



EL CENTRO HUMANITARIO

Denver's humanitarian center for day laborers

Study Authors

Dr. Tony Robinson, Jessie Dryden and Heather Gomez-Duplantis
With Assistance from America Carbajal



El Centro Humanitario - 2260 California St, Denver, CO 80205 - 303.292.4115 - info@centrohumanitario.org

ON THE JOB WITH DOMESTIC WORKERS:

Workplace Abuse and Worker Exploitation in Colorado's Invisible Workforce

INSIDE

- Results from the first study of domestic workers in Colorado.
- A wide range of statistics revealing that domestic workers are among the lowest paid and most exploited of Colorado's workers.
- Stories and testimony from domestic workers, sharing their workplace experiences.
- Suggestions for improving conditions for these workers.



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Welcome to El Centro!

Domestic workers perform some of the most important work in Colorado—raising our children, cooking family meals, taking care of the family home—and yet they are among the most impoverished and abused workforces in the state. Domestic workers (e.g., nannies, housecleaners, private cooks) are also an “invisible” workforce, usually working alone in private homes, and rarely the subject of media reports or government action to improve their lives.

Over the years at El Centro Humanitario (“Humanitarian Center for the Workers”), we have seen more and more low-income domestic workers come to our center for services and to enjoy a bit of camaraderie with their peers. When “Bettina” lived in and worked for months for a private household and then was cheated out of the back-pay the family kept promising her, it became El Centro’s business to provide advocacy and wage claim services to help Bettina receive her pay. When scores of struggling housecleaners came to El Centro seeking someone to hear their story and casting about for a way to improve their lives, it became El Centro’s business to help them build a movement to achieve their dreams. Out of that movement, the El Centro’s “Women’s Project” was born, through which low-income domestic workers provide each other peer support and pursue collective income-generating opportunities to improve their lives. The working women in this project generated the idea to partner with university researchers to better document the challenging conditions so many domestic workers face in their workplaces. El Centro Humanitario is now proud to release the results of that study, which shows that domestic workers face unacceptable challenges and abuses while working, and calls on Colorado advocates and leaders to address the situation.

The growing focus on the challenges facing domestic workers fits perfectly with the mission of El Centro Humanitario, which strives to provide immigrant day laborers and other low wage workers with a safe and dignified gathering place to seek employment and to benefit from a range of educational, cultural and collective advocacy projects. El Centro has long been known for its innovative work to improve the lives and defend the rights of immigrant day laborers, most of whom are men who seek work off of Denver street corners, but El Centro also serves low-wage women workers, who do so much of Colorado’s home-care work.

As part of their effort to improve the lives of low-wage workers, El Centro’s Women’s Project has recently launched a housecleaning worker-owned cooperative (“Green Cleaning for Life, LLC”) as a strategy for domestic workers to gain more control and dignity in their work, while also building the personal assets of the worker owners. In supporting such projects, El Centro seeks to help low-wage workers of all stripes to achieve dignity, respect and opportunity through their work. We have high hopes that this study will help our organization, and the Colorado community in general, sustain the commitment to achieve this vision.

— Minsun Ji, *Outgoing Executive Director, El Centro Humanitario*



**Faces of El Centro
Domestic Workers**



Executive Summary

Unveiling a Hidden Workforce: A Growing National Movement

Domestic workers provide foundational work for the community, caring for Colorado's children, cooking meals for Colorado families, and keeping households clean and orderly. Their work is vital to the health of families across the state, thousands of children rely on their nurturing, and their work allows affluent professionals to maintain their desired lifestyle. Yet, for all their vital work, domestic workers remain a largely invisible workforce, working in isolation behind the closed doors of private households, and untracked by most government labor data.

This report is the first systematic study of working conditions facing Colorado domestic workers. Across America, community organizations and scholars have recently come together to publish a number of studies of domestic worker conditions in other states, such as New York's *Home is Where the Work Is* (by Domestic Workers United) and California's *Behind Closed Doors* (by Mujeres Unidas y Activas and the SF Day Labor Program Women's Collective of La Raza Centro Legal). The troubling findings of these previous reports have even catalyzed passage of America's first Domestic Worker Bill of Rights in New York (in 2010), committing that state to improving the quality of life of domestic workers.

