

Testimony of Dana Sussman
Deputy Commissioner for Policy and Intergovernmental Affairs
New York City Commission on Human Rights
Before the Committee on Civil and Human Rights
Int. 339-A
November 18, 2019

Good morning Chair Eugene and members of the Committee on Civil and Human Rights. I am Dana Sussman, Deputy Commissioner for Policy and Intergovernmental Affairs at the New York City Commission on Human Rights. Thank you for convening today's hearing on Intro. 339-A, which would extend employment protections under the City Human Rights Law to domestic workers, regardless of their employer's size. The bill would eliminate the four-employee minimum for employer liability with respect to domestic workers—meaning that a domestic worker, often working as the sole employee of an employer, would have explicit protection under the City Human Rights Law from discrimination and harassment in hiring, firing, and the terms and conditions of employment, with respect to reasonable accommodations, and with respect to retaliation.

The Commission recognizes the unique vulnerabilities that domestic workers face, and several members of the agency's staff, including Commissioner Malalis and myself, have represented domestic workers in wage theft cases and trafficking cases prior to joining this agency. Domestic workers are disproportionately women, people of color, and immigrants. Domestic workers have historically been excluded from labor law and anti-discrimination protections, and because of this exclusion, have often been forced to work in unregulated, unsafe, and exploitative situations. Recognizing the barriers domestic workers have unjustly faced, the Administration and the Commission have worked to build relationships with domestic worker organizers and advocates, including many of the people here today, through the paid care working group at the Department of Consumer and Worker Protection, and working directly with organizations like National

Domestic Workers Alliance and their member organizations on outreach, education, and other partnerships and collaborations.

In December 2017, at the Commission's public hearing on sexual harassment in the workplace, organizer Daniela Contreras provided courageous and compelling testimony about her experience facing sexual harassment as a young nanny in her employer's home, highlighting the fact that, in most circumstances, domestic workers have had no legal protections under the City Human Rights Law. After that testimony, the Commission worked with City Council and the Administration to implement new protections against gender-based harassment, including eliminating the four-employee minimum for such claims, which means that now, all workers, regardless of the size of their employer, are protected from gender-based harassment. Since the passage of that bill in 2018, the Commission has continued to work closely with domestic worker advocates to ensure that they know about this new expansion and know how to access the Commission. Earlier this year, the Commission launched its first-of-its-kind online sexual harassment prevention training and, drawing on input from domestic worker advocates, included a scenario involving sexual harassment of a domestic worker, taking the opportunity to educate New York City employees, who may also be *employers* of domestic workers, regarding their obligations under the City Human Rights Law.

If this bill passes, the Commission is committed to working with domestic workers, advocates, our sister agencies, and domestic worker employer networks to ensure New Yorkers know what their rights and obligations are under this provision. Domestic workers, as we know, do the work that allows many of us to do our work, and for that, we owe them the protections the City Human Rights Law affords most other workers in New York City.

**Testimony of Steven Ettannani
New York City Department of Consumer Affairs**

**Before the
Committee on Civil and Human Rights**

**Hearing on
Int. No. 339-2018**

November 18, 2019

Good morning Chair Eugene and Members of the Committee on Civil and Human Rights. I am Steven Ettannani, Executive Director for External Affairs at the New York City Department of Consumer and Worker Protection (DCWP). I would like to thank the Committee for the opportunity to testify today on behalf of DCWP Commissioner Lorelei Salas in support of the expansion of the City Human Rights Law to cover domestic workers.

The City Council, through Local Law 98 of 2016, created the Paid Care Division. It is housed within DCWP's Office of Labor Policy and Standards, led by a Division head and the Paid Care Advocate. The Division is charged with coordinating with stakeholders and workers to protect and raise job standards in the paid care industry – including for domestic workers, home care workers, housecleaners, and others.

Primarily women of color and immigrants, paid care workers play an essential role in New York City's economy caring for our loved ones. However, these workers face inherent challenges in exercising their rights in their workplace. They frequently work out of public view - alone in private homes - isolated from their peers. To address these challenges, DCWP works strategically and collaboratively with trusted partners to reach workers and ensure they know and have the tools to realize their protections. Many of those partners are here today with us in this Committee room.

Over the past six months alone, our staff has interacted with over two thousand paid care workers at more than 50 events. We've met paid care workers at playgrounds, at events hosted by community- and faith-based partners, and even at industry trainings that were mandated by DCWP's consent orders with agencies employing home health aides, and that required those agencies to provide their workers resources about legal protections. Most recently, DCWP and the National Domestic Workers Alliance co-hosted an "open house" for paid care workers to provide them with an overview of their rights and resources and gathered a working group of stakeholders, including our colleagues at CCHR, to further strategize on engagement and policy advocacy going forward.

DCWP's collaboration with partners, including the paid care working group, helped inform model standards for the paid care industry that were published in DCWP's 2018 report, *Lifting Up Paid Care Work*. The standards were intentionally aspirational but, just two years later, one of them, "protection from discrimination and harassment," could be realized by the intent of the

legislation before us today. In this context, expanding the City's Human Rights Law to include domestic workers, would mark another important milestone in the movement to raise standards in the industry.

At DCWP, we are committed to supporting the power of domestic workers and the momentum they have created for a cultural shift that recognizes their vital importance to the daily functioning of the City and its economy. For this reason, we have sought to expand our own protections for paid care workers through Intro. 800, which would allow all domestic workers to accrue their Paid Safe and Sick Leave and Paid Personal Time based on the number of hours they work and begin using their time 90 days after starting work with an employer, giving them parity with other workers in the City.

DCWP looks forward to our continued collaboration with partners and the Council as we work to make these protections a reality for domestic workers and help ensure that paid care workers know about their rights and how to enforce them.

Thank you for the opportunity to testify today and I am happy to answer any questions you may have.

BARRY COMMONER CENTER for Health & the Environment

November 17, 2019

New York City Council
250 Broadway
New York, NY 11104

Re: A Local Law to amend the administrative code of the city of New York, in relation to expanding the definition of employer under the human rights law to provide protections for domestic workers

Proposed Int. No. 339-A

To Whom It May Concern:

I am Dr. Isabel Cuervo. I am a Senior Research Associate at the Barry Commoner Center for Health and the Environment at Queens College, City University of NY. I am part of a research team with partners from the Icahn Medical School at Mt. Sinai and Make the Road NY.

Through a 5-year research study funded by the National Institute of Environmental Health Sciences, we are studying the work practices, including the use of cleaning products with toxic cleaning chemicals, physical and mental health effects, and the working conditions of 400 Latinx domestic cleaners in NYC and surrounding areas.

We are still collecting survey data, but preliminary results show that domestic cleaners, that is, workers whose jobs include cleaning apartments and houses as a major component, consistently work in multiple homes, where working hours are usually from 2 to six hours, and often work in multiple homes in the same day. Nevertheless, job insecurity looms large as they must always navigate the variable preferences of those whose homes they clean.

Domestic cleaners with which we spoke also indicated incidences of workplace harassment, including sexual harassment, discrimination because of the language they primarily speak, that is Spanish, and being an immigrant.

Our research hopes to illuminate the experiences of these, mostly marginalized women immigrants. They need protection so that they can safely and securely provide for their families here in the US and back in their home countries. They also offer the support for families to thrive to pursue their own contributions to this city.

My mother is originally from Colombia and she also labored in this city as a domestic worker for over 30 years. Through her, I learned early on the physical and emotional toll that this insecure but honorable profession can take.

Domestic workers should be recognized and protected to the fullest extent in the Human Rights Law.

Thank you for your time.

Sincerely,
Isabel Cuervo, PhD
718-670-4217

Testimony of A Better Balance: The Work & Family Legal Center
Before the NYC City Council Committee on Civil and Human Rights

November 18, 2019

Submitted by: Sarah Brafman, Senior Policy Counsel & Meghan Racklin, NYU Reproductive
Justice and Women's Rights Legal Fellow and Law Clerk

Thank you to the Committee on Civil and Human Rights for the opportunity to testify, and to Councilmember Rose for championing this legislation. My name is Meghan Racklin and I am a Legal Fellow at A Better Balance (ABB), a national legal nonprofit headquartered in New York City. A Better Balance was founded with the goal of ensuring that all workers have the ability to care for themselves and their families without compromising their economic security.

Here in New York City, we are proud to have drafted and shepherded to passage groundbreaking legislation, the 2014 NYC Pregnant Workers Fairness Act, and helped to draft New York City's caregiver discrimination law. The extension of both of these important laws to domestic workers, who are so often balancing the work of caring for their employers' families with the need to care for themselves and their own families, is urgently needed. We were also at the forefront of drafting and advocating for the New York City Earned Sick Time Act as well as the recent expansion of the law to include safe time and to broaden the definition of family members, as well as the City's recent Fair Workweek law. We were also proud to work closely on New York City's salary history ban law and recent lactation rooms laws. At the state level, we are proud to have advocated for and helped to pass New York Paid Family Leave, the benefits of which extend to domestic workers, and we were proud partners in the effort to pass the Domestic Workers Bill of Rights, which extended rights to paid overtime, healthy and safe workplaces, meal and rest breaks, and paid days off to domestic workers throughout the state, as well as extended protections from workplace harassment. But the Domestic Workers Bill of Rights still leaves domestic workers without protection from the many forms of workplace discrimination that our City Human Rights Law is meant to guard against. We are proud to testify today in support of Int. 339-A and the rights of our city's domestic workers.

As we noted in our 2007 joint report with the Barnard Center for Research on Women,

One of the major problems facing all individuals in U.S. society is that the labor of caregiving is undervalued. We treat the work of caring for children, older persons, and those who are sick or disabled as secondary to other forms of labor.

As a result, the work of caregiving is most often poorly compensated or completely unpaid; we expect caregiving to take place in the gaps of our “leisure” time, rather than making it central to our working lives. Because caregiving is treated as a private concern, the labor it involves becomes invisible, and caregivers form part of an invisible labor force. The labor of stay-at-home parents disappears. Domestic workers who provide paid care usually perform their labor without adequate legal protections and without the right to organize for better conditions. Moreover, these workers face an intense double bind, providing crucial care for their employers while facing a range of challenges in providing similar care for their own families. All of these issues, running across the economic spectrum, arise from the same source: a fundamental refusal by our society to value caregiving despite its critical importance to each individual and to society as a whole.¹

We believe that paid caregivers deserve respect, support, and legal protections. Domestic workers, who care for the most important elements of their employer’s lives—their families and homes—in addition to caring for their own families, deserve to work with safety and dignity. Yet domestic workers too often work without respect, recognition, or basic legal rights. Behind the closed doors of their employers’ homes, domestic workers have endured some of the worse abuses imaginable—unjust firings, discrimination, denial of needed accommodations, verbal, emotional, and physical abuse—and at rates higher than the average worker.² And despite all this, this workforce, made up of a disproportionate number of women of color, has been largely excluded from our nation’s anti-discrimination laws.³ The passage of this legislation extending coverage of the New York City Human Rights Law to domestic workers will be an important step towards remedying that disparity for this city’s thousands of domestic workers, providing them with protection from the harassment and discrimination that far too many of the 200,000 or more domestic workers working in New York City face.⁴ We believe deeply that domestic workers deserve the same benefits and protections as other workers ABB fights to support in the workplace.

Importantly, this bill would extend to domestic workers the protection of the New York City Pregnant Workers Fairness Act. Domestic workers are disproportionately women, and yet to

¹ BARNARD CENTER FOR RESEARCH ON WOMEN & A BETTER BALANCE: THE WORK & FAMILY LEGAL CENTER, THE WORK-FAMILY DILEMMA: A BETTER BALANCE 1-2 (2007).

² See, e.g., ELYSE SHAW, ARIANE HEGEWISCH, & CYNTHIA HESS, SEXUAL HARASSMENT AND ASSAULT AT WORK: UNDERSTANDING THE COSTS (2018), https://iwpr.org/wp-content/uploads/2018/10/IWPR-sexual-harassment-brief_FINAL.pdf.

³ See Lauren Hilgers, *Out of the Shadows*, N.Y. TIMES (Feb. 21, 2019), <https://www.nytimes.com/interactive/2019/02/21/magazine/national-domestic-workers-alliance.html>.

⁴ New York City Department of Community Affairs, *Lifting Up Paid Care Work 11* (2018), <https://www1.nyc.gov/assets/dca/downloads/pdf/workers/Lifting-up-Paid-Care-Work.pdf>.

date have been excluded from the protections of this important law. This legislation will extend crucial protections to some of our city's most vulnerable pregnant workers. Through our free legal helpline, we hear from countless workers, including many domestic workers, who experience what we call "the pregnancy penalty": bias and inflexibility towards workers in the workplace that starts when they become pregnant and snowballs into lasting economic disadvantages.⁵ For example, Leydis M., who recently called our free legal helpline, was employed as a nanny in a family home in New York City. When she became pregnant, her employer asked her what her plans were regarding her pregnancy. When Leydis told them that she planned to take New York paid family leave and then return to her job, her employer fired her.

We are proud that New York City has worked to ensure that City law provides many workers with recourse to help address the pregnancy penalty, but domestic workers like Leydis are currently lacking the protection of our city's laws. This legislation would change that. We understand that the notion of the home as a workplace is not widely accepted, and that families who employ domestic workers may struggle to think of themselves as employers and may worry about how they will manage to comply with these provisions. Fortunately, the Pregnant Workers Fairness Act was drafted to provide a workable standard for both workers and employers. The strength and effectiveness of the Pregnant Workers Fairness Act is that it has led to workers and employers reaching informal resolutions to pregnancy accommodation needs. The Commission on Human Rights' guidance on the law and strong commitment to enforcement is a key contributor to that success as it has provided a clear roadmap for employers' obligations and workers' rights. Additionally, the Pregnant Workers Fairness Act requires employers to provide reasonable accommodations for pregnant workers unless doing so would be an undue hardship for the employer. What constitutes a reasonable accommodation, and what circumstances would make provision of an accommodation an undue hardship, is decided on a case-by-case basis, allowing for consideration of the realities of life in a domestic worker's workplace—which is to say, each family's home.

Domestic workers do critical work caring for our children, loved ones, and homes that contributes to the economy and supports millions of American families. They deserve to be able to do that work without sacrificing their personal health and well-being, or their ability to care for their own families. Passing this crucial legislation is an important step towards treating domestic workers with the respect they deserve. While several states have passed Domestic Workers Bills of Rights⁶ which, among other things, protect domestic workers from workplace harassment, Int. 339-A gives New York City the chance to lead the way in extending the full protections of the Human Rights Law to domestic workers.

⁵ See Dina Bakst & Phoebe Taubman, *A Better Balance, The Pregnancy Penalty: How Motherhood Drives Inequality & Poverty in New York City* 9 (2014).

⁶ New York State, Oregon, Illinois, California, New Mexico, Nevada, Connecticut, Massachusetts, Hawaii, and Seattle have all passed Domestic Worker Bills of Rights. See National Domestic Workers Alliance, <https://www.domesticworkers.org/>.

This law is just a first step, however, towards ensuring that our most vulnerable workers have the respect and fair treatment they deserve. We need public education around the new law, to ensure that those who employ domestic workers—who so often do not think of themselves as employers and, accordingly, often do not seek out information on employers' duties under the law—are aware of their obligations and what they can do to meet them. We must also ensure that domestic workers have the right to collectively bargain to enforce their rights.

Thank you again for the opportunity to testify. We are glad to be able to continue the conversation about valuing the work of caregiving and the labor of domestic workers, and we urge you to pass Int. 339-A.

Civil and Human Rights Commission Hearing on New York City Human Rights on *Proposed Int. No. 339-A*

Monday, November 17, 2019

Submitted Testimony by KC Wagner *KCW@cornell.edu*

My name is KC Wagner; I want to applaud the Civil and Human Rights Commission for holding these hearings, Committee Chairperson Eugene ~~Wachtel~~ and Council Speaker Corey Johnson. I am here to testify on behalf of Proposed Int. No. 339-A, and paid time off. I am honored to be a witness to the courageous voices of workers who have testified there today.

I will make some brief points from three perspectives. First, as the chair of Worker Institute's Equity at Work Initiative at Cornell ILR in New York City; second, in my role as an expert witness in court cases. Third, from my perspective as an employer of Maxine, an elder caregiver for my mother who most certainly makes *my* work possible, to paraphrase the slogan of the National Domestic Workers Alliance.

These hearings have created the forum for centering the importance of survivor and worker-informed responses to this issue — in order to understand why and how domestic workers need these protections. At Cornell, we have seen through our WE RISE Nanny Training Program and our research on workplace sexual harassment that it is critical to create channels through which domestic workers are able to have voice and representation and speak out about the issues affecting them. In addition, to know that they can do so safely and with full rights and protections, and that they will be connected with the appropriate response and systems of support.

Cornell's recently published report entitled "Sexual Harassment in the Empire State: Past, Present and a Possible Future"¹ documents the sheer magnitude of the problem of workplace sexual harassment. The scope of the problem, as captured in our report, suggests that efforts to respond will need to be broad based, enlisting the support and engagement of a range of constituencies and movements including survivors, service providers, anti-violence advocates, workplace safety & health and labor educators, unions, worker centers, employers, policymakers, and concerned individuals.

As has been eloquently and courageously testified to by domestic workers today, generations of domestic workers in New York deal with workplace sexual harassment, often behind closed doors and in

¹ <https://digitalcommons.ilr.cornell.edu/reports/69/>

the intimate space of the home. The hidden and fragmented nature of domestic work together with exclusions from federal labor and employment protections—a product of institutionalized racism—mean that domestic workers are often unable to assert basic workplace rights, including the right to work in a harassment-free environment.

Historically, women of color and immigrant women have been overrepresented in areas of the economy where they have been exposed to particularly severe forms of workplace sexual harassment, assault and other forms of discrimination. Many of these industries and occupations have been characterized by racialized carve-outs from labor and employment protections:

For example, white Southern Democrats in the US Congress mobilized successfully to exclude both domestic workers and farm workers from the 1935 National Labor Relations Act (NLRA), which established ground rules for unionization and collective bargaining, and from the Fair Labor Standards Act (FLSA), which set wage and hour standards.

Assumptions about who is “accessible” for sexual imposition have also made women of color and immigrant women more vulnerable to such advances. Given such factors, women of color often experience workplace sexual harassment in ways that are qualitatively different from their white counterparts. In a seminal 1991 article, Columbia and UCLA law professor Kimberlé Crenshaw² used Anita Hill’s historic testimony in the Thomas hearings as a jumping off point for developing an “intersectional” perspective on workplace sexual harassment and sexual and gender-based violence more broadly. We cannot expect – nor is it possible for women – particularly women of color to choose between their gender and race. We also see the way that multiple different experiences and identities entwine to shape how workers may experience harassment and discrimination – immigrant status, national origin, religion, pregnancy and being a survivor of intimate partner violence, sexual assault and stalking.

In my thirty years of work in gender justice, which is the foundation for my qualifications as an expert witness, I have seen the structural inequalities of the law and the workplace exacerbating other societal inequities – this robs workers of basic human dignity, rights to a safe work environment and full protection of the law afforded to workers. It has been heartbreaking for me to see workers not see justice in their own case – but now there is an opportunity for New York City to make history and lead by example by becoming the second U.S. city to have human rights protections for domestic workers.

² Crenshaw, Kimberlé. "Race, Gender, and Sexual Harassment," *Southern California Law Review*, vol. 65, no. 3, 1992, pp. 1467-1476. The concept of intersectionality has been elaborated and applied across different fields of inquiry. See Cho, Sumi, Kimberlé Williams Crenshaw, and Leslie McCall. "Toward a field of intersectionality studies: Theory, applications, and praxis." *Signs: Journal of Women in Culture and Society* 38.4 (2013): 785-810. For a perspective on the relevance of intersectionality amid the recent rise in activism around workplace sexual harassment, see Onwuachi-Willig, Angela. "What About# UsToo: The Invisibility of Race in the# MeToo Movement." *Yale L&J* 128 (2018): 105. For a decade-old but still-germane critical review of the concept and its usage, see Nash, Jennifer C. "Re-thinking intersectionality." *Feminist review* 89.1 (2008): 1-15.

- *Proposed Int. No. 339-A* would support domestic workers and other low wage workers across the city, because the trauma of discrimination and harassment has effects that ripple out across an entire community, not just the worker who has been targeted.
- Domestic workers will no longer be left without recourse when they have suffered discrimination at the hands of employers.
- Employers would finally have documentation of the basic standards of how domestic workers should be treated. The discrimination that so often occurs in domestic workplaces would never be allowed in other workplaces and it is time to change that—establishing a clear, strong floor of standards is an important step.
- As discrimination is only part of other workplace inequalities, paid time off for domestic workers is only fair and equitable, as that will allow them to care for their own family members in the ways that they *enable us to do the same*.

Still, the terrain for changing practices in New York remains challenging given that many employers still do not see their homes as workplaces subject to legal regulation.

I have had the benefit of becoming a better employer because of my work with NDWA and other domestic worker centers/cooperatives. It is critical for other employers to receive that education too — like any employer, they should have to be aware that there are clear legal standards for creating a safe workplace for domestic workers. The discrimination that so often occurs in domestic workplaces is **prohibited in other workplaces**.

Domestic workers will no longer be left without recourse when they have suffered discrimination at the hands of employers. In particular, because domestic workers may not have access to the usual workplace channels of recourse, it is even more important to bolster their workplace protections and make it safe and accessible for them to speak out and get support.

Again, I applaud the Civil and Human Rights Commission for sponsoring the forum, as *Proposed Int. No. 339-A* will bring domestic workers another step closer to addressing the need for better protections under the Human Rights Law and other workplace rights such as paid time off.

November 18, 2019

**Testimony of The Legal Aid Society, Employment Law Unit
In Support of Proposed Int. No. 339-A (in relation to expanding the
definition of employer under the City's Human Rights Law to
provide protections for domestic workers).**

Presented Before the New York City Council Committee on Civil and Human Rights

Presented by Jacalyn Goldzweig Panitz, Paralegal, Employment Law Unit

Thank you for the opportunity to present this testimony.

The Legal Aid Society is the oldest and largest legal services provider for low-income families and individuals in the United States. Annually, the Society handles more than 300,000 cases and legal matters for low-income New Yorkers with civil, criminal and juvenile rights problems, including some 48,500 individual civil matters in the past year benefiting nearly 135,000 New Yorkers as well as law reform cases which benefit all two million low-income families and individuals in New York City.

Through a network of neighborhood and courthouse-based offices in all five boroughs and 26 city-wide and special projects, the Society's Civil Practice provides direct legal assistance to low-income individuals. In addition to individual assistance, The Legal Aid Society represents clients in law reform litigation, advocacy and neighborhood initiatives, and provides extensive back up support and technical assistance for community organizations.

The Legal Aid Society's Employment Law Unit

Through our Employment Law Unit (ELU), we provide legal services to low-wage workers in New York City, including undocumented workers, in individual, group, and class action cases. These cases involve wage violations and workplace discrimination, including discrimination based on past involvement with the criminal justice system, family and medical leave issues, labor trafficking, and unemployment insurance. At the ELU, we work to ensure that these workers receive fair wages, fair treatment, decent working conditions, and the benefits to which they are entitled if they lose their jobs. Many of our clients are domestic workers.

Proposed Int. No. 339-A (in relation to expanding the definition of employer under the City's Human Rights Law to provide protections for domestic workers)

The Legal Aid Society strongly supports the proposal to expand protections of the City's Human Rights Law to domestic workers. We believe that there is no rational basis for allowing discrimination to be legal if it occurs to any employee who does not have three or more coworkers. Because of the limited employee nature of the domestic work industry, nearly all of our domestic worker clients are currently left on the sidelines by the current NYCHRL, unable to pursue legal recourse even in the face of the most heinous workplace discrimination.

Except for in sexual harassment cases, the City Human Rights Law currently does not protect employees whose employers have fewer than four employees. This means that an employer may refuse to hire an applicant because of their race, religion, national origin, age, sex, or sexual orientation. It also means that an employer may fire an employee because they become pregnant. This is an egregious reality, as is made clear below, and it is one that does not exist in many other places in the United States. Thirteen U.S. states currently have anti-discrimination laws that both incorporate employers of less than four workers, and protect domestic workers, in their prohibition of employment discrimination.¹ Further, several large and progressive cities across the U.S. have too passed similar anti-discrimination laws, including Chicago, Philadelphia,² Phoenix, Detroit, and Seattle.

If this proposal is passed, it would ensure that the broad purposes of the New York City Human Rights Law provide domestic workers with much needed protections against employment discrimination.

Employment Discrimination Against Domestic Workers

Past ELU domestic worker clients have faced disability discrimination but did not have any viable legal claims because of the requirement that employers have four or more employees in order to be covered. For example, one client suffered from asthma and requested reasonable workplace accommodations. These accommodations were denied without any showing by the employer that they created an undue burden.

Other clients suffered workplace injuries and their employers refused to provide reasonable workplace accommodations. Instead, the employers required the domestic workers to perform difficult physical work assignments while injured.

¹ Alaska, Connecticut, Hawaii, Maine, Michigan, Minnesota, Montana, North Dakota, Oklahoma, South Dakota, Vermont, Wisconsin, and Wyoming all have anti-discrimination laws that cover domestic workers and employers of less than four employees

² The City of Philadelphia approved a Domestic Workers Bill of Rights in November, 2019, to go into effect in May, 2020.

We have also seen numerous cases where domestic workers were subject to discrimination based on their national origin. It is common for our domestic worker clients to have experienced discrimination in the form of harassment, including taunts about their home countries and belittling comments about their spoken English. This abusive treatment is especially common for the victims of labor trafficking that we represent.

We support this proposal because we believe that the allowing some employers to discriminate against their employees with impunity needs to end. Accordingly, we strongly urge you to extend the definition of employer under the City's Human Rights Law to provide protections for domestic workers.

Conclusion

In conclusion, The Legal Aid Society commends the City Council's efforts to enact laws that protect New York City's workers and we support the proposal to provide protection for domestic workers outlined above. **We also encourage the City Council to amend the Human Rights Law to provide protection for all workers and to eliminate entirely the requirement that an employer have four or more employees in order to be covered by the New York City Human Rights Law.**

We look forward to continuing to work together to ensure that all workers, especially low-income and vulnerable workers, have a fair chance to succeed at their jobs and provide for their families.

Respectfully Submitted:

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Testimony of Nov 18, 2019

Naoki Fujita. Staff Attorney

TakeRoot Justice

In the last two years, my organization has represented over 100 domestic workers against their employers as they pursue claims of wage theft, discrimination and retaliation. We have been able to do this with funding received from private sources, councilmember allocations and appropriations under the Human Resources Agency (HRA). Over 95 percent of our domestic worker clients are women of color.

There are some who would say that the current laws against discrimination in the workplace are comprehensive and adequate. I am here to say that for domestic workers in homes across the City, the status quo is unacceptable. This is based upon one-on-one interviews with the clients I represent. Paid care is inherently tough work. Domestic workers do all the work that allows moms and dads to go to work every day and contribute to the economy. But it is made much harder when domestic workers face discriminatory treatment and harassment because of their race, immigration status, pregnancy, their religion and other protected categories under the New York City Human Rights Law.

The City Council took a huge step last year towards remedying this problem by passing a package of sexual harassment protections that modified the Human Rights Law to expand the protections against sexual harassment to include one-person employers. Now it is time to pass Intro 339 to give domestic workers protections against discrimination on the basis of race, immigration status, disability, pregnancy and the other protected categories.

So let me share a few anecdotes to give the committee members a picture of what we see and hear every day from our clients. I will not identify particular names of the employers or employees.

We represent a domestic worker whose employers peppered her with intrusive questions about her pregnancy status. When they discovered she was pregnant, they terminated her without further explanation. Our clients are subject to verbal abuse that is unimaginable in any other context outside of domestic work. Domestic workers who we represent report that they have endured comments like:

“mongrel”

“you used to ride the back of the bus”

“if you ever leave this job I will call immigration and make sure you never work again”

It seems that people's worst prejudices and impulses toward bigotry and hatred come out when they are just home with the kids and their nanny. Which is why the legislation known as Intro 339 is so needed.

Now it is 2019, and if any of these remarks were made in a normal office workplace or typical work setting, everyone would immediately recognize them as discriminatory. But these remarks are all legal under the current language of NYC Human Rights Law (HRL) because of the failure to recognize that the overwhelming majority of domestic workers are not covered because of the four employee requirement. Intro 339 should be passed this session so we can give domestic workers the protections against employment discrimination that other workers enjoy. I should note that my organization *has* taken action against households that have more than four employees, but these kinds of households are very much outside the norm.

Before I close, I would like to briefly explore the other view: the view that the status quo is sufficient; the view that employers— particularly families who employ domestic help— are *unsophisticated* and will be overwhelmed by the extension of the Human Rights Law and other workplace regulations to their situation. Because think that in 2019 it is common knowledge that you can't pay someone less because of their race, that you can't demean someone on the basis of their religion or race, and that an employee's sexuality does not make them a good or bad worker. The employers that we have encountered in this field are highly educated and *know* these things are wrong. The problem is that they have a belief that domestic employees are something less than *real* employees. Unfortunately, the minimum employee requirement current found in the Human Rights Law supports this point of view.

Second, let me say why I believe that the status quo is so unacceptable. Historically, domestic workers have been denied legal protections going back to the 1930s. Historian Jackson Cowie has written of that period: "Southern congressmen united with Northern Democrats to create the New Deal, but the condition of that participation was simple; the exclusion of the occupations into which Southern blacks were segregated—agriculture and domestic service."

Today, the Committee and the New York City Council have the opportunity to pass Intro 339 and strike a new deal and a different deal for workers in "domestic service." They deserve nothing less.



Make the Road New York
Testimony on expanding the definition of “employer” under the human rights law to provide protections for domestic workers

New York City Council Committee on Civil and Human Rights
November 18, 2019

Buenos días, mi nombre es Guadalupe Paleta y soy miembro de la organización Se Hace Camino. Estoy aquí para exponer mi caso y que sea escuchado, ya que no soy la única que ha vivido esta experiencia. Es importante que las leyes laborales apliquen a todos los trabajadores por igual, sin excluir a las trabajadoras domésticas de protecciones críticas.

Yo trabajé con una señora como trabajadora doméstica. Yo iba a su casa a trabajar tres veces por semana por cuatro años.

La señora empezó a abusarme verbalmente desde mi segundo día de empleo, y siguió abusándome regularmente. Ella me gritaba “estas aquí en Nueva York para trabajar y limpiar porque eres inmigrante,” y groserías también. Me decía que no podía entenderme cuando le hablaba por mi acento.

Cada día, antes de entrar al apartamento, me obligaba a quitarme los zapatos y las medias y desinfectarme los pies. Me dijo que no podía usar el baño en su apartamento porque decía que podría pasarle alguna infección y que podría ser contagiosa. No me permitía comer en su apartamento.

Mi jefa me acosaba y me ofendía regularmente, y yo me sentía enojada, humillada y triste, y cada día tenía miedo de lo que ella iba a decirme. La señora me acusaba de ser ladrona, y se quedaba en el apartamento para monitorearme mientras trabajaba. Lloré muchas veces mientras limpiaba y sus palabras me dolían mucho.

Un día, mi hija fue conmigo al trabajo, y la señora no la dejó entrar en el

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apartamento, y la obligó a esperar abajo en el lobby. Luego la señora me dijo que tenía que limpiar la aspiradora primero, y yo le dije que iba a limpiar el apartamento. Ella se enojó, y me gritó, “no te entiendo, tienes que irte a la escuela para aprender ingles porque no sabes.” Luego enojada, agarró la aspiradora y lo botó en mi pies. Le dije “la manera en la cual usted me esta tratando no es correcta,” y ella me gritó, “quien eres tu para decirme que es correcto y que no? Eres una inmigrante ignorante!” Me sentía tan frustrada y humillada que me puse a llorar, y no podía hablar. Ella se salió al lobby y dijo a mi hija, “tienes que llevar a tu madre a la escuela para estudiar ingles.”

Mi hija subió al apartamento y cuando tuve a mi hija frente a mí, yo agaché la cabeza y mi hija repitió lo que la señora le había dicho de mí. En ese momento, sentí dolor y rabia que mi hija me hubiera visto así. Mi hija me abrazó y me dijo “vámonos,” pero yo me quedé trabajando porque necesitaba este trabajo.

Me quedé trabajando con la señora por más de un año después de esto, porque necesitaba ahorrar dinero para mi hija, que tenía el sueño de ir a la universidad. Al final, la señora me despidió después de años de abuso, sin pagarme mis últimos dos meses.

Nosotras las trabajadoras domésticas, no estamos protegidas por la ley en la ciudad en casos de discriminación o abuso. Por eso, los empleadores se sienten protegidos mientras abusan de nosotras y nuestro trabajo. Necesitamos que tomen acción en contra de los empleadores abusadores, y espero que esta nueva ley sea una protección para nuestros derechos. Nos urge adoptar la propuesta de ley numero 339 de la Ley de Derechos Humanos para extender las protecciones contra discriminación en el trabajo a las trabajadoras domésticas.

Muchas gracias.

Good morning, my name is Guadalupe Paleta and I am a member of the organization Make the Road New York. I am here to share my case, so that it is heard, since I am not the only one who has had this experience. It is important that labor laws apply to all workers equally, without excluding domestic workers from critical protections.

I worked with a lady as a domestic worker. I went to work in her home three times

a week for four years.

The lady began verbally abusing me from my second day of employment, and continued to abuse me on a regular basis. She would yell at me, "You're here in New York to work and clean up because you're an immigrant," and obscenities too. She told me that she couldn't understand me when I spoke to her, because of my accent.

Every day, before entering the apartment, she forced me to take off my shoes and socks and disinfect my feet. She told me that I could not use the bathroom in her apartment because she said that I could give her some infection and that I might be contagious. She did not allow me to eat in his apartment.

My boss harassed me and offended me regularly, and I felt angry, humiliated and sad, and every day I was afraid of what she was going to tell me. The lady accused me of being a thief, and stayed in the apartment to monitor me while I worked. I cried many times while cleaning and her words hurt me a lot.

One day, my daughter went to work with me, and the lady did not let her into the apartment, and forced her to wait downstairs in the lobby. Then the lady told me that I had to clean the vacuum first, and I told her that I was going to clean the apartment. She got angry, and yelled at me, "I can't understand you, you have to go to school to learn English because you can't speak it." Then she got angry, grabbed the vacuum and threw it at my feet. I said "the way you are treating me is not right," and she yelled at me, "who are you to tell me what is or isn't right? You are an ignorant immigrant!" I felt so frustrated and humiliated that I began to cry, and could not speak. She went down to the lobby and said to my daughter, "You have to take your mother to school to study English."

My daughter came up to the apartment, and when I had my daughter in front of me, I lowered my head in shame, and my daughter repeated what the lady had said about me. At that moment, I felt pain and anger that my daughter had seen me like that. My daughter hugged me and said "let's go," but I stayed and kept working because I needed this job.

I kept on working for this lady for more than a year after this incident, because I needed to save money for my daughter, who dreamt of going to college. In the end, the lady fired me after years of abuse, without paying me my last two months'

wages.

We domestic workers are not protected by law in the City in cases of discrimination or abuse. That's why employers feel protected while they abuse us and our work. We need you to take action against abusive employers, and I hope this new law will serve to protect our rights. We urgently need to adopt the proposed amendment number 339 to the Human Rights Law to extend the protections against discrimination at work to domestic workers.

Thank you.



Make the Road New York
**Testimony on expanding the definition of “employer” under the human rights law to
provide protections for domestic workers**

New York City Council Committee on Civil and Human Rights
November 18, 2019

Buenos días, mi nombre es Edna Farinango y soy cliente legal de la organización Se Hace Camino Nueva York. Sufrí discriminación en mi trabajo y quiero hablar de mi experiencia personal en nuestro ámbito laboral y la inseguridad e inestabilidad al que estamos sometidas las trabajadoras domésticas por falta de las protecciones legales que cubren a los demás trabajadores.

Laboré como trabajadora doméstica para una familia en el Upper West Side, limpiando el apartamento, lavando y planchando la ropa, y preparándoles su comida.

Tenía una buena relación con mis empleadores y siempre me decían que les gustaba como trabajaba. Cuando quedé embarazada de mi hija, se los dije y me aseguraron que estaba bien y que no afectaría mi empleo. Les advertí también que tendría que salir un poco antes de vez en cuando para asistir a mis citas con el médico y me dijeron que no habría inconveniente siempre que estuviesen al tanto por adelantado. Unos días después, me aseguraron otra vez que podría regresar a trabajar para ellos después de dar a luz. Confié en ellos y rechacé otra oferta de empleo que también me aseguraba trabajo durante y después de mi embarazo.

Unos meses después, cuando pedí permiso por adelantado para salir diez minutos antes para asistir a una cita con el médico, se enojaron conmigo y me contestaron que mi horario era de las 8 de la mañana hasta las 5 de la tarde y que tendría que quedarme hasta las 5. En otra ocasión, me obligaron a trabajar un turno completo después de una cita médica en la cual me hicieron un examen de sangre. Esto a pesar de que les había pedido un descanso y el médico había aconsejado no trabajar ese día.

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Luego, ellos empezaron a cortar mis horas de forma gradual sin consultarme, aunque estaba capacitada para hacer el trabajo de manera normal. Nunca me había quejado, nunca falté, nunca había puesto ninguna excusa. Fui utilizada a su conveniencia, cada vez que ellos me necesitaban pero nada más.

Cuando tenía aproximadamente 7 meses de embarazo la señora pidió hablar conmigo al final de mi jornada laboral y me dijo que no iban a necesitar más de mis servicios, alegando que ella iba a estar pendiente de su casa y ya no necesitaba que yo trabajase más. Pero luego me enteré que al día siguiente de yo ser corrida, empezó a trabajar otra persona tiempo completo, que sigue trabajando allí hasta el día de hoy.

Cuando fui despedida, le pregunté a la señora porque no me había avisado ya que era un trabajo del que dependíamos yo y mi familia. Quedarme sin mi trabajo fue un golpe duro porque estaba en un momento en el que más necesitaba este trabajo, porque iba a tener un nuevo miembro de mi familia.

Nosotras las trabajadoras domésticas trabajamos en nuestra área porque consideramos que es un trabajo como cualquier otro trabajo digno de cualquier persona y dependemos de él. Sufrimos mucho por la ausencia de las protecciones que existen para otros trabajos. Espero que sea aprobada la ley numero 339 para que no sea legal la discriminación en este ámbito laboral.

Good morning, my name is Edna Farinango and I am a legal client of the organization Make the Road New York. I experienced painful discrimination at work and I want to talk about my personal experience in our work environment, and the insecurity and instability to which domestic workers are subjected due to the absence of legal protections that cover other workers.

I worked as a domestic worker for a family on the Upper West Side, cleaning the apartment, washing and ironing clothes, and preparing their food.

I had a good relationship with my employers and they always told me that they liked how I worked. When I became pregnant with my daughter, I told them, and they assured me that it was fine and would not affect my employment with them. I also warned them that I would need to leave work a little earlier from time to time

to attend doctor's appointments, and they told me that there would be no problem as long as I let them know ahead of time. A few days later, they assured me again that I could return to work for them after giving birth. I trusted them and rejected another job offer from employers who also assured me I would have work both during and after my pregnancy.

A few months later, when I asked for permission in advance to leave ten minutes early to attend a doctor's appointment, they got mad at me and replied that my schedule was from 8 in the morning until 5 in the afternoon and that I would have to stay until 5. On another occasion, I was forced to work a full shift after a medical appointment in which I had a blood test. This was despite the fact that I had requested time off in advance, and the doctor had advised not to work that day.

Then, they began to cut my hours gradually without consulting me, although I was able to do the job normally. I had never complained, I had never missed work, I had never made any excuses. I was used at their convenience, every time they needed me but nothing more.

When I was about 7 months pregnant, the lady asked to speak with me at the end of my workday and told me that they no longer needed my services, claiming that she was going to do all of the cleaning herself so they would not need me. But then I learned that the day after I was fired, another person started working for them full-time, and is still working there until today.

When I was fired, I asked the lady why she had not notified me since it was a job my family and I depended on. Losing my job was a blow because it was at a time when I needed this job the most, because I was about to have a new family member.

We domestic workers work in our area because we consider it a job like any other job worthy of anyone, and because we depend on it. We suffer a lot from the absence of the legal protections that are in place for other workers. I hope law 339 is passed so that employers are accountable for discrimination in our place of work.



Make the Road New York
Testimony on expanding the definition of “employer” under the human rights law to provide protections for domestic workers

New York City Council Committee on Civil and Human Rights
November 18, 2019

Good morning. My name is Gabriela Siegel, and I am a Skadden Fellow and legal advocate on the Workplace Justice team at Make the Road New York (MRNY). Thank you for the opportunity to share this testimony regarding protections for domestic workers under the New York City Human Rights Law. We strongly support the adoption of the expanded definition of “employer” to extend the protections of the human rights law to domestic workers.

Make the Road New York is a non-profit community-based membership organization with over 24,000 low-income members dedicated to building the power of immigrant and working class communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services. Our Workplace Justice legal team represents hundreds of low-wage immigrant workers each year to enforce their rights under labor and employment laws. We frequently see domestic worker clients who have been discriminated against at work and, as of now, have no legal recourse under the New York City Human Rights Law. You will hear testimony from two of those former clients today.

Domestic workers across New York City perform critical but often invisible work. Countless New Yorkers rely on domestic workers to clean their homes, look after their children, and care for their elderly family members and loved ones. And although domestic workers are entrusted with the care of those whom we hold most dear, they and their work are routinely devalued. Domestic workers are among the most exploited workers in New York: the most comprehensive study in New York City to date found that 50% of nannies and 26% of housekeepers interviewed had experienced a minimum wage violation in the prior week, and approximately 84%

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experienced overtime violations.¹ These violations are often symptomatic of a broader culture of noncompliance and abuse, where discrimination and exploitation go hand in hand.

Our legal system has historically excluded domestic workers from the most basic labor protections afforded to other working New Yorkers. Additionally, domestic workers' physical isolation in private homes, coupled with fragmented and informal employment arrangements present unique challenges to implementation and enforcement of their rights. Although many domestic workers are subject to sexual harassment, and other forms of discrimination and intimidation, for much of this predominantly immigrant women workforce,² fear of retaliation and deportation, limited English language proficiency, and limited awareness of their rights further heighten the likelihood of exploitation.³

The proposed amendment to extend the coverage of anti-discrimination provisions to domestic workers in New York City is particularly critical now. While New York City and New York State have made significant progress over the last decade strengthening protections for domestic workers and undoing many of the historic carve outs that denied them basic legal workplace protections, the persistence of certain exemptions sends employers a clear message that they can operate with impunity. Perhaps even more insiduously, the persistence of these carve outs sustains the idea that domestic work is not in fact work or is somehow not deserving of the same protections as other industries, and means that an employer of a domestic worker has fewer responsibilities than a 'regular' employer. Thus, an employer may view domestic workers as interchangeable and replaceable, and an employer who believes they can get away with it may prefer, for example, to fire a pregnant worker than make accommodations.

Domestic workers are entitled to the same assurance from our legal system that their dignity, wellbeing, and safety in their workplaces are worth protecting. Strong legal protections and enforcement are essential to changing these patterns, particularly

¹ Annette Bernhardt, Diana Polso & James DeFilippis, *Working Without Laws: A Survey of Employment and Labor Law Violations in New York City*, National Employment Law Project (2010). Cited Aug. 31, 2018. Available from: <https://www.nelp.org/wp-content/uploads/2015/03/WorkplaceViolationsNYCpresentation.pdf>

² Lorelei Salas, *Lifting Up Paid Care Work: Year One of New York City's Paid Care Division*, The Department of Consumer Affairs – Office of Labor Policy & Standards (2018). Cited Aug. 31, 2018. Available from: <https://www1.nyc.gov/assets/dca/downloads/pdf/workers/Lifting-up-Paid-Care-Work.pdf>

³ *Id.*

for the low-wage and immigrant workers who are among the most vulnerable members of the workforce. At a time when immigrant workers are increasingly vulnerable and these workers are less able to rely on protection from the federal government, New York City's commitment to protecting its immigrant population is more important than ever. Robust public education campaigns to educate employers about their responsibilities and legal obligations and workers about their protections against unlawful discrimination will be critical to making these expanded protections real for domestic workers.

We commend the City Council for holding these hearings, and urge you to amend the law to ensure that domestic workers are afforded the same protections as other workers.

Thank you for the opportunity to testify before you today.



**Hand in Hand: The Domestic Employers Network Testimony Concerning
Intro 339-2018**

New York City Council's Civil and Human Rights Committee

Tatiana Bejar, NYC Organizer, Hand in Hand: The Domestic Employers Network

Thank you for the opportunity to testify today on behalf of our membership. Hand in Hand: The Domestic Employers Network is a national network of employers of nannies, house cleaners and home attendants, our families and allies. We support domestic employers improve their employment practices and believe that dignified and respectful working conditions benefits worker and employer alike. We envision a future where people live in caring communities that recognize all of our interdependence.

Hand in Hand is an non-profit organization, the only such organization in the country that exclusively organizes domestic employers. Hand in Hand has worked closely with the New York City government agencies and domestic worker-led organizations to fight for public policies to advance domestic workers rights and change cultural norms in the care industry, norms that perpetuate harmful and discriminatory practices against domestic workers.

In 2010 the Domestic Workers Bill of Rights passed in New York State -the first ever in the country that provided a legal framework and outlined human rights for this workforce such as minimum wage, paid sick leave, paid overtime, among others. There are around 2.7 million people who hire a domestic worker in New York State, hundreds of thousands are in New York City. Although the Domestic Workers Bill of Rights was a great step forward to advance working conditions, still thousands of domestic workers continue working in the shadows and are exposed to different types of labor abuses and discrimination.

Hand in Hand strongly supports Intro 339: New York City must not exclude domestic workers from protections that other workers enjoy. The New York City Human Rights Law is one of the most progressive laws of its kind in the United States.

Employers of domestic workers in New York City are by and large beneficiaries of these progressive laws, and have a larger safety net of benefits through which they have recourse of enforcement if something were to go terribly wrong in their workplaces. Hand in Hand members are acutely aware that the privilege they have as employers is also a responsibility they carry for their domestic work employees. It makes little sense for the vast majority of employers of domestic workers to be covered by the human rights law yet their employees are not.

Employers of domestic workers often do not have any guidance on how to fairly treat domestic workers they employ and rely on each other's social network to do so. By passing this bill Int. No. 339 it would be the first part of a framework of implementation and support. As more and more New Yorkers are needing care of various kinds, the need to address some of the longest lasting injustices are past due. More New Yorkers will become employers as the care work industry expands and now is the time to set up healthy frameworks of domestic employment.

When done with care and understanding many employers want to be given guidance on how to address workplace accommodations, support workers through employment and set up healthy professional boundaries within the home. All employers should have the chance to become better employers, which will make New York City a better place to work. At Hand in Hand we urge the New York City Council to also strongly consider providing added budget to the Commission on Human Rights to be able to properly provide the recommendations for implementation and to be able to carry out thoughtful enforcement. Increased budget and capacity for the Paid Care Division to help outreach and educate domestic employers. Funding for a city wide media campaign that begins to shift societal perceptions and norms around domestic work discrimination.

Domestic work is one of the fastest growing occupational sectors, and the one in which women, in particular, women of color are overrepresented. We urge the state to support a feminist workforce agenda by passing Intro 339. We can begin by recognizing that domestic workers deserve job security if they become pregnant, and that they can exercise their cultural rights like religious practices. Domestic workers aren't different from other women.

By passing Intro 339, we would be reinforcing the universal principles of human rights that the United States government has signed on. The United States government has the obligation to respect and recognize the Universal Declaration of Human Rights. Additionally, the United States government must be in compliance of international human treaties such as the Convention on the Elimination of Racial Discrimination (CERD) and the Convention of Civil and Political Rights (ICCPR). Both treaties ensures

that every person be treated equality under the law and protected from all forms of diiscrimination based on race, national origin, color, gender, age, religion among others. Moreover, our country has its foundation on the principles of freedom and liberties regardless of race and gender recognized under the Constitution of the United States.

We applaud the City Council for taking leadership on this issue and for the Committee on Civil and Human Rights for hearing our case as to why this bill should pass with full inclusions to the law. Thank you.

Testimony by Reha Sterbin regarding Intro 339

Hand in Hand: The Domestic Employers Network

Good morning. My name is Reha Sterbin and I am here to testify in favor of Intro 339 -- 2018 legislation to amend the New York City Human Rights Law. I am a mother of two young children and live in Astoria, Queens. I am a domestic employer and a member of Hand in Hand: The Domestic Employers Network.

I work in a fast-paced field, where time away from work means losing opportunities to learn the technology that will keep me employed next year. When my son was born, I wanted him to have the focused attention I would have given him if I'd been able to stay home. I was very lucky to find incredible women to provide care for my children: Michelle and Lital were my kids' nannies in their first years, and currently I employ Lupe to care for them after school.

Although I'd led small teams in my job, I felt very much at sea when it came to having someone whose job and livelihood I'd be responsible for. I knew I wanted to build a good relationship with my nanny and make sure the job I was offering was a fair one, but I had no idea what that might look like. Before I got involved with Hand in Hand, I reached out to a friend who works as a nanny about what I should do. She told me to remember that my nanny's work was just as important as my work, and to treat her with the same consideration I'd expect at the office. Because of her advice, I was able to create a fair working environment and develop a good relationship with Michelle, but I had to figure out so much on my own -- what wages and hours are fair? What benefits should I offer her? How do I make sure I'm not taking advantage of her?

In my own job, there are rules that ensure I can work in a safe environment, and that I have a way to seek justice if I'm taken advantage of. I have protections against sexual harassment, I can expect accommodations when I'm pregnant, and I can't lose my job because of it. That's because what I do is seen as a career -- as real and important work. The work that Lupe does for me, the work that Michelle and Lital did, which has made my work possible, deserves those same protections. It's not fair to ask them to weigh the risk of being fired when deciding whether or when to have children. Domestic workers deserve the right to choose for themselves how they want to balance a family and a career. Passing Intro 339 will ensure that nobody gets to take that choice away from them.

As a working mother and a feminist, I owe so much to Michelle, Lital, Stephanie, and Lupe, each of whom entered our home with grace and experience to do the hard and often invisible labor of helping to raise my children.

I believe that dignified work should be everybody's right. As an employer, I believe domestic workers should be extended the same rights that many workers have fought for and won over the years here in New York City. Passing Intro 339 would help me and other families like mine be fair employers and provide better working conditions for domestic workers, affirming the dignity of their work.



To: Committee of Civil and Human Rights and Committee Chair Mathieu Eugene
From: Marrisa Senteno, New York Co-Director, marrisa@domesticworkers.org
Re: Testimony Submitted for NYC Committee hearing on bill Int. No. 339
Date: November 18, 2019

Good morning my name is Marrisa Senteno and I work as the New York Co-Director for the National Domestic Workers Alliance and I act as the coordinator for the New York Domestic Worker Affiliate Alliance as well as co-leading the New York Chapter of domestic worker members of NDWA. I am testifying regarding bill Int. No. 339, a proposed amendment to the New York City Human Rights Law that would bring over 200,000^{1,2} domestic workers under the law's employment discrimination protections.

In our organization, domestic workers and affiliate members are strongly in favor of passing this bill into law. We are celebrating 9 years since the passage of the nation's first Bill of Rights protections for domestic workers. In that time the National Domestic Workers Alliance, and its founding members embarked on what is now a national movement for domestic workers rights which encompasses all the intersectional rights of the largely low wage, immigrant women of color who do some of the most important work in our society. New York City can play a strong role in addressing some of the most pernicious problems in gender inequity, poverty amongst women, and the setting that stage for the future of work.

We applaud the City Council and the Commission on Human Rights in their ongoing dedication to strengthening and enforcing the most progressive human rights law in the nation. However, hundreds of thousands of New Yorkers remain excluded from employment discrimination protections due to the four-employee minimum threshold. The vast majority of domestic workers—a workforce that is particularly vulnerable to mistreatment and abuse—is de facto

¹ Heidi Shierholz, "Low Wages and Scant Benefits Leave Many In-Home Workers Unable to Make Ends Meet," Economic Policy Institute, Washington, DC (2013), available at <http://www.epi.org/files/2013/bp369-in-home-workers-shierholz.pdf>.

² Domestic Workers United, "Home is Where the Work is," Domestic Workers United and DataCenter, New York, NY (2006), available at <http://www.datacenter.org/reports/homeiswheretheworkis.pdf>.

excluded from these protections because domestic workers tend to work in the homes of employers who have no more than one or two employees.

Given the isolation and power imbalance inherent in the industry, domestic workers are also highly vulnerable to harassment and abuse. One in three domestic workers reports facing verbal abuse by an employer.³ Thirty-three percent of those workers identified immigration status as the motivating factor of the abuse; thirty-two percent identified race or ethnicity; ten percent age; nine percent religion; four percent gender; and two percent sexual orientation.⁴ Immigrant domestic workers are especially vulnerable to sexual harassment.⁵

Many of us New Yorkers take pride in the fact that the New York City Human Rights Law is the most expansive and liberal law of its kind in the country, but we have a responsibility to ensure that the law protects all workers. **The kind of discrimination and prevalence at which we see in the domestic workplace would be completely unacceptable in almost any other workplace.** We must not overlook that for domestic workers, the employer's home is a workplace. **Discrimination does not have a rightful place in the domestic workplace.**

We urge City Council members to vote in favor of, and the Mayor's administration to support, Int. No. 339, so that domestic workers are afforded the same right most other workers have enjoyed for half a century—to find and maintain work based not on the color of their skin or composition of their families, but on their experience and merits alone.

As you will see in my testimony laid out below, NDWA is the leading voice for domestic worker rights and justice. We have many years of experience addressing head on the injustices of the domestic work industry and in working with governmental agencies to make a real impact on the improvement of domestic worker lives. The existence of discrimination is broad, persistent, and is highly damaging to the work and lives of domestic workers, their families and their communities. We feel that implementation and enforcement is feasible and practical. The implications for the future of work are broad since domestic work is the largest growing workforce in the state. The stories laid out below are just a sample of what we see and hear everyday and what we know to exist across the city. We encourage you to read their stories and be an agent of change.

I. **Background: About the National Domestic Workers Alliance (NDWA)**

The 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. Founded in 2007, NDWA works for the respect, recognition and inclusion in labor protections for domestic workers, most

³ *Id.*

⁴ *Id.*

⁵ U.S. Dep't of Justice, Office for Victims of Crimes, "Existe Ayuda/Help Exists: Latinas and Sexual Violence," U.S. Dep't of Justice, Washington, DC (2011), available at http://www.ovc.gov/pubs/existeayuda/tools/pdf/factsheet_eng.pdf (citing Diana Vellos, "Immigrant Latina Domestic Workers and Sexual Harassment," 5 Am. U. J. Gender, Soc. Poly & L. 407 (Spring 1997)).

of whom are women. NDWA is powered by over 60 affiliate organizations, plus our local chapters in Atlanta, Durham, Washington DC and New York City and individual worker members, of over 100,000 nannies, housekeepers and direct care workers in 36 cities and 17 states.

NDWA leads several campaigns and coalitions to advance the rights of domestic workers by advocating for increased labor protections, racial justice, gender equity and humane immigration policies.

We have a NY Chapter with over 3,000 domestic workers and a NY Coalition of over a dozen affiliate members which are active community based organizations with domestic workers as part of their membership base. Our New York Chapter focuses on organizing and educating domestic workers, campaigns, workforce development and enforcement of domestic worker rights.

II. NDWA New York Chapter's Domestic Worker Rights Enforcement

Over the past 4 years, NDWA has worked with our local affiliates to explore the following strategies in pursuit of a more worker-led, community support enforcement process.

At NDWA, through our NY Chapter's labor rights enforcement campaign domestic worker leaders have spoken to over 5,000 workers, 1,000 workers in the past year alone. We screened over 700 domestic workers for workplace violations, and supported about 300 workers seeking justice in cases brought forward through our domestic worker specific monthly legal clinic. Through our work, we have collected the stories and experiences of domestic workers in the workplaces throughout New York City. We are tackling domestic worker rights enforcement by:

1. Leadership development of domestic workers through the enforcement process. In 2015, we developed the Groundbreaker Leadership Program, in which worker leaders from different organizations and communities are trained in worker outreach and in worker rights enforcement. The training equips the peer leaders with the knowledge and skills to facilitate rights education workshops, identify potential cases, and peer-coach workers who participate in our domestic worker specific legal clinic. Since 2016 we have trained 32 Groundbreakers thus far.
2. Collaborations with government agencies who share values and vision alignment, to explore how to best leverage our collective resources and mechanisms to increase our capacity to bolster enforcement as a system, and not just an instance.

NDWA has had success in collaborating with the city's Division of Paid Care, with the Department of Consumer and Worker Protections and with the City Commission on Human Rights. These types of collaborations can help us spread the word to domestic workers about their protections.

3. Strengthening sector-specific knowledge among government enforcement agency

4. Working towards developing metrics for measuring the progress in domestic worker rights enforcement efforts and surfacing patterns in systemic violations and barriers to successful enforcement.

III. Evidence of discrimination

Through the above strategies we have become fluent in the types of workplace violations that most affect domestic workers and how they vary within sectors of domestic work. At every form of contact, we are encountered both the frequency, and severity of discrimination against domestic workers.

We learned that domestic workers often times cannot leave bad employment situations because they know they will be discriminated against when looking for work.

Domestic workers have to endure demeaning and derogatory abuse in the workplace, especially in the post Trump era in which racism and white supremacy have found new power.

Domestic workers put their health and the health of their families at risk because no reasonable accommodations are required, even when such actions are feasible.

It has become an accepted condition of work to expect discrimination of some form. In our legal clinic, of the over 100 domestic workers who attend our monthly clinics each year, 15% - 18% revealed to us some form of discrimination on the cases they came to complain about. We believe the rate to be much higher because these are cases in which workers reached out to us.

Isaac Jabola-Carolus, a PhD Candidate in Sociology in the CUNY Graduate Center is working with NDWA to conduct an enforcement strategies analysis and is conducting surveys across several major cities in the United States to assess domestic worker knowledge of their rights and experiences in the workplace. He is still completing his report and findings but he wanted to share some relevant data.

Although the survey didn't include questions specific to discrimination or the NYC human rights law, the data points below paint a picture in the context in which human rights violations happen.

Surveyed workers answered that in the past 12 months an employer, client, or anyone in an employer's or client's home, had been:⁶

- Yelled at - 23 percent
- Threatened - 6 percent

⁶ Isaac Jabola-Carolus PhD Candidate, CUNY Graduate Center. Preliminary results from a survey of 470 paid in-home care workers employed in New York City, conducted August-September 2019.

- Pushed or physically hurt - 2 percent

In our legal clinic, while domestic workers are currently not covered under the Human Rights Law, we still listen for a record instances of discrimination. Some of their experiences are:

Age:

We worked with a client who was fired after many years of service to the family. She was sat down one day and told that she is too old to continue working for them and that she was being let go immediately. This client found out that she was owed several year's worth of overtime wages. The employer was not properly paying her, and as a caregiver to her disabled husband she was not able to pay her social security taxes due to the high costs of care and effects of wage theft. The client was so ashamed that she was fired for her age, even though she cared for the whole family. She fell into a deep depression, and it took over a year for her to be able to recuperate the stolen wages that would allow her to pay the last credit she needed to be eligible for social security benefits. Her case highlights the domino effect of discrimination and a system that relies on domestic work yet, has no safety net or long term planning for domestic workers.

Many of our older members are routinely discriminated against for their age when interviewing on the job. They are also discriminated by being target for exploitation and told they would be hired and paid less because of their age.

Alienage/Citizenship:

Domestic workers are routinely threatened because of their immigration status. When coupled with wage theft, sexual harassment, or traffickin, domestic workers are able to seek support with the New York Department of Labor. Yet their alienage is often cited as a reason that their pay is lower, that they are told they don't have any rights, that they cannot assert any fair standards in the workplace. We have had workers told that they are not allowed to speak their native language to anyone while working, even if is to speak to a fellow domestic worker.

Fear of retaliation due to immigration or citizenship status is one of the biggest barriers for domestic workers to coming forward to filing any kind of workplace violation claim. We ask our wage theft clients what is the biggest barrier for them to move forward with a claim and the response is approximately 70% fear of immigration retaliation. Amongst domestic worker clients this is second only to fear of workplace retaliation or blacklisting at 80%.

One domestic worker recently shared that while on an interview she was asked what her rate for work was. The domestic worker replied with her rate and clarified that after 40 hours she would be calculating overtime rates. The potential employer responded by asking her what her immigration status was. The worker replied that regardless of status the law states that overtime begins over 40 hours. The worker never heard from the potential employer again.

Color:

New York City is an extremely diverse place to live and work. Colorism is a reality amongst different ethnic groups and workers who have the least access to information on their rights suffer the most because of language barriers and isolation. Indigenous domestic workers are highly exploited and discriminated against because of the color of their skin. Nannies who are white presenting get better treatment and salaries than nannies who are of color.

One domestic worker told us the first time she ever worked for an elderly person. She was hired by the family to care for an elderly woman with white skin and blue eyes. Upon seeing the worker for the first time, the elderly woman became very angry. She told the domestic worker that she wanted someone who was the same color and same nationality as she. She was not allowed to sit next to her first elderly patient.

Pregnancy and Lactation Accommodations:

The issue of pregnancy discrimination amongst the domestic workforce comes up in our screenings and conversations with domestic workers. As an industry that is so vital to the well being of the rest of NYC's workforce, by providing care in people's homes, domestic workers themselves are not protected from pregnancy discrimination and its other harmful practices.

Domestic work, which includes childcare, housekeeping, and caregiving is very physical labor. Because of the isolation and demographics of most domestic workers as well as society's mindset of the value of domestic workers, the power differential between employers and employees is very high.

To give a sense, we have found that many domestic workers feel that they have to:

- Hide any pregnancies from domestic worker employers for as long as possible because when they do disclose their pregnancy they are subject to being fired without any repercussions. We have had several women come to our legal clinic because of this in particular, and we are unable to file a claim for them because they are not covered against this kind of discrimination.
- Domestic workers have been made to forgo vital prenatal care because their employers tell them to schedule appointments on their own time. Not allowing them to take paid safe and sick leave for the appointments. The fact is that most domestic workers are not able to schedule "off hour" appointments and community clinics or hospitals often have much longer wait times than private doctors do.
- Health issues go unchecked and are exacerbated because of having to hide their pregnancy or not being allowed to seek preventive medical care. Thus they are

either forced out of a job when their health suffers, or are fired from a job because their health suffered.

- Many are fired while on unpaid maternity leave because the family had to “find someone else,” meaning a woman is now out of work and with a newborn child. This is not unique to maternity leave. We have spoken to women who were fired when taking care of critically ill children or spouses.
- Trying to find a new job while pregnant is nearly impossible in this field.
- We have found that a woman’s right to choose is put into question, we have heard stories of employers offering to pay for abortions because they would prefer the caregiver focus on the well being of the employer’s children as opposed to the rights of a nanny or live-in worker to have a family too.
- We know that many workers are forced out of a job because of the employer’s refusal to make appropriate accommodations, and suffer from overwork when pregnant.
- The safety and health of workers tie in very much with discrimination because in the more physical components of the industry, repetitive motions, heavy weight bearing movements, being on one’s hand and knees, and even exposure to harmful chemicals all affect a domestic workers well-being and tied to reasons why employers feel justified in taking negative actions against a pregnant employee.

Below are the testimonies of some of our members:

Life of a Pregnant Nanny

Professional Nanny B worked for the family for 3 years taking care of a precious 2.5 years old little girl. After more than 2 years on the job the worker became pregnant.

During her pregnancy Nanny B still continued to do her duties which included laundry, pushing a big stroller, carrying the child to classes and kneeling at the tub to give the child daily baths even as her tummy continue to grow month after month.

Throughout her pregnancy the relationship with the family was a good one they together they joked about her walk but as time passed one employer became more distant and had a change of behaviour.

The employers had agreed that she would work until she was ready for maternity leave and once she had the baby she could return to work but that never happened.

In her 7 months of pregnancy she had to stop working. Later she had her baby delivered by C-section in November with the expectation to return to work in January. In January she was unable to return to work because she needed more time to heal, the family became upset and terminated her while she was out on maternity leave. Nanny Br felt intimidated by the family and felt like she was not wanted on the job because she had a new baby.

Fired during a high risk pregnancy

Nanny A. has 10 years of professional childcare experience for both live-in and live-out positions. She has worked for very fair employers and for employers that treated her very badly. When she was treated badly by employers she would have to wake up very early and go to bed very late or not at all taking care of her employer's home and family. There were times she had to sit on the living room couch waiting all night for her employers to come home only to have to leave at dawn for her one day of "rest" for the week. She has been yelled at, demeaned and overworked. She would stay on the job until she could find herself a better situation and sometimes that would take a long time. Nanny A. told us that when she felt good on a job she was able to do her work in her own rhythm. She would be paid on time, and given proper days off. When those jobs came to an end she felt sad to have to leave those jobs not knowing what would come next.

In 2015 she found herself working for a family as a nanny. She worked full time and would take care of the children as well as do the house cleaning. Late in that year she found out that she was pregnant. The family at first was supportive of her and seemed to be fine with the situation. She was considered a higher risk pregnancy because of her age, and this was her first child. She would need to go to extra appointments to maintain her health because she had developed gestational diabetes. She said that she felt bad for having to make up excuses to go to her appointments. She said "I felt that she was not sick, I am just pregnant, I am able to gauge up to how much I can work." But when she got sick and had to be on rest for a week her employer told her that they would no longer be able to keep paying her for more days off. They told her that she couldn't keep working for them. She was given two weeks notice and laid off.

Pregnant and out of work, Nanny A. tried to look for more work. She wanted to work up until she had her baby. She was a single mom and needed to earn as much money as possible before her baby arrived. She would go on interviews and would get call backs for her good resume and successful interviews. She felt that she would have to disclose her pregnancy because she felt it was fair to give notice of something so important. She would inevitably hear "We'll call you back," but they never called back.

As a single mom she had tried to save up for the possibility of being fired but she really could not find work. As a result she had to move from New York City to Maryland where a family member allowed her to come seek care for herself and her child. She has a young infant and sees that the job prospects in Maryland are worse than in New York City and with even worse working conditions. She wishes to come back the New York but has yet to find a way to do that with the lack of steady employment. Now she works part time at an unsteady work schedule in a laundromat. She is seeking support of where to connect with other domestic workers who are also in Maryland.

Life of a Shared Nanny

Nanny C. was referred to the share family by the employers she was working with. In a nanny shared they were 2 employers per family totaling 4 employers.

Nanny C. was hired to provide care for two three month old babies. Responsibilities included caring for all the needs of the children, engaging children in activities, taking the children to classes, setting up playdates and recording keeping of daily activities.

One family required cloth diapers for their child and in the winter this became more challenging in keeping the child comfortable eventually this caused a strain in the relationship when the nanny tried to introduce new ideas.

As this was a share situation this also became a concern for the other share family.

Nanny C. was on the job for 5.5 months. One morning the nanny informed the employers on growth and development of the child and later that evening the employers texted to say they were running late (this was never the case).

When the employers arrived home the mode was laid back and oddly weird.

They asked to meet and provide the nanny with her paid and in that moment terminated her services, termination was different to the conditions that were agreed upon in the contract which was agreed upon for 1 year commitment or weeks notice before termination.

At the time of termination the nanny was seven months pregnant. The news of immediate termination caused the nanny experienced premature contractions the employer call 911 and shortly thereafter the nanny left the employers' home in an ambulance. To this date none of the four employers ever called to see how she is doing.

All of these firings, and negative impacts of pregnancies could have been mitigated with honest conversation, compromise and some form of reasonable accommodations. Domestic workers already work under these conditions and by excluding domestic workers of

Caregiving:

Domestic workers' needs around caregiving in their own lives does not diminish when working to care for others. In our many conversations with domestic workers we have found that the fear and repercussions of pregnancy and really any caregiving responsibilities is a very real presence in the domestic workforce. Caregiving can take on many forms and appropriate accommodations can take many forms as well. What is needed is thoughtful guidance around what is allowed in the workplace that does not lead to outright discrimination for being a caregiver, especially since these are the professional caregivers in our society. They are owed that much respect.

We have workers who have shared with us that upon interview and as a condition of hire, they must disclose whether or not they had children of their own or were planning on having children or asked if they were married. As one worker shared with us in an interview the potential employer said "I don't want anyone who has kids because I don't want someone who is going to care about their own children more than my own."

Another worker shared that an employer asked after looking at her resume for a housecleaning job if she had small children because she did not want any problems with work hours, as she reserved the right to need her at any moment.

We had a client who was screened for referral to our legal clinic who was fired after taking too many earned vacation days in a row when the client's child was sick in the hospital. The employers only gave vacation time when it was convenient to the employer. Even though the worker was using earned time, because she was taking care of a sick child the employer expressed disapproval over the client's inability to adjust hospital time over work time. Upon returning to work the employer fired the client as a form of punishment for taking the days off to care for child.

Race:

Due to the historical context of domestic work in this country race still plays a very large role in the power dynamics of the domestic workplace. Employers behind closed doors act in ways that are still legal in a domestic workplace but would be completely unallowed in any other professional workplace setting.

When domestic workers are demeaned and abused because of their race, the psychological consequences are long lasting. Domestic workers have to work despite that trauma and have to work in other people's homes carrying the trauma of previous abuse by employers.

In a story telling session at our most recent monthly meeting black identified domestic worker anonymously share that in one of her places of employment caring for an elderly women she was called n**er every single day she went to work. That despite the elderly person relying on caregivers for her ability to age in her own home, she felt within her right to demean her caregiver every day. The care worker tried to educate the elder person about the historic context and harsh facts about racism, as a way to help this employer to become more tolerant. Even still she was cared for until her very last day and passed away with dignity, while the caregiver had to work every day with indignity.

Regardless of the work setting racism has no place and domestic workers are the experts in changing those dynamics if given the legal framework to do so.

This is not an exhaustive list, and the intention with these stories and examples is to give a fuller understanding of what happens when employers are allowed to discriminate against domestic workers.

Discrimination is not a relevant part of domestic work place standards, and the required skill sets in the domestic work do not depend on any of the protected categories. Domestic workers ability should be assessed on their own merits and not subject to the biases that allow discrimination to fester.

There is long lasting harm to domestic workers, their families, and their overall earning potential, when we allow discrimination of any kind to systematically undermine of professional experience of domestic work. Caregiving and reproductive care is already a gendered role that society has placed on women. These roles are seen as less valuable and less professional as other kinds of work. As domestic workers are able to hold pieces of their employer's families together, they must also hold the pieces of their own families and lives together as well. Domestic workers are no longer working in the shadows but are organizing and voicing their experiences while take strength from so many leaders that came before them.

Feasibility and implementation

The passage of this bill to include domestic workers in the human rights law would not happen in isolation. At NDWA we have built strong relationships with the agencies that are tasked with implementing the law at a city level. We have already started to build a framework that would make implementation not only feasible but practical as well. Our network of affiliates are skilled in being on the front lines of workplace violations for domestic workers and with our co-enforcement models we ready to take on, together, these new set of rights.

We see the need for the Commission Human Rights and the Paid Care Division to have an appropriate budget to take on new aspects of implementing and outreach of this law.

We would like to see an appropriate expansion of the Office of Labor and Policy Standards.
Would like to see full support of the piloting mediation clinic within OLPS.

We would also like to see funding for outreach education, and supportive resources for domestic work employers.

We already have a successful model and examples of collaborations with these agencies that and we can continue to improve and expand on.

Conclusion:

This bill passage should be part of a much larger framework of addressing gender equity in New York City. It would be historic in its scope and we are already innovating on possible implementation. When addressing discrimination of the most marginalized in our society we are setting the standards for all other work sectors in New York City. We are the best city in the country to model that for other cities and localities and setting the stage for the future of all work.

NATIONAL DOMESTIC WORKERS ALLIANCE

To: New York City Council Committee on Civil and Human Rights Committee Chair
Mathieu Eugene
From: NDWA Domestic Worker
Re: Testimony Submitted for New York City Committee Hearing on Bill Intro 339
Date: Mon 18th November, 2019

The workers' experience is extremely graphic and only a small fraction of her story is being offered in her testimony.

In the early 1990's I started my profession as a domestic worker and for over 20 years I have worked as a nanny. For over 4 years I worked for a family in New York City providing care for their two children. Almost two years after being hired the mom became pregnant. Soon after I noticed a change in the way she would interact with me, often times she would become very upset and would scream at me constantly.

Over the years the verbal abuse continued, once she raised her hand to hit me in the presence of her child. My employer felt she held power over me because on any given day she would undermine my experience and would come scream in my face calling me derogatory names and expressing her disgust with me. She would remind me I was illegal and threatened to call immigration on me or tell me they would send ICE to my home.

Often times I ignored her but this time upon hearing these threats I told her I will no longer be returning to work. As I left that evening the children ran out to the hallway begging me to come back. Of course, I was hurt because I am a human being and I have

feelings too and due to the constant abuse and humiliation I felt my dignity was being stripped from me. After numerous calls from my employer and the thought of leaving the children heartbroken I decided to return to work but the abuse worsened. My wages were withheld and I was not paid for the week worked, but was instead paid the following week, this was another way they were trying to control me and this continued for several months. They were also numerous threats of blacklisting made by the employer, she was certain I was never going to work as a nanny again. Through all of the abuse I continued working with the family, doing the best job I could to provide love and care for the children in my charge, cleaning their home and doing laundry for the entire family.

Earlier this year as the abuse escalated I decided it was enough and at this point I decided to quit again. As I waited for the dad to return so I could be paid for the previous week and the days worked this particular week, again I endured threats of immigration. As I was leaving the employer screams increased and within seconds she proceeded to physically attack me, I was injured but eventually I was able to escape to seek help.

I know my story is not unique in the domestic worker industry however, workers should not have to endure discrimination in the workplace without protections in order to make a living to support themselves and their families. Domestic work is hard work and working under these kinds of conditions lead to increased workplace stress and hostile working conditions. Domestic workers like myself across New York City should not have to endure these kinds of abuse in the workplace, especially since we provide care for the most important elements of the families lives.

Amending the New York City Human Rights Law will give us the protection we deserve to work in safety regardless of our immigration status, age, gender or sexual orientation. Amending and enforcing this law would be a step in the right direction for thousands of domestic workers across the city like myself.

Thank you for listening to my story.

NATIONAL
DOMESTIC
WORKERS
ALLIANCE



To: New York City Council Committee on Civil and Human Rights Committee
Chair Mathieu Eugene
From: Namrata Pradhan, National Domestic Workers Alliance Worker & Adhikaar
Domestic Worker Organizer
Re: Testimony Submitted for New York City Human Rights Law Bill Intro 339
Date: Mon 18th November, 2019

My name is Namrata Pradhan and I am a domestic worker organizer with NDWA and Adhikaar. I am also on the National Domestic Worker Alliance Board of Directors.

I was discriminated because of my figure for as long as I can remember and I was also criticized all the time. I was struggling to grow. My parents did the best they could. They encouraged me to play basketball, and gymnastics even though I did not want to. I just loved playing hockey and I was the best in my team.

My parents took me to see specialists in Delhi, India but could not continue with all of the tests and follow up. I was in middle school and getting ready for high school I just want to focus on my studies and I was really irritated with all that criticism about me.

My family /relatives was told me that I am the shortest person they have seen, and will have difficulties in the future. Since then and even now, I have this in my heart and my brain.

I have never spoken before about being discriminated against as a professional nanny. I have been waiting for the perfect time to speak up, I have never shared this to anyone. Not even in my organizational homes Adhikaar and NDWA.

I have more than 15 years of experience as a nanny and almost 10 years of experience as a domestic worker leader and organizer. All through these years, our worker members sees me as a fun loving person, and as an organizer. I make connection by being hilarious. They have only seen the bright side of my face despite what I have gone through in my lifetime. I know what it means to be discriminated against.

I will share now my workplace discrimination story. Being raised in a Hindu family and believing in karma, before starting each day, we offer prayers and receive blessings on our forehead. I had preserved my culture from Nepal to here in the United States where I worked as a nanny. With this I would place a symbol of my Hindu faith on my forehead called a Tika. When I went to work for one particular family as a part time nanny, they did not know what this symbol of faith meant to me. My employer did not like it. She told me to get rid of that as it looks like a black magic.

I tried to explain to my employer that taking care of the kids requires a lot of vigilance. One has to be alert with the surroundings, their behaviours, it changes daily and one needs to know how to handle each situation with care. I explained that as part of my faith, this blessing on my forehead is what symbolically helps me to be the best I can be when caring for the children in my charge.

But my employer just kept repeating it is a kind of black magic. She created a difficult situation for me and did not allow me to wear my Tika on my forehead. She left me with a very difficult choice. Which for me, and my faith, was no choice

except to leave the job. Even though this happened a long time and did not share with any of my colleagues. I lost my job because of my religion.

All these years its has haunted me in my heart and made me feel smaller than ever.

But the time is now. Today I am speaking up and letting you all know that it is not okay to discriminate against domestic workers.

Domestic Workers are human beings like other workers.

Domestic workers need to live their life with full respect and dignity and without discrimination.

Domestic Workers are the ones who put their time, effort, love into raising the kids to become future citizens.

Domestic Workers are the spinal cord of our society.

Once again I am here to let you all know that domestic workers should be covered with Human Rights Law in New York City and we want to be visible.

NATIONAL DOMESTIC WORKERS ALLIANCE

To: New York City Council Committee on Civil and Human Rights Committee Chair
Mathieu Eugene

From: Jacqui Orié, We Dream in Black-New York Basebuilding Organizer

Re: Testimony Submitted for New York City Committee Hearing on Bill Intro 339

Date: Mon 18th November, 2019

My name is Jacqui Orié and I am an Organizer in New York with the National Domestic Workers Alliance We Dream in Black-New York.

For almost 20 years I worked as a professional Nanny for four families across New York City. I was a Groundbreaker with the National Domestic Workers Alliance for the last year and a half. As a Groundbreaker, my responsibilities included meeting domestic workers at work: in the parks, playgrounds and libraries to educate them about their rights.

As a Groundbreaker, workers have shared many stories with me, some of the stories have been so horrible and inhumane it seemed more like modern day slavery. Some workers shared stories of being sexually harassed by their employers, and after a few short months on the job they had to quit because of the power dynamic that exists in the workplace and the unsafe working conditions. Workers shared the racial inequalities and their experiences working with white and black domestic workers, where they were both given job responsibilities and throughout their employment they would have to do the tasks of the white workers and if they did not complete the tasks they were always scolded, although they completed their job responsibilities.

Domestic workers have also shared stories of employers who are fair and have treated their domestic workers with dignity and respect, but sadly, that is not the norm within the industry. Due to the lack of adequate labor protections for domestic workers workers are often times employer at the mercy of their employers.

In my role as a Groundbreaker I have engaged with hundreds of domestic workers and have supported many of them to enforce their worker rights under the NY Domestic Workers Bill of Rights and the Paid Sick and Safe leave. NDWA along with Take Root Justice is able to provide worker support through our worker rights legal clinic when their rights are violated.

Domestic workers are human beings too, and the work they do make all other work possible and therefore we want to ensure that domestic workers are carved into the human rights law with no exceptions. It is feasible these rights can be implemented and enforced providing employers with support and guidance to access and provide domestic workers with reasonable accommodations.

NATIONAL DOMESTIC WORKERS ALLIANCE

To: New York City Council Committee on Civil and Human Rights Committee Chair
Mathieu Eugene

From: Kieran Michelle, We Dream in Black Worker Leader

Re: Testimony Submitted for New York City Committee Hearing on Bill Intro 339

Date: Mon 18th November, 2019

My name is Kieran Michelle and I have been a Caregiver of the elderly for over 20 years. During my profession I have been discriminated against too many times to keep track of. I have been told I was too young, too old and too fat. I was not hired to be smart.

Often times employers would ask: are you planning on getting pregnant? Do you have kids? Do you have family who live here? Are you sick? What medical conditions do you have? Are you a green card holder or a citizen?

I am from a generation of care providers. Many of them have also experienced very similar conditions. My mom was fired because she had a doctor's appointment (my mom is also a breast cancer survivor). As you can imagine, because work illnesses and viruses are often times passed back and forth these illnesses often times cause workers their jobs.

I worked for a wife whose husband did not want dark skinned people to care for him. In the course of two days sometimes two or more Aids would come in and he would call the agency to send someone else because of the color of their skin. He would threaten, if they did not leave he would call the cops. If the Caregiver was really light skinned or a different nationality he was more welcoming. Often times the caretakers would be in tears.

Caretakers should not be treated any different than workers in other professions. Everyone deserves to be respected. Every worker should be able to work in a workplace free from discrimination based on their immigration status or the color of their skin.

I was the primary care provider for his wife. One night he fell and he was banging on the heater for help, I immediately rushed to his aid. After that night he treated me differently, he made me wash my hands and wear gloves when he needed a cup.

The employer even told me I was not allowed to shower even though I would work from Saturday morning through Monday morning, because their water bill would increase, I could save my shower for when I am at home.

Another situation I experienced happened during a snowstorm, no one was available to care for the male client. An African American male Caregiver agreed to, but could not drive to the client's home because of the snow storm so he decided to walk. I let him in. When the male client saw the Care giver he asked him to leave. The caregiver said it's snowing and cold and explained that he walked a long way because he could not drive, and they were no buses. The client shouted at the Caregiver that he had to leave his house now. The caregiver had to go outside and stand in the cold. I waited until the client went downstairs and let the Caregiver back in and offered him tea because he was cold. He started crying because he was so cold, he share he had never experienced this magnitude of discrimination because of the color of his skin. I called the client's son who told me not to tell his mom (the client's wife whom I was caring for) because the situation would escalate. I do not know what he meant and I did not ask because I too was still experiencing discrimination because of the color of my skin from the male client.)

Across the city workers providing care work are often times subjected to inhumane and disrespectful working conditions, yet they show up to work everyday. I support the amendment to the NYC Human Rights Law because it is necessary for domestic workers to be protected from discrimination in the workplace.

NATIONAL DOMESTIC WORKERS ALLIANCE

To: New York City Council Committee on Civil and Human Rights Committee Chair
Mathieu Eugene

From: Allison Julien NDWA New York Co-Director allison@domesticworkers.org

Re: Testimony Submitted for New York City Committee Hearing on Bill Intro. No. 339

Date: Mon 18th November, 2019

My name is Allison Julien, the New York Co-Director for the National Domestic Workers Alliance. Through my work with We Dream in Black-NY our organizing is focused on expanding and building a more geographically-inclusive voice for Black domestic workers. We Dream in Black is a project of NDWA with additional chapters in Georgia, North Carolina, Massachusetts, Florida, Washington and most recently in Texas.

My work at NDWA is unique because I organize a very specific population of domestic workers through We Dream in Black. WeDiB is a community of US-born and immigrant black domestic workers from across the diaspora, many of these workers are mothers of various backgrounds, of multiple gender identities, sexualities and abilities. We Dream in Black seeks to build a world wherein Black domestic workers are safe, respected, and empowered to be their full selves, free from racial and gendered violence or oppression. On a daily basis we hear the stories from domestic workers across the city.

I am sharing my testimony in support of the amendment of the New York City Human Rights Law Intro 339. Working as a nanny for over 25 years across New York City, I have seen and heard numerous stories from domestic worker based on discrimination in the workplace. First hand I know of workers who have experiences discrimination based on age, color, origin and immigration status just to name a few.

Some of the most common stories of discrimination are based on pregnancy. Painstakingly domestic workers often times take on additional stress once they become pregnant on figuring out when or how to inform their employers of their pregnancy. Unlike many other professions with protections these domestic workers know they are at immediate risk of being reprimanded or terminated. Workers often times hide their pregnancy for as long as possible before informing employers. Due to the private nature of the industry, racial oppression and the devaluing of household labor, domestic workers have been systematically excluded from many of the labor protections.

In my work as a nanny I supported another domestic worker with her charges, she would become so ill from morning sickness but in order for her to keep her job she had to become creative in concealing the pregnancy. Another worker after informing her employers of her pregnancy experienced complications after being terminated immediately and had to be taken to the hospital luckily mom and baby remained healthy. Additionally, many domestic workers are also impacted by a lack of access to quality, affordable healthcare and are often times unable to access care for themselves and their families.

The history of domestic work in the USA is intimately tied to the history of Black women's labor. The work of Black women and domestic work has been historically devalued. Domestic workers should not have to make a choice between having a family of their own and providing care for the family they are employed with. However, historically domestic workers did not have the freedom of having their own families or raising their own children. Domestic work is rooted in the legacy of slavery, today these conditions continue to exist without very little changes in labor laws and without any kind of recourse or adequate labor protections.

While Black domestic workers have historically led struggles to improve the conditions of the industry, there is still much work to be done. We want to ensure that domestic workers are fully carved in to the NYC Human Rights Law without exceptions. We believe these rights can be implemented and enforced and we believe employers can provide reasonable accommodations but they will need the support and guidance of the law in order to do so.

Our national movement is following Philadelphia's progress to pass legislation that can become a standard across the country. This can be accomplished by amending the Human Rights Law and winning paid personal time for all domestic workers in New York City.

The care industry is one of the fastest growing industries in this country and this Bill will bring this sector of workers a step closer to addressing the need for better labor protections in the Human Rights Law.

The domestic worker movement has had a number of successes on the federal, state, and municipal levels across the country. In New York the Domestic Workers Bill of Rights became law in Nov 2010 making NY the first state to pass major labor protections across the country for domestic workers. Nine years later NYC have an opportunity to right a historical wrong so that no woman is left behind no matter what they do for work. This moment in time you have the opportunity to support us in tackling institutionalized racism, sexism and the legacy of slavery by ensuring domestic workers are seen as human beings and as professionals who contribute to the growing economy in New York. Domestic work makes all other work possible and these workers should no longer be left in the shadows without protection.

We would like to see adequate funding for CCHR, Paid Care Division and OLPS because we know the need for enforcement and worker support is necessary as we continue to partner with these city agencies. Workers need to be ensured that they are not alone and as advocates we continue to elevate their voices and share their stories with hopes of creating historical changes in the labor laws.

NATIONAL DOMESTIC WORKERS ALLIANCE

To: Committee of Civil and Human Rights and Committee Chair Mathieu Eugene
From: MARRISA SENTENO, New York Co-Director, marrisa@domesticworkers.org
Re: Testimony Submitted for NYC Committee hearing on bill Int. No. 339
Date: November 18, 2019

Good morning my name is MARRISA SENTENO and I work as the New York Co-Director for the National Domestic Workers Alliance and I act as the coordinator for the New York Domestic Worker Affiliate Alliance as well as co-leading the New York Chapter of domestic worker members of NDWA. I am testifying regarding bill Int. No. 339. a proposed amendment to the New York City Human Rights Law that would bring over 200,000^{1,2} domestic workers under the law's employment discrimination protections.

In our organization, domestic workers and affiliate members are strongly in favor of passing this bill into law. We are celebrating 9 years since the passage of the nation's first Bill of Rights protections for domestic workers. In that time the National Domestic Workers Alliance, and its founding members embarked on what is now a national movement for domestic workers rights which encompasses all the intersectional rights of the largely low wage, immigrant women of color who do some of the most important work in our society. New York City can play a strong role in addressing some of the most pernicious problems in gender inequity, poverty amongst women, and the setting that stage for the future of work.

We applaud the City Council and the Commission on Human Rights in their ongoing dedication to strengthening and enforcing the most progressive human rights law in the nation. However, hundreds of thousands of New Yorkers remain excluded from employment discrimination protections due to the four-employee minimum threshold. The vast majority of domestic workers—a workforce that is particularly vulnerable to mistreatment and abuse—is de facto

¹ Heidi Shierholz, "Low Wages and Scant Benefits Leave Many In-Home Workers Unable to Make Ends Meet," Economic Policy Institute, Washington, DC (2013), available at <http://www.epi.org/files/2013/bp369-in-home-workers-shierholz.pdf>.

² Domestic Workers United, "Home is Where the Work is," Domestic Workers United and DataCenter, New York, NY (2006), available at <http://www.datacenter.org/reports/homeiswheretheworkis.pdf>.

excluded from these protections because domestic workers tend to work in the homes of employers who have no more than one or two employees.

Given the isolation and power imbalance inherent in the industry, domestic workers are also highly vulnerable to harassment and abuse. One in three domestic workers reports facing verbal abuse by an employer.³ Thirty-three percent of those workers identified immigration status as the motivating factor of the abuse; thirty-two percent identified race or ethnicity; ten percent age; nine percent religion; four percent gender; and two percent sexual orientation.⁴ Immigrant domestic workers are especially vulnerable to sexual harassment.⁵

Many of us New Yorkers take pride in the fact that the New York City Human Rights Law is the most expansive and liberal law of its kind in the country, but we have a responsibility to ensure that the law protects all workers. **The kind of discrimination and prevalence at which we see in the domestic workplace would be completely unacceptable in almost any other workplace.** We must not overlook that for domestic workers, the employer's home is a workplace. **Discrimination does not have a rightful place in the domestic workplace.**

We urge City Council members to vote in favor of, and the Mayor's administration to support, Int. No. 339, so that domestic workers are afforded the same right most other workers have enjoyed for half a century—to find and maintain work based not on the color of their skin or composition of their families, but on their experience and merits alone.

As you will see in my testimony laid out below, NDWA is the leading voice for domestic worker rights and justice. We have many years of experience addressing head on the injustices of the domestic work industry and in working with governmental agencies to make a real impact on the improvement of domestic worker lives. The existence of discrimination is broad, persistent, and is highly damaging to the work and lives of domestic workers, their families and their communities. We feel that implementation and enforcement is feasible and practical. The implications for the future of work are broad since domestic work is the largest growing workforce in the state. The stories laid out below are just a sample of what we see and hear everyday and what we know to exist across the city. We encourage you to read their stories and be an agent of change.

I. Background: About the National Domestic Workers Alliance (NDWA)

The 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. Founded in 2007, NDWA works for the respect, recognition and inclusion in labor protections for domestic workers, most

³ *Id.*

⁴ *Id.*

⁵ U.S. Dep't of Justice, Office for Victims of Crimes, "Existe Ayuda/Help Exists: Latinas and Sexual Violence," U.S. Dep't of Justice, Washington, DC (2011), available at http://www.ovc.gov/pubs/existeayuda/tools/pdf/factsheet_eng.pdf (citing Diana Vellos, "Immigrant Latina Domestic Workers and Sexual Harassment," 5 Am. U. J. Gender, Soc. Pol'y & L. 407 (Spring 1997)).

of whom are women. NDWA is powered by over 60 affiliate organizations, plus our local chapters in Atlanta, Durham, Washington DC and New York City and individual worker members, of over 100,000 nannies, housekeepers and direct care workers in 36 cities and 17 states.

NDWA leads several campaigns and coalitions to advance the rights of domestic workers by advocating for increased labor protections, racial justice, gender equity and humane immigration policies.

We have a NY Chapter with over 3,000 domestic workers and a NY Coalition of over a dozen affiliate members which are active community based organizations with domestic workers as part of their membership base. Our New York Chapter focuses on organizing and educating domestic workers, campaigns, workforce development and enforcement of domestic worker rights.

II. NDWA New York Chapter's Domestic Worker Rights Enforcement

Over the past 4 years, NDWA has worked with our local affiliates to explore the following strategies in pursuit of a more worker-led, community support enforcement process.

At NDWA, through our NY Chapter's labor rights enforcement campaign domestic worker leaders have spoken to over 5,000 workers, 1,000 workers in the past year alone. We screened over 700 domestic workers for workplace violations, and supported about 300 workers seeking justice in cases brought forward through our domestic worker specific monthly legal clinic. Through our work, we have collected the stories and experiences of domestic workers in the workplaces throughout New York City. We are tackling domestic worker rights enforcement by:

1. Leadership development of domestic workers through the enforcement process. In 2015, we developed the Groundbreaker Leadership Program, in which worker leaders from different organizations and communities are trained in worker outreach and in worker rights enforcement. The training equips the peer leaders with the knowledge and skills to facilitate rights education workshops, identify potential cases, and peer-coach workers who participate in our domestic worker specific legal clinic. Since 2016 we have trained 32 Groundbreakers thus far.
2. Collaborations with government agencies who share values and vision alignment, to explore how to best leverage our collective resources and mechanisms to increase our capacity to bolster enforcement as a system, and not just an instance.

NDWA has had success in collaborating with the city's Division of Paid Care, with the Department of Consumer and Worker Protections and with the City Commission on Human Rights. These types of collaborations can help us spread the word to domestic workers about their protections.

3. Strengthening sector-specific knowledge among government enforcement agency

4. Working towards developing metrics for measuring the progress in domestic worker rights enforcement efforts and surfacing patterns in systemic violations and barriers to successful enforcement.

III. Evidence of discrimination

Through the above strategies we have become fluent in the types of workplace violations that most affect domestic workers and how they vary within sectors of domestic work. At every form of contact, we are encountered both the frequency, and severity of discrimination against domestic workers.

We learned that domestic workers often times cannot leave bad employment situations because they know they will be discriminated against when looking for work.

Domestic workers have to endure demeaning and derogatory abuse in the workplace, especially in the post Trump era in which racism and white supremacy have found new power.

Domestic workers put their health and the health of their families at risk because no reasonable accommodations are required, even when such actions are feasible.

It has become an accepted condition of work to expect discrimination of some form. In our legal clinic, of the over 100 domestic workers who attend our monthly clinics each year, 15% - 18% revealed to us some form of discrimination on the cases they came to complain about. We believe the rate to be much higher because these are cases in which workers reached out to us.

Isaac Jabola-Carolus, a PhD Candidate in Sociology in the CUNY Graduate Center is working with NDWA to conduct an enforcement strategies analysis and is conducting surveys across several major cities in the United States to assess domestic worker knowledge of their rights and experiences in the workplace. He is still completing his report and findings but he wanted to share some relevant data.

Although the survey didn't include questions specific to discrimination or the NYC human rights law, the data points below paint a picture in the context in which human rights violations happen.

Surveyed workers answered that in the past 12 months an employer, client, or anyone in an employer's or client's home, had been:⁶

- Yelled at - 23 percent
- Threatened - 6 percent

⁶ Isaac Jabola-Carolus PhD Candidate, CUNY Graduate Center. Preliminary results from a survey of 470 paid in-home care workers employed in New York City, conducted August-September 2019.

- Pushed or physically hurt - 2 percent

In our legal clinic, while domestic workers are currently not covered under the Human Rights Law, we still listen for a record instances of discrimination. Some of their experiences are:

Age:

We worked with a client who was fired after many years of service to the family. She was sat down one day and told that she is too old to continue working for them and that she was being let go immediately. This client found out that she was owed several year's worth of overtime wages. The employer was not properly paying her, and as a caregiver to her disabled husband she was not able to pay her social security taxes due to the high costs of care and effects of wage theft. The client was so ashamed that she was fired for her age, even though she cared for the whole family. She fell into a deep depression, and it took over a year for her to be able to recuperate the stolen wages that would allow her to pay the last credit she needed to be eligible for social security benefits. Her case highlights the domino effect of discrimination and a system that relies on domestic work yet, has no safety net or long term planning for domestic workers.

Many of our older members are routinely discriminated against for their age when interviewing on the job. They are also discriminated by being target for exploitation and told they would be hired and paid less because of their age.

Alienage/Citizenship:

Domestic workers are routinely threatened because of their immigration status. When coupled with wage theft, sexual harassment, or traffickin, domestic workers are able to seek support with the New York Department of Labor. Yet their alienage is often cited as a reason that their pay is lower, that they are told they don't have any rights, that they cannot assert any fair standards in the workplace. We have had workers told that they are not allowed to speak their native language to anyone while working, even if is to speak to a fellow domestic worker.

Fear of retaliation due to immigration or citizenship status is one of the biggest barriers for domestic workers to coming forward to filing any kind of workplace violation claim. We ask our wage theft clients what is the biggest barrier for them to move forward with a claim and the response is approximately 70% fear of immigration retaliation. Amongst domestic worker clients this is second only to fear of workplace retaliation or blacklisting at 80%.

One domestic worker recently shared that while on an interview she was asked what her rate for work was. The domestic worker replied with her rate and clarified that after 40 hours she would be calculating overtime rates. The potential employer responded by asking her what her immigration status was. The worker replied that regardless of status the law states that overtime begins over 40 hours. The worker never heard from the potential employer again.

Color:

New York City is an extremely diverse place to live and work. Colorism is a reality amongst different ethnic groups and workers who have the least access to information on their rights suffer the most because of language barriers and isolation. Indigenous domestic workers are highly exploited and discriminated against because of the color of their skin. Nannies who are white presenting get better treatment and salaries than nannies who are of color.

One domestic worker told us the first time she ever worked for an elderly person. She was hired by the family to care for an elderly woman with white skin and blue eyes. Upon seeing the worker for the first time, the elderly woman became very angry. She told the domestic worker that she wanted someone who was the same color and same nationality as she. She was not allowed to sit next to her first elderly patient.

Pregnancy and Lactation Accommodations:

The issue of pregnancy discrimination amongst the domestic workforce comes up in our screenings and conversations with domestic workers. As an industry that is so vital to the well being of the rest of NYC's workforce, by providing care in people's homes, domestic workers themselves are not protected from pregnancy discrimination and its other harmful practices.

Domestic work, which includes childcare, housekeeping, and caregiving is very physical labor. Because of the isolation and demographics of most domestic workers as well as society's mindset of the value of domestic workers, the power differential between employers and employees is very high.

To give a sense, we have found that many domestic workers feel that they have to:

- Hide any pregnancies from domestic worker employers for as long as possible because when they do disclose their pregnancy they are subject to being fired without any repercussions. We have had several women come to our legal clinic because of this in particular, and we are unable to file a claim for them because they are not covered against this kind of discrimination.
- Domestic workers have been made to forgo vital prenatal care because their employers tell them to schedule appointments on their own time. Not allowing them to take paid safe and sick leave for the appointments. The fact is that most domestic workers are not able to schedule "off hour" appointments and community clinics or hospitals often have much longer wait times than private doctors do.
- Health issues go unchecked and are exacerbated because of having to hide their pregnancy or not being allowed to seek preventive medical care. Thus they are

either forced out of a job when their health suffers, or are fired from a job because their health suffered.

- Many are fired while on unpaid maternity leave because the family had to “find someone else,” meaning a woman is now out of work and with a newborn child. This is not unique to maternity leave. We have spoken to women who were fired when taking care of critically ill children or spouses.
- Trying to find a new job while pregnant is nearly impossible in this field.
- We have found that a woman’s right to choose is put into question, we have heard stories of employers offering to pay for abortions because they would prefer the caregiver focus on the well being of the employer’s children as opposed to the rights of a nanny or live-in worker to have a family too.
- We know that many workers are forced out of a job because of the employer’s refusal to make appropriate accommodations, and suffer from overwork when pregnant.
- The safety and health of workers tie in very much with discrimination because in the more physical components of the industry, repetitive motions, heavy weight bearing movements, being on one’s hand and knees, and even exposure to harmful chemicals all affect a domestic workers well-being and tied to reasons why employers feel justified in taking negative actions against a pregnant employee.

Below are the testimonies of some of our members:

Life of a Pregnant Nanny

Professional Nanny B worked for the family for 3 years taking care of a precious 2.5 years old little girl. After more than 2 years on the job the worker became pregnant.

During her pregnancy Nanny B still continued to do her duties which included laundry, pushing a big stroller, carrying the child to classes and kneeling at the tub to give the child daily baths even as her tummy continue to grow month after month.

Throughout her pregnancy the relationship with the family was a good one they together they joked about her walk but as time passed one employer became more distant and had a change of behaviour.

The employers had agreed that she would work until she was ready for maternity leave and once she had the baby she could return to work but that never happened.

In her 7 months of pregnancy she had to stop working. Later she had her baby delivered by C-section in November with the expectation to return to work in January. In January she was unable to return to work because she needed more time to heal, the family became upset and terminated her while she was out on maternity leave. Nanny Br felt intimidated by the family and felt like she was not wanted on the job because she had a new baby.

Fired during a high risk pregnancy

Nanny A. has 10 years of professional childcare experience for both live-in and live-out positions. She has worked for very fair employers and for employers that treated her very badly. When she was treated badly by employers she would have to wake up very early and go to bed very late or not at all taking care of her employer's home and family. There were times she had to sit on the living room couch waiting all night for her employers to come home only to have to leave at dawn for her one day of "rest" for the week. She has been yelled at, demeaned and overworked. She would stay on the job until she could find herself a better situation and sometimes that would take a long time. Nanny A. told us that when she felt good on a job she was able to do her work in her own rhythm. She would be paid on time, and given proper days off. When those jobs came to an end she felt sad to have to leave those jobs not knowing what would come next.

In 2015 she found herself working for a family as a nanny. She worked full time and would take care of the children as well as do the house cleaning. Late in that year she found out that she was pregnant. The family at first was supportive of her and seemed to be fine with the situation. She was considered a higher risk pregnancy because of her age, and this was her first child. She would need to go to extra appointments to maintain her health because she had developed gestational diabetes. She said that she felt bad for having to make up excuses to go to her appointments. She said "I felt that she was not sick, I am just pregnant, I am able to gauge up to how much I can work." But when she got sick and had to be on rest for a week her employer told her that they would no longer be able to keep paying her for more days off. They told her that she couldn't keep working for them. She was given two weeks notice and laid off.

Pregnant and out of work, Nanny A. tried to look for more work. She wanted to work up until she had her baby. She was a single mom and needed to earn as much money as possible before her baby arrived. She would go on interviews and would get call backs for her good resume and successful interviews. She felt that she would have to disclose her pregnancy because she felt it was fair to give notice of something so important. She would inevitably hear "We'll call you back," but they never called back.

As a single mom she had tried to save up for the possibility of being fired but she really could not find work. As a result she had to move from New York City to Maryland where a family member allowed her to come seek care for herself and her child. She has a young infant and sees that the job prospects in Maryland are worse than in New York City and with even worse working conditions. She wishes to come back the New York but has yet to find a way to do that with the lack of steady employment. Now she works part time at an unsteady work schedule in a laundromat. She is seeking support of where to connect with other domestic workers who are also in Maryland.

Life of a Shared Nanny

Nanny C. was referred to the share family by the employers she was working with. In a nanny shared they were 2 employers per family totaling 4 employers.

Nanny C. was hired to provide care for two three month old babies. Responsibilities included caring for all the needs of the children, engaging children in activities, taking the children to classes, setting up playdates and recording keeping of daily activities.

One family required cloth diapers for their child and in the winter this became more challenging in keeping the child comfortable eventually this caused a strain in the relationship when the nanny tried to introduce new ideas.

As this was a share situation this also became a concern for the other share family.

Nanny C. was on the job for 5.5 months. One morning the nanny informed the employers on growth and development of the child and later that evening the employers texted to say they were running late (this was never the case).

When the employers arrived home the mode was laid back and oddly weird.

They asked to meet and provide the nanny with her paid and in that moment terminated her services, termination was different to the conditions that were agreed upon in the contract which was agreed upon for 1 year commitment or weeks notice before termination.

At the time of termination the nanny was seven months pregnant. The news of immediate termination caused the nanny experienced premature contractions the employer call 911 and shortly thereafter the nanny left the employers' home in an ambulance. To this date none of the four employers ever called to see how she is doing.

All of these firings, and negative impacts of pregnancies could have been mitigated with honest conversation, compromise and some form of reasonable accommodations. Domestic workers already work under these conditions and by excluding domestic workers of

Caregiving:

Domestic workers' needs around caregiving in their own lives does not diminish when working to care for others. In our many conversations with domestic workers we have found that the fear and repercussions of pregnancy and really any caregiving responsibilities is a very real presence in the domestic workforce. Caregiving can take on many forms and appropriate accommodations can take many forms as well. What is needed is thoughtful guidance around what is allowed in the workplace that does not lead to outright discrimination for being a caregiver, especially since these are the professional caregivers in our society. They are owed that much respect.

We have workers who have shared with us that upon interview and as a condition of hire, they must disclose whether or not they had children of their own or were planning on having children or asked if they were married. As one worker shared with us in an interview the potential employer said "I don't want anyone who has kids because I don't want someone who is going to care about their own children more than my own."

Another worker shared that an employer asked after looking at her resume for a housecleaning job if she had small children because she did not want any problems with work hours, as she reserved the right to need her at any moment.

We had a client who was screened for referral to our legal clinic who was fired after taking too many earned vacation days in a row when the client's child was sick in the hospital. The employers only gave vacation time when it was convenient to the employer. Even though the worker was using earned time, because she was taking care of a sick child the employer expressed disapproval over the client's inability to adjust hospital time over work time. Upon returning to work the employer fired the client as a form of punishment for taking the days off to care for child.

Race:

Due to the historical context of domestic work in this country race still plays a very large role in the power dynamics of the domestic workplace. Employers behind closed doors act in ways that are still legal in a domestic workplace but would be completely unallowed in any other professional workplace setting.

When domestic workers are demeaned and abused because of their race, the psychological consequences are long lasting. Domestic workers have to work despite that trauma and have to work in other people's homes carrying the trauma of previous abuse by employers.

In a story telling session at our most recent monthly meeting black identified domestic worker anonymously share that in one of her places of employment caring for an elderly women she was called n**er every single day she went to work. That despite the elderly person relying on caregivers for her ability to age in her own home, she felt within her right to demean her caregiver every day. The care worker tried to educate the elder person about the historic context and harsh facts about racism, as a way to help this employer to become more tolerant. Even still she was cared for until her very last day and passed away with dignity, while the caregiver had to work every day with indignity.

Regardless of the work setting racism has no place and domestic workers are the experts in changing those dynamics if given the legal framework to do so.

This is not an exhaustive list, and the intention with these stories and examples is to give a fuller understanding of what happens when employers are allowed to discriminate against domestic workers.

Discrimination is not a relevant part of domestic work place standards, and the required skill sets in the domestic work do not depend on any of the protected categories. Domestic workers ability should be assessed on their own merits and not subject to the biases that allow discrimination to fester.

There is long lasting harm to domestic workers, their families, and their overall earning potential, when we allow discrimination of any kind to systematically undermine of professional experience of domestic work. Caregiving and reproductive care is already a gendered role that society has placed on women. These roles are seen as less valuable and less professional as other kinds of work. As domestic workers are able to hold pieces of their employer's families together, they must also hold the pieces of their own families and lives together as well. Domestic workers are no longer working in the shadows but are organizing and voicing their experiences while take strength from so many leaders that came before them.

Feasibility and implementation

The passage of this bill to include domestic workers in the human rights law would not happen in isolation. At NDWA we have built strong relationships with the agencies that are tasked with implementing the law at a city level. We have already started to build a framework that would make implementation not only feasible but practical as well. Our network of affiliates are skilled in being on the front lines of workplace violations for domestic workers and with our co-enforcement models we ready to take on, together, these new set of rights.

We see the need for the Commission Human Rights and the Paid Care Division to have an appropriate budget to take on new aspects of implementing and outreach of this law.

We would like to see an appropriate expansion of the Office of Labor and Policy Standards.
Would like to see full support of the piloting mediation clinic within OLPS.

We would also like to see funding for outreach education, and supportive resources for domestic work employers.

We already have a successful model and examples of collaborations with these agencies that and we can continue to improve and expand on.

Conclusion:

This bill passage should be part of a much larger framework of addressing gender equity in New York City. It would be historic in its scope and we are already innovating on possible implementation. When addressing discrimination of the most marginalized in our society we are setting the standards for all other work sectors in New York City. We are the best city in the country to model that for other cities and localities and setting the stage for the future of all work.

Testimony by Emma Katz before the Civil and Human Rights Committee

Intro 338-2018

Hand in Hand: The Domestic Employers Network

Good morning, my name is Emma Katz. I am a domestic employer and a member of Hand in Hand: The Domestic Employers Network. I live in Jackson Heights, Queens and, like thousands of New Yorkers, I rely on domestic workers to take care of my children. It is in that capacity - as a domestic employer - that I am here today to speak in support of Intro 339 that would protect the women who work for my family from any forms of discrimination.

Because I am a working mother, I became an employer. I am a small business owner and at my own workplace, I follow clear labor standards that protect my employees from discrimination based on religion, nationality, gender identity, pregnancy, among others. I believe the person I employ in my home should enjoy the same protections as the people I employ in my business.

I would not be able to run my business without the important work that our nanny provides. My two small children are in her care from morning to evening, five days a week. I can work late on deadlines knowing that she will feed them healthy dinners. I can put my time and energy into growing my business knowing that she is there for my family. I owe the quality of my life to her care, and I want her to have the same quality of life, because our lives and families are equally valuable.

One of the reasons Intro 339 is so important to me is that it provides specific protection against age discrimination. Our nanny is like a grandmother to my children. They have known her since before they can remember. We value her years of experience caring for children in our neighborhood, as well as her own children who are now grown. However, I know that her age puts her at risk of discrimination from future employers and I want her to have the same protection against this discrimination that is afforded to workers outside the home.

In valuing domestic work you are valuing women's work and eliminating inequalities among working women. By saying that domestic workers like nannies, house cleaners, and home attendants deserve protections from all forms of discrimination, we are affirming that care work is real, it is hard, and it is as worthy of as any office job. As a working mother, I say it's about time to set higher standards for all women. When we start accepting that caregiving is legitimate, we start to make things more equitable for all. I urge New York City Council to pass Intro 339 as soon as possible. Thank you for your time.

Testimony by Rachel Kahan before the Civil and Human Rights Committee
Intro 338-2018

Hand in Hand: The Domestic Employers Network

Good morning, my name is Rachel Kahan and I am a member of Hand in Hand: The Domestic Employers Network. I live in Brooklyn and I am currently a domestic employer of a nanny and 2 house cleaners. As a working mother having a paid caregiver is invaluable to me. I am here to share my enthusiastic support for the Intro 339-2018 legislation to amend the New York City Human Rights Law to provide protections for domestic workers.

Because America is the only industrialized nation with no guaranteed maternity leave time, my children were 11 weeks old when I went back to work, and I am very fortunate that I earned enough to hire a nanny to care for them in my home. That care is the thing that makes it possible for me to earn a living to support my family and contribute my skills to our economy.

Every working woman, including domestic workers, deserves to be treated with respect for her professional skills, whether she's a white collar professional in a corner office, a nanny, a housecleaner, an elder care worker, a home health aid. Too often I see these women--and they are nearly all women, and nearly all women of color or immigrants or all of the above--treated without the basic dignity that everyone is entitled to. I'm here because I believe in the equality of all women, and all workers. To expect domestic workers to work without the protection of things like medical leave, paid sick leave, clear anti-harassment policies is asking them to, in effect, subsidize their employers' lifestyles by giving up an essential protection that those same employers fully expect to have in their white collar workplaces.

Two years ago one of the nannies who works in my building was subjected to repeated sexual harassment by a doorman. She was undocumented and afraid to ask for help. She told me "he works FOR this building but I work IN this building." It was her place of employment, but she felt she had no choice but to submit to the constant harassment because as a domestic worker she ranked lower than the building staff and building residents. I was on the condo board at the time, and I had that doorman fired the next day. I've also seen nannies dismissed because they were pregnant, or continue to work when they were injured or ill. Too often domestic workers are treated as machines, as though because they are domestic workers, they have to keep working no matter what. This is obviously bad for them but also bad for our society, because it perpetuates discrimination and bad behavior by employers who feel entitled to exploit domestic workers. I call on New York City Council to ensure their right to a safe workplace in our homes by passing Intro 339.

My name is Christa D. Nader. I hold my Bachelors of Arts in Early Childhood Education. I am a former classroom teacher in private and public schools, as well as a former nanny in several private homes in our city. Presently am the founder and president of a small business called KITH & KIN Household Staffing Agency, founded in 2016. My company vets and introduces exceptional, qualified, and caring nannies to vibrant and respectful families in New York City. 95% of the families who become our clients have less than 4 staff members. This law would directly affect them, but more so, would greatly affect the agency of the candidates who come to my company seeking employment by said clients.

As a former teacher, nanny, and now agency owner, I have encountered nannies who have shared stories with me that would make any reasonable person's skin crawl, including sexual harassment and touching, intimidation and threats, and wrongful termination. You may wonder why any employee would stay in a position where they are treated poorly. You may assume that person to be uneducated, weak, or lazy. However the very belief that someone can simply quit a job can only occur within the inquirer whom has experienced a life with a degree of privilege.

To assume that it is even possible to quit a job, that you have somewhere else to physically go or sleep, or that your passport is not being held, or that you have not been psychologically deceived into believing that you will "never work in this city again", or threatened with deportation "if you ever choose to leave our family", or that you have at least 3 months of financial buffer for living expenses so you do not end up homeless, or that you won't be fired immediately for asking to be treated with basic human respect and kindness, or that you won't fall into this exact working situation again because there are no laws to protect you (so of course you will, so why bother trying?).

Within the industry I work, there is often a dynamic of "ownership" rather than "employership", a fact that is highly problematic given that our nation's was founded in no small part to the kidnapping and enslavement of humans from the land we stand on and continents oceans away. Today, these workers are often on the fringes of society, working in the homes of some of the most wealthy and powerful people in the United States. Yet because they themselves lack the basic protections held by workers in other sectors, they are rendered powerless under the law: when they are harassed, intimidated, and in some cases assaulted, they must choose between their personal dignity and safety, or putting a roof over their family's head; for we know the fate of an employee who dares to demand respect and professional boundaries from their superior or principal.

By supporting this law, we have the unique chance to give the opportunity of personal empowerment and protection to the ones who make all other work in our society possible. These are the laborers who care for the most vulnerable in society: our children and elderly. These are the workers who order our lives and homes, readying them for our warm return. If we cannot protect them, what does this say about us? Who does the law serve and protect if not each and every individual?

Thank you for your time and consideration.

Christa D. Nader

Testimony by Flora Margolis regarding Intro 339

Hand in Hand: The Domestic Employers Network

Good morning, my name is Flora Margolis and I live in Carroll Gardens, Brooklyn. I am a domestic employer and a member of Hand in Hand: The Domestic Employers Network. I currently employ a nanny and house cleaner. I am here to share my enthusiastic support to Intro 339 because it affirms the dignity of domestic workers, and protects them from all forms of discrimination.

I have employed Namrata since 2012 to care for my two children. There is no compensation that can measure up to the care she has provided. It is necessary to provide dignified working conditions to my employee. It is necessary that the woman I employ is able to work in an environment where she feels safe from discrimination or any harmful situations that can affect her dignity as a woman of color and immigrant. I want to support her as she has taken it on as her job to support my family.

Going back to work with a 5 month old at home is not an easy decision to make, but Namrata made this possible. As a new mom, I made the decision to hire a nanny because I wanted the individual care that a nanny is able to give. I appreciated the support she was able to provide from working in our home. With her support I was able to return to work in a way that felt right for our family.

There is no human resources department for me or Namrata to turn to. We have created a written contract which helps make her role and duties clear. We have an open dialogue and respect for one another. If she needs to change her schedule for religious holiday celebrations this is something we are always open to so she feels comfortable and respected working in our home.

Fairness and dignity are the conditions that allow us to be full human beings. When Namrata is more fully herself, my family benefits. Namrata has worked much of her life as a nanny in this country, taking care of other people's children. Her work makes all other work possible. She needs to know that her work and her life are just as valued as mine, and that her job as a nanny is seen as dignified work, just as mine is. I want her to know she can work anywhere free from all forms of discrimination.

THE COUNCIL
THE CITY OF NEW YORK

22

Appearance Card

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I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Ximena Frankel

Address: 11120 73rd Ave # 88 Forest Hills, NY

I represent: Hand in Hand Domestic Employees Union

Address: 45 Broadway, NYC

THE COUNCIL
THE CITY OF NEW YORK

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Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Christa D. Nader

Address: 110 E. 32nd St. Brooklyn, NY 11226

I represent: KITH and KIN Household Staffing Agency

Address: 195 Montague St, 14th Fl Brooklyn, NY

11201

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DANA Sussman, NYC Human Rights

Address: Deputy Commissioner Policy & Intergov Affairs

I represent: NYC Human Rights

Address: _____



**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: MARRISA SENTENO
Address: 39-50 64th St WOODSIDE NY 11377
I represent: NATIONAL DOMESTIC WORKERS ALLIANCE
Address: 45 BROADWAY NY NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____
 in favor in opposition

Date: 11/18/2019

(PLEASE PRINT)

Name: Edna Farinango
Address: _____
I represent: Make The Road New York
Address: 301 GROVE ST, BROOKLYN 11237

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339A Res. No. _____
 in favor in opposition

Date: 11/18/19

(PLEASE PRINT)

Name: Meghan Rackin
Address: 410 Worth Street, New York, NY 10013
I represent: A Better Balance
Address: 410 WORTH ST, New York, NY, 10013

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____
 in favor in opposition

Date: 11/18/2019
11/18/20

(PLEASE PRINT)

Name: Gabriela Siegel
Address: 179 Carlton Ave #2 BK 11205
I represent: make the Road New York
Address: 301 Grove St, Brooklyn NY 11237

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____
 in favor in opposition

Date: 11/18/2019

(PLEASE PRINT)

Name: DANA Sussman
Address: 22 RENO ST
I represent: CCHA
Address: 22 RENO ST

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____
 in favor in opposition

Date: 11/18/2019

(PLEASE PRINT)

Name: STEVEN ETIANNI
Address: CIM HALL
I represent: DCWP
Address: CIM HALL

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: 11/18/2019

(PLEASE PRINT)

Name: Isabel Cuervo

Address: 41-20 46 St. Apt. 1B, Sunnyside NY

I represent: Queens College CUNY 11104

Address: 65-30 Kissena Blvd. Flushing NY 11367

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/18/19

(PLEASE PRINT)

Name: Steren Ettannani

Address: 42 Broadway

I represent: Dept. of Consumer + Worker Protection

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Margisa Senterik

Address: 45 Broadway

I represent: National Domestic

Address: Workers Alliance

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Guadalupe Paleta

Address: 59-29 Queens Blvd Apt. 1E Woodside NY-11377

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Allison JULIEN

Address: 45 Broadway

I represent: National Domestic

Address: Workers Alliance

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339-A Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: KC Wagner

Address: _____

I represent: Worker Institute at Cornell ICR

Address: 570 Lexington Ave NYC 10022

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Namrata Pradhan

Address: _____

I represent: National Domestic Workers Alliance And Adhikar

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Naoki Fujita Esq.

Address: 175 W. 76 St, #15A, New York, NY 10023

I represent: Take Root Justice

Address: 123 William St, Flr 16, NY NY 10038

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 11.18.15

(PLEASE PRINT)

Name: Rachel Kaham

Address: 45 Broadway

I represent: Hand in Hand: Domestic Employers

Address: Network

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: 11.18.19

(PLEASE PRINT)

Name: Flora Margolis

Address: 45 Broadway

I represent: Hand in Hand: The Domestic

Address: Employers Network

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: 11.18.19

(PLEASE PRINT)

Name: Tatiana Began

Address: 6914 Coral Reef Way, Arverne 11692

I represent: Hand in Hand: The Domestic

Address: Employers Network

Please complete this card and return to the Sergeant-at-Arms

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: 11/18/19

(PLEASE PRINT)

Name: Reha Sterbin

Address: 32-74 30th St. Apt 2.

I represent: Hand In Hand: the domestic employers network

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 339 Res. No. _____

in favor in opposition

Date: 11/18/19

(PLEASE PRINT)

Name: Jacalyn Goldzweig Panitz

Address: _____

I represent: The Legal Aid Society

Address: 199 Waterst.

◆ Please complete this card and return to the Sergeant-at-Arms ◆