



NEW YORK STATE SENATOR
Diane J. Savino

Savino Stands with Domestic Workers to Pass Bill of Rights

DIANE J. SAVINO April 27, 2009

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Workers and Labor Leaders Pressure Legislators to Pass Domestic Workers Bill of Rights This Session

Albany, New York – Today, domestic workers, labor leaders, and allies from around the state traveled to Albany to demand passage of legislation providing comprehensive labor protections to over 200,000 domestic workers employed in private homes in metropolitan New York. The bill, known as the Domestic Workers Bill of Rights (A1470/S2311), was approved by the Assembly and Senate Labor Committees earlier this year and is now poised for consideration on the floors of both chambers. If enacted, the bill will provide a national model for other states seeking to improve the conditions of domestic labor.

“Traditionally, New York has been a leader in civil rights and human rights, but New York lawmakers still have done nothing to protect the rights of domestic workers,” said writer Barbara Ehrenreich, who held a press conference with New York domestic workers at the capitol. “For decades, domestic workers have been positioned at the absolute bottom of the American workforce. They have very few legal protections and suffer intolerable levels of exploitation and abuse. New York should take the national lead on this issue by passing the Domestic Workers Bill of Rights this session.”

“I can testify about the physical and verbal abuse I experienced on my former job,” said Patricia Francois, a former Manhattan nanny. Francois recently filed a lawsuit against her former employer alleging assault, battery, and unpaid overtime. “As a domestic worker, I need the Bill of Rights so that employers will have guidelines for how to treat workers and we won’t have to go through discrimination, exploitation, and disrespect,” she said.

Supporters have worked patiently for five years to get the Domestic Workers Bill of Rights on the legislative agenda. Now, with the economic downturn, organizers and legal service providers have noticed an increase in abuse and exploitation of domestic workers and say the bill must be passed this spring to protect New York workers.

“With the recession in full swing and more and more families dismissing their domestic employees, we must ensure that our State's domestic workers have the same rights that others in the State workforce enjoy,” said Assemblyman Keith L.T. Wright of Harlem, sponsor of the bill in the New York Assembly. Currently, domestic workers are excluded from major federal labor laws, such as the National Labor Relations Act, and denied equal protection under New York State law.

The lack of laws governing domestic employment is a burden for employers as well. “Many employers want to do the right thing by their nannies or housekeepers, but they have nowhere to turn for guidance,” said Lane Levine, an organizer at Jews for Racial and Economic Justice (JFREJ) in New York City. “Right now, this is a standardless industry. Employers are anxious to have the State set minimum standards for fair domestic employment.” JFREJ has built an Employers for Justice network, consisting of over 100 employers of domestic workers, who have made improvements in their employment practices and actively support the Domestic Workers Bill of Rights.

Domestic workers said they came to Albany today in the hopes of bring their five-year campaign to a successful conclusion. “We have been coming to Albany month after month for five years, and all the while workers continue to be abused,” said Joycelyn Gill-Campbell, an organizer for Domestic Workers United and former nanny who traveled to Albany to educate legislators about domestic work. “We’re sick of standing by while the people on Wall Street get a bail out and we get nothing, not even basic rights and protections. We’re sick of being exploited. We need this bill and we need it now.”

The bill’s sponsors were optimistic about its prospects. “Currently, with Senator Diane Savino as the Senate sponsor, I am optimistic that we will achieve passage of this important legislation in the coming months,” said Assemblyman Wright.

“I am proud to be sponsoring a bill that will establish basic worker protections for some of the most vulnerable members of our workforce and I thank my colleague in the Assembly, Assemblyman Wright, for his unfailing diligence in working to get this legislation passed. Domestic workers often labor under harsh conditions and are sometimes subject to harassment, assault, and abuse,” said Senator Savino, the first Senate Sponsor of the legislation. “They are our companions to the elderly, housekeepers, and nannies and provide crucial services to those who employ them. They should be afforded the same rights, respect, and dignity as the rest of workforce in our State.”

The Domestic Workers Bill of Rights is supported by over 80 organizations, including the New York State AFL-CIO. The bill amends New York State law to provide domestic workers protection from employment discrimination; advance notice of termination; severance pay based on the number of years worked; an annual cost of living increase tied to the Consumer Price Index; a limited number of paid vacation days, holidays, sick days, and personal days; time-and-a-half for every hour over 40 hours per week; one day off per 7-day calendar week; and health care coverage for all workers, either provided by employers or as a wage supplement. The bill applies to domestic workers in the downstate MTA region, which includes New York City and Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester counties, and it provides a means of enforcing these standards in court.

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