Care Associates is a Bronx-based home care worker cooperative. - <http://www.chcany.org/>

EcoMundo offers green cleaning services for homes, offices, and businesses in the New York Area - <http://ecomundo.coop/>

Golden Steps Elder Care Cooperative is a worker-owned cooperative that provides companionship and home care to elder New Yorkers who want to remain safe and independent at home.
<http://goldensteps.coop/>

Pa'lante worker-owned cooperative providing professional cleaning services to homes and offices across all five boroughs of New York City.
<https://www.palantecleaning.coop/>

Rochester Workers Center in Rochester, NY, joins together communities to defend their rights and build relationships to educate, empower, and unite.
<https://www.rochesterworkerscenter.org/>

Sí Se Puede is a housecleaning worker cooperative based in Sunset Park, Brooklyn.
<http://www.wecandoit.coop/>

UNITY housecleaners is a worker cleaning cooperative in Hempstead, NY
<https://www.facebook.com/pages/Unity-House-Cleaning/525806690917560>

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Fordham University Graduate School of Social Service aims to educate students to promote human rights and social justice. The school strives to improve the wellbeing of people and communities through teaching culturally responsive, evidence-informed practice and engaging in research, public advocacy, and community partnership. Funding support for this project was provided by the Fordham GSS Faculty Research and Development Fund.

https://www.fordham.edu/info/20348/graduate_school_of_social_service

Hand in Hand: The Domestic Employers Network is a national network of employers of nannies, housecleaners and home attendants, our families, and allies who are grounded in the conviction that dignified and respectful working conditions benefit worker and employer alike. We envision a future where people live in caring communities that recognize all of our interdependence. To get there, we support employers to improve their employment practices and to collaborate with workers to change cultural norms and public policies that bring dignity and respect to domestic workers and all of our communities.

<http://domesticemployers.org/>

The Worker Institute at Cornell engages in research and education on contemporary labor issues, to generate innovative thinking and solutions to problems related to work, economy and society. Housed in Cornell's ILR School, the Institute brings together researchers, educators and students with practitioners in labor, business and policymaking to confront growing economic and social inequalities, in the interests of working people and their families. A core

value of the Worker Institute is that collective representation and workers' rights are vital to a fair economy, robust democracy and just society.

<https://www.ilr.cornell.edu/worker-institute>

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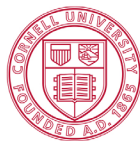
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