This study builds on the growing foundation of national research, and replicates the core findings of other studies. Namely, we find that Colorado domestic workers face profound workplace abuse and exploitation that violates both the law and standards of human decency, and we urge Colorado legislators to address this situation.

The Colorado Domestic Worker Study

In 2010, El Centro Humanitario partnered with a University of Colorado Denver research team to conduct this study. To complete the study, domestic workers were surveyed, a focus group of ten workers was convened, and twelve domestic workers were recruited for hour long sit-down interviews to gather narrative stories to supplement the survey data. The findings in this study can help inform the growing domestic

***"We have a dream
that one day all work
will be valued equally."***

— Domestic Workers United

(Slogan of New York's domestic worker organizing group, whose advocacy efforts are leading the way to improved conditions for America's domestic workers)

worker advocacy efforts of El Canto Humanitario and others in Colorado, including policy-makers, who are committed to improving the quality of life of this exceptionally vulnerable and exploited workforce.

Who Are Domestic Workers?

Domestic Workers work within the employer's household, providing services such as child-care, cooking, cleaning, laundry, grocery shopping and running errands. Some domestic workers live within the household where they work. Domestic workers are mostly women of color (70%), though white women and some men are also employed. Most domestic workers (73%) are the primary breadwinners for their family, and more than half (53%) have children of their own. A key dynamic in the domestic worker industry is known as the “global care chain.” Many domestic workers are immigrants, and many have children of their own to care for—often children that they had to leave in their home countries in the care of others, while the immigrant worker cares for the children of mostly white, professional couples in Colorado. In this study, 40% of survey respondents are immigrants, 60% of these immigrant workers have children, and 49% report that they send money to their home countries to care for family members there.

Domestic Workers' Lack of Legal Rights

Domestic workers work “behind closed doors” in private homes, where lawmakers and courts have found that domestic workers are **not** protected from workplace abuse by most standard labor laws. For example, most domestic workers are excluded from a right to overtime pay under the Fair Labor Standards Act and from protections under the Occupational Health and Safety Act. They are excluded from National Labor Relations Act protections of the right to organize and most are excluded from federal protections against discrimination based on race, national origin, sex, old age, or disability. In addition, Colorado law exempts domestic employees from state minimum wage rules, overtime pay requirements, mandatory meal and rest period breaks, and most worker's compensation protections.

Long Hours and Low-Wages

A domestic worker's work-week is often long and demanding. One third of domestic employees work more than 40 hours a week. Eight percent work more than 60 hours a week. Many workers reported 10 hour workdays, for 6 or 7 days every week. Forty-seven percent of domestic workers do not receive regular days off. The pay for these long hours is typically very low. Forty-one percent of domestic workers earn less than the minimum wage (\$7.25 an hour), and 20% earn less than \$5.40 an hour. Only 33% of workers receive overtime pay when working over 40 hours a week, and even in these cases, the overtime pay is inconsistent and undependable. Even more troubling, workers often find themselves doing additional work for no pay at all. For example, many workers report that employers sometimes come home later from work than expected, without paying the employee additional wages. A full 45% of domestic workers sometimes are expected to work additional hours without extra pay, and 13% of workers report that this situation occurs frequently.

Working Conditions on the Job

Domestic work is a profession without boundaries. Domestic workers typically have no work contract, their work hours are often unpredictable as they depend on the daily needs of their private employer, and many report that they are frequently summoned for longer hours than expected, asked to do additional days of work, and assigned additional tasks unpredictably. Such a situation fosters workplace abuse. A third of workers report that they are frequently paid late, given too many tasks to complete on time, asked to do additional or dangerous work not in the original job description, or asked to work additional hours without notice. Almost

40% of domestic workers have had their wages withheld by an employer for a variety of reasons, including allegations that the employee didn't work hard enough, or as a "security deposit" to keep the employee from quitting. Other abuses include: requiring live-in workers to sleep in unheated or unventilated rooms (29%), long work-hours without a break (29%), or being asked to work in a dangerous location (11%). Almost half of domestic workers have been verbally assaulted/abused on the job, and 9% have faced physical or sexual abuse.

Consequences for Family Life

A majority (73%) of surveyed domestic workers are the primary wage earners for their family, and more than half of the domestic workers (53%) have children of their own to care for. But long hours, low wages and no time off mean that workers have little time to spend with their own children, let alone to deal with family emergencies, illness or fatigue. Many domestic worker families also face severe financial difficulties. About half of the domestic workers we surveyed faced rent/mortgage difficulties or were unable to pay utilities in the previous year. Thirty-one percent report not having enough food for their family, and 23% had been evicted or otherwise lost their housing. Only 6% of domestic workers receive health benefits from their job, and 65% report that their family skipped needed medical year in the previous year due to an inability to pay for services. Long term consequences of informal work as a domestic worker include that fact that few employers report domestic worker's wages to the IRS nor do they pay their employee's social security taxes. This failure means that workers do not compile the documented work history needed for such things as signing leases, buying a home, or obtaining credit, nor do they earn the necessary credits to qualify for social security in retirement.

Interlocking Oppressions: Race, Immigration Status, and Language

Certain categories of domestic workers are more likely to face abuse and exploitation than others. The white, English-speaking workers we surveyed received substantially higher wages and experienced much better working conditions than non-white immigrant workers whose first language was Spanish. While 30% of native-born domestic workers earn sub-minimum wages, fully 56% of immigrant domestic workers earn less than minimum wage. While fewer than half of the white domestic worker live-ins have living expenses deducted from their pay, 67% of non-white domestic worker live-ins have living expenses deducted. And while 35% of native-born domestic worker live-ins do not have a private sleeping area (instead, they must sleep with the children or in a common area), 61% of immigrant workers face this arrangement. Reasons for the interlocking set of oppressions faced by non-white, immigrant, non-English speaking workers include: 1) the fact that federal workplace anti-discrimination laws mostly exclude domestic workers from protection; 2) non-white, immigrant domestic workers face particular work precariousness related to their vulnerable social position, so they are less able to protest and avoid abuse; and 3) there is cultural bias which interprets non-white, immigrant workers as particularly suited to low-wage domestic labor and that allows for the heightened exploitation of these groups.

Recommendations

Domestic work is often an abusive and exploitive occupation—but the conditions facing domestic workers can be changed. Across the nation, several state legislatures recently have risen to the challenge and passed acts to protect the rights of domestic workers. New York has led the way, passing the nation's first "Domestic Worker Bill of Rights" in 2010, guaranteeing domestic workers a right to overtime pay, weekly time off, vacation time, and anti-discrimination protections. This study recommends that Colorado lawmaker follow the lead of other states in passing similar legislation to protect this vulnerable population. In addition, conscientious employers are urged to take voluntary steps to better respect the rights of their workers. Finally, workers are encouraged to take proactive steps to protect themselves better on the job.

El Centro “Women’s Project” Leaders and Children: Each a Victim of Wage Theft and Motivation Behind the Domestic Worker Study



“Domestic work is fast-paced and physically demanding, and often I don’t even earn \$5.00 an hour. But I can’t quit because I need the money. I hope my daughter does something better than cleaning.”

— “Candace,” Housecleaner

“I did the math, and I was earning like \$3.00 an hour. I finally had to just quit that job.”

— “Josie,” Housecleaner/Cook



“I worked full time for just \$100 a week, for five months. The family promised me back-pay after the unemployed wife found work. But even after she went to work, they wouldn’t pay me.”

— “Hermína,” A Live-In Nanny

“Workers are strung along, balances are left over, and when the job is done, they're owed thousands of dollars.”

**— Jesus Orrantia,
El Centro Organizer**





The CO Domestic Worker Study

The Need for Local Research

- Domestic worker members of the El Centro Humanitario “Women’s Project” conceived of this study as a first step to improving the working conditions of Colorado domestic workers.
- University of Colorado Denver researchers surveyed 410 Colorado domestic workers, from 25 different countries, for this study—the first survey of its kind in Colorado.
- Workers were contacted through local community organizations, through informal social networks, and by advertising the survey in local media and on the internet
- Study funding was provided by the Women’s Foundation of Colorado and technical support was provided by the Piton Foundation.

Though domestic workers face significant workplace abuses, there has been inadequate scholarly or official attention paid to their working conditions. But the situation is changing with a recent burst of research on the challenges facing domestic workers. In 2008, New York hosted the first “National Domestic Workers Congress,” which brought together hundreds of advocates and domestic workers to celebrate the growing national alliance of domestic workers, to advocate for a New York Domestic Worker Bill of Rights, and to call for more research on the domestic worker industry.

These efforts were followed by the release of a groundbreaking study (*Home is Where the Work Is*, by Domestic Workers United [DWU]) that documented the abusive work conditions facing New York domestic workers, and called for legislative action to address the situation. A similar study in California (*Behind Closed Doors*) replicated the New York Study. In New York, the research and advocacy work of DWU culminated in 2010 in New York’s passage of the nation’s first Domestic Worker Bill of Rights.

Though there is growing attention to the problem, there has been no recent research on the conditions facing Colorado’s domestic workers. The research void in Colorado is just as the DWU research team found in analyzing the domestic worker industry in New York: domestic workers are largely invisible as a labor force so “reliable information can not be gathered from existing labor market research sources—**[local researchers] need to collect it.**”² To address the research void in Colorado, this study aims to document conditions facing Colorado domestic workers, in the same way that DWU exposed conditions in New York. Similarly, we hope that DWU’s success in leveraging research and advocacy into precedent-setting legislative action can be replicated in Colorado.

“We see [community-based participatory research projects] as ‘de-colonizing’ research—creating a synergy between research and organizing, challenging the power dynamics occurring between research organization, organizing group and membership base, valuing community-driven research as opposed to solely placing value on ‘top-level’ information sources such as census data, news media, and academia, and leaving research outcomes (report, campaign, etc.) in the hands of grassroots members.”

— DataCenter, describing the need for community based research on domestic workforce conditions, in order to deliver the power of knowledge “into the hands of people working to make a more equitable and sustainable world.”¹

El Centro/UC Denver Research Study

El Centro Women’s Project and Study Conception. In the years following El Centro’s founding as an immigrant day laborer center in 2002, a growing number of low-income women workers began to show up at the center seeking services. Most of these women were immigrants involved in domestic work—cleaning houses, providing child care, cooking for people, etc. In response, El Centro established the “Women’s Project” in 2004, with a mission to promote the job skills, self-advocacy and leadership abilities of women and to expand opportunities for low wage women through community organizing and cooperative social ventures (such as a food catering co-op and a “green cleaning” workers co-op). Part of the motivation for developing worker owned cooperatives and peer-advocacy networks was the reality that many of the women domestic workers showing up at El Centro had experienced significant workplace exploitation and abuse as domestic workers. Women reported wages well below minimum wage, exceptionally long work weeks without any time off, and a range of workplace abuse ranging from verbal insults to sexual assaults. Women workers believed that by organizing themselves and providing peer-support they would be less isolated and vulnerable on the job and could improve the quality of their life.



A Gathering of the Domestic Worker Women’s Advocacy Project at El Centro Humanitario

The experiences of these Colorado domestic workers led El Centro to launch a study of the Colorado domestic workforce. Documenting the conditions facing Colorado domestic workers would educate the community about an “invisible” workforce and would inform future legislative action to protect domestic workers.

Study Funding and Partnerships. Funding was provided by the Women’s Foundation of Colorado. The Piton Foundation provided technical support, hosting the online survey on their website. A partnership with the University of Colorado Denver resulted in Professor Tony Robinson becoming the lead investigator, working with graduate student researchers Jessie Dryden and Heather Gomez-Duplantis. Student interns from Denver University (Max Maguire and Jenny Nelson) provided outreach. Leaders from El Centro’s Women’s Project (primarily America Carbajal) helped design the survey and provided outreach to domestic workers.

Study Methodology. This study involved a 40 question survey of domestic workers and in-depth, face-to-face interviews with selected domestic workers. To reach domestic workers, the survey was provided in hard-copy format, and was also available on-line, in both Spanish and English. Survey respondents were recruited through advertisements in a variety of local media (including outreach on Spanish-speaking radio), by posting fliers in community venues (e.g., laundromats, coffee shops and churches), by spreading word through local non-profits, by posting survey ads on internet sites such as Craigslist, by attending local events likely to attract domestic workers (such as Denver’s Cinco de Mayo festival and Denver University’s “Homeless Connect” event), and by relying on El Centro’s network of domestic workers who use the center regularly. ***In the end, 410 domestic workers from 25 different countries responded to the survey.*** These survey respondents included many Spanish speaking immigrants and a significant number of English speaking native-born workers—so a broad range of the domestic worker industry was surveyed. We also interviewed twelve workers in depth about their experiences and conducted a two hour focus group discussion with ten additional domestic workers.

Testimony From Domestic Worker Focus Group

In the Summer of 2010, El Centro invited domestic workers to participate in a focus group to guide the domestic worker study. Ten workers showed up to share their experiences. Here is some of what we heard.



Blanca: “I clean from 4 pm till midnight, for \$7.50 an hour. But sometimes my employer won’t pay me what I am owed, because she claims I didn’t work hard enough. People don’t value domestic work as much as they should. It is fast-paced, and physically demanding and should be valued like any other job. But a lot of Americans think that immigrants shouldn’t receive the same pay. Most employers pay someone more when they are a citizen.”

Bettina: “I am married to an American, so that helps. You face fewer problems that way, and people treat you better.”

Francisca: “I remember how Maria and I were once taken to a big vacation house in the mountains and were asked to clean it. We worked from ten in the morning and cleaned all day. No one picked us back up that night, so we kept cleaning all night as well. It was almost dawn, and we became scared working in that big house, all alone, and no one picked us up. So we finally starting walking home, because we couldn’t find a bus way up in the mountains. Maria was crying as we walked alone at dawn, but I wanted to be the strong one, so I didn’t cry. Finally, a stranger in a van picked us up and brought us back to Denver. We were never paid for that job; the people that hired us just vanished and we never saw them again.”

Lupe: “I was a house-keeper, and one time, my boss told me that he had a different job for me that week. He told me to come in at 5:00 a.m. Then he drove me all the way across town, and set me to work at a local tortilla making company. I was just thrown into the mix making tortillas, and had no idea what I was doing. I sweated all day, with no breaks, no water, nothing. It was the worst I was ever treated, with the manager yelling at all the time. After a few days of this, I did the math and realized I was earning only \$3.00 an hour.”

Corrine: “My elderly employer didn’t care that I am also an older woman. She just demanded that I work very hard and complete all the work within a short time, or she would fire me. She called me stupid several times if it took me more time than she wanted. And there was a lot of work to do that I physically struggled with, given my age.”

Sammie: “I don’t want my daughter to do this work. It is rewarding to help people with their children, but too many times employers don’t value our work, and they make you work so hard. It breaks your spirit.”

On the Job with Domestic Workers: In Their Own Words

“What if all of us quit?

What will they do with their children? Our bosses are making all this money, only because we are watching their children.”



“I did excruciating work for ten hours a day, for just \$50 a day. And even then, they made me sign papers saying I didn’t work that many hours. I have a lot of friends in the same situation. And its always that case that immigrants in this work are expected to work longer hours for less pay than Americans.”

“I had a job where they would wait until the house was very dirty, and then call me to clean. But several times, after cleaning, they said I didn’t work hard enough and they wouldn’t pay me all the money they promised.”



“People expect the highest level of care for their children, but they often don’t offer good pay, and they don’t give benefits like overtime, raises, medical care, paid time off, etc. These are all things that they expect from their own profession, but they don’t see it necessary to offer those things to people who spend more time per week with their children than they do.”

“None of the rooms I ever lived in while working were private, except for two families who couldn’t afford to pay me but offered me a place to live. Most places, I went overboard with trying to be invisible. I tried to never make any noise, even when I cleaned. But I can’t silence a vacuum cleaner.”



“In my opinion, domestic service work is both exhausting yet usually gratifying. It’s rewarding to know you are helping a person create and maintain a home.”



Who Employs Domestic Workers?

A Domestic Workers United survey concluded that 77% of domestic worker employers in NY were white professionals—a finding replicated by other studies. Most employers have children, but 27% have no children, and 4% are elderly.⁶

Domestic workers help employers to pursue careers outside of the home, to enjoy nights out, and even to travel, with confidence that their home and children are being well cared for.

Research has found that many domestic employers don't think of themselves as "employers" who must follow labor regulations, but simply as someone needing a bit of help around the house—a narrative that helps explain why many domestic workers are often paid sub-minimum wages, and subjected to workplace abuses, without employers thinking they are violating labor law or ethical standards.

Who Are Domestic Workers?

Domestic workers are one of the most vulnerable segments of the labor force. The UN International Labor Organization reports that there are millions of domestic workers across the world, most of whom are impoverished, immigrant women. Wherever they work, these workers face unique challenges, partly because they work "invisibly," behind the closed doors of private homes. The advocacy organization WIEGO argues that: *"Despite differences in their working and legal situation, domestic workers worldwide share common characteristics, most notably their isolation, invisibility and lack of recognition and of worker rights."*³

Domestic workers work within the employer's household, providing services such as child-care, elderly care, cooking, cleaning, laundry, shopping and running errands, and sometimes living within the household where they work. Most are women, and many are immigrants. Our survey of Colorado domestic workers found that 70% are women of color (45% Latina; 15% black), and 20% are white women. A slim ten percent are men, usually employed as household caretakers or cooks. These domestic workers typically work for many years in their profession, with 48% having worked between two to five years as a domestic worker, and 37% having worked more than five years in the field.

The Global Care Chain

Though many native-born people work in household services, domestic work has increasingly become an immigrant profession. In fact, a full 25% of foreign-born women in America are domestic workers.⁴ Some studies of coastal cities like New York have found that upwards of 90% of domestic workers are immigrant women of color.⁵ In Colorado (where immigrants make up just 9% of the population), our survey found that 40% of domestic workers were foreign-born. Global industrialization and development processes have produced wealthy, two-worker professional families across the world, driving up the demand for domestic assistance in the household, even as workers in lesser developed countries face migration pressures to leave their countries in search of survival work, often as a domestic worker in these aforementioned affluent families.

"I left Mexico almost nine years ago...The arrangement with my aunt was that she would help me get into the U.S. and I would work for her., taking care of her children. But after I arrived and began to work I realized, with time, that she was cheating me—paying me \$60 a week... If I had the choice I would not have left Mexico"



— "Maria," reflecting on the family she left behind.

Many immigrant domestic workers have family members of their own to care for, including children living in their home countries to whom the worker regularly sends money. This phenomenon is called “The Global Care Chain,”—a series of home-care links connecting between people across the globe. As author Arlie Hochschild describes it: “A typical global care chain might work something like this: An older daughter from a poor family in a third world country cares for her siblings (the first link in the chain) while her mother works as a nanny caring for the children of a nanny migrating to a first world country (the second link) who, in turn, cares for the child of a family in a rich country (the final link). Each link of chain expresses an invisible human ecology of care, one care worker depending on another and so on. A global care chain might start in a poor country and end in a rich one...”⁷

This study found just such global care chains operating in Colorado. Fully 40% of survey respondents were immigrants, 60% of these immigrant workers have children of their own to care for, and 49% report that they regularly send money to their home countries to care for family members there. These global care chains extend to each corner of the world. Though most domestic worker immigrants in Colorado come from Mexico (66% of all immigrant survey respondents), survey respondents hailed from 25 different countries

Argentina	China	Haiti	Mongolia	Somalia
Azerbaijan	El Salvador	Honduras	Nicaragua	Sudan
Belgium	Ethiopia	Iraq	Peru	Togo
Brazil	France	Japan	Poland	Trinidad
Chile	Guatemala	Mexico	Russia	Uganda

These immigrants overwhelmingly work in white American households, where the demand for a supply of immigrant mothering and housecleaning is driven by the growing number of professional women working outside of the household. The International Labor Organization reports that three-quarters of American mothers of children aged 18 and under work outside of the house, as do 65% of mothers of children aged 6 and under. In addition, the average number of hours worked outside of the house every week has been rising, even as a decreasing number of families can rely on relatives, such as grandparents, to help care for their children.⁸ It all comes together to create significant American demand for immigrant domestic workers.

A Proud and Committed Workforce

Though our survey data will show that domestic workers face profound workplace abuse and exploitation, it should also be noted that domestic workers do vitally important work—raising children, cooking family meals, caring for the household—and they are rightfully proud and often very satisfied with the value they provide to families. “I am proud to be helping a family feel more comfortable in their home,” one domestic worker reported. “Domestic service work is both exhausting yet usually gratifying,” wrote another. “It’s rewarding to know you are helping a person create and maintain a home.” One worker felt that “it can be a joy to work with children this closely.” Another shared that “I have a dream job working as a personal chef to a family and I love the art of creating meals.”

As such statements testify, domestic work can be a fulfilling and dignified profession. The services provided by domestic workers are the foundational work of a family and a community—and there are good reasons to celebrate and be proud of the work provided by domestic workers. The domestic worker’s story on the very next page speaks to the good pay and dignified work conditions that are possible. But to fully realize a vision of dignity and justice for Colorado’s domestic workers, the troubling facts revealed in the subsequent workers’ stories throughout this study must be confronted by Colorado policy-makers. Confronted, and changed.

“He’s a Good Employer, But He’s Also Just a Good Person.”

Domestic Work does not have to be Harsh & Unfair: Good Pay and Dignified Work Conditions are Possible

- 24% of Colorado domestic workers surveyed earn more than \$11.25 an hour
- 60% of domestic workers say their employer treats them with respect & dignity
- 47% of Colorado domestic workers report that they receive regular time off for holidays or vacations.
- Many domestic workers report their care work to be emotionally fulfilling.
- New York has recently passed the nation's first Domestic Worker Bill of Rights, guaranteeing basic work standards and protections for domestic workers

“My mother left Mexico to move to America in 1995. She had some troubles with my father and they divorced, and she wanted to build a better life for me, her son. We first lived in a border town, and my mother was fortunate to find housekeeping work with a wealthy lady. This lady let my mother live in a trailer on her land, she only asked for some basic housecleaning three or four times a week, and she paid very fairly. We were able to save up some money and moved on to Denver, where my mother hoped there would be more opportunities for herself and mostly for me.

“In Denver, my mother found housecleaning work with a very nice local lawyer who specialized in immigrant rights. The lawyer was always so nice to us, helping us become familiar with Denver, even teaching my mother to cook some delicious new meals because he was a great chef. My mother started out earning \$15 an hour for her housecleaning work, but she has kept this job for a while and is now earning \$20 an hour. Every Christmas she gets a bonus of about \$400, and she gets other bonuses too. Whenever she needs time off, for some personal time or a vacation, it is no problem to arrange it. The lawyer also pays all her taxes and has helped my mother prepare her tax forms, so that everything is perfectly legal and my mother gets to claim everything she has a right to on her taxes.

“I feel like we were so fortunate to find this employer. Over the years he has treated our family well, and we have learned that we can always count on him for help. In fact, he gave me my first job, doing yard work at his house while I was in high school. I would work for an afternoon doing hard work in the yard, and he would pay me \$80. It was a great start for me.

“My best memory is how this employer helped me get through college. After I graduated from high school, I decided to go to Denver University, where I am getting a degree in International Business and Finance. A while back I found myself in a situation where I couldn't pay for all my tuition one semester. I was very stressed, but when the lawyer found out, he decided that he needed to help. He wrote a check for \$3000 to Denver University, helping cover my tuition and allowing me to finish classes that semester.”

“He’s a good employer, but he’s also just a good person.”

A Domestic Worker's Story: Exploitation and Abuse

“My Life Became Dark. I Felt Trapped.”

“I was a very happy girl in my childhood; everything was a paradise with my parents. But then one day, an old family friend who lived in America came to Mexico and said to me: ‘Do you want to come with to America, where you can make a lot of money working for me?’ I said yes.

“I left Mexico to come to the U.S. to live; it was a dream I had. The arrangement with this ‘friend’ in America was that I would work for her, cleaning house, making meals and taking care of her children. But after some time, I realized that she was cheating me. I would work all day, and on weekends too, doing all the house chores, cleaning, shopping, taking care of kids, even weeding the garden, and she would pay me \$60 a week, claiming that I owed rent and other house bills too. I had to buy my own food with this money, and never had any time off.

“When I talked about wanting a better job, the woman’s husband would just laugh and say that I was ignorant, and didn’t have any skills that anyone wanted. He always threatened to send me back to Mexico, but he wouldn’t even let me go back home if I wanted to. After several months, he became violent and hit me, and even tried to take advantage of me. From then on my life became darkness. I tried to leave, but they wouldn’t let me. They began to keep my money, as a way to keep me in the house. I felt trapped.

“The curious thing is that when I left Mexico, I wasn’t afraid; I came with assurance that everything would turn out well. But when my boss harassed me, then I became afraid, and didn’t know where to turn.

“After a few years, I decided that I had enough abuse, and I just left in the night. I stayed with a friend and went to a shelter for abused women. At the shelter, they helped me to find a more permanent home and improve my status, to feel more sure of myself, to be strong and move forward. Now I am working with other women in similar situations, in local community groups. I am finding support, education and job skills so that I can move forward, and I believe a better future is possible.

“All I have learned this last year has helped me to have more self-confidence. I have found faith to have a better future for myself. I’ve learned how to love myself.”

Many Domestic Workers Face Workplace Injustice and Regular Abuse

- Over 40% of domestic workers surveyed earn less than minimum wage.
- 45% of domestic workers say they are often not paid for all the hours they work; 36% say their employer withholds wages as a form of punishment if there is a work dispute
- 49% of workers report sexual, physical, or verbal abuse
- 90% of domestic workers who work more than 60 hours a week never receive overtime pay; 47% receive no time off for vacations or holidays; 32% report very long hours without rest breaks.



Domestic Workers: Left Out of the Law

“Section 13(b)(21) provides an **exemption** from the Fair Labor Standard Act’s overtime requirements **for domestic service employees** who reside in the household where they are employed.”

—*Fair Labor Standards Act, Part 552*

“Minimum Wage is \$7.24 per hour for all adult employees.

Exemptions: 5. Domestic Employees.”

—*Colorado’s Minimum Wage Order 26 (2010)*

“As a matter of policy, individuals who, in their own residences, privately employ persons for...ordinary domestic household tasks, such as house cleaning, cooking, and caring for children, **shall not be subject to the requirements** of the Occupational Health and Safety Act.”

— *OSHA Regulations, Standard No. 1975.6*

Domestic Workers’ Legal Rights

A Lawless Working Environment

For the average worker, the right to minimum wage and overtime pay are taken for granted. The law protects most workers from racial or gender discrimination, and protects their right to join a union. For domestic workers, however, all these rights are attenuated—exclusions and ambiguous language in the law limit the legal protections for domestic workers and make it difficult for workers to know what they are entitled to.

The vulnerable legal position of domestic workers is related to the fact that domestic workers work in private homes where lawmakers and courts have tended to find that workers are *not* protected by most standard labor laws. For example, domestic workers are specifically excluded from the National Labor Relations Act that guarantees the right to organize and are excluded from Title VII sexual harassment claims, which leaves them vulnerable to sexual abuse from employers. As a result, domestic workers often confront a lawless working environment where subminimum wages, long hours, no health care or sick leave, and arbitrary treatment, including physical, mental and even sexual abuse, is common.

In their study of domestic workers in the service of foreign diplomats, the ACLU has found that: “Domestic workers — who are most often women from poor countries — are led to believe that, in coming to the United States to work for diplomats, they will have good jobs with benefits and they will enjoy the protection of U.S. laws. Instead, too often, domestic workers find themselves in abusive, slave-like conditions and discover that their so-called rights are unenforceable.”⁹ Similarly, a report on U.S. domestic workers to the UN Human Rights Committee found that: “Domestic workers experience abuses ranging from verbal abuse and economic exploitation to physical and sexual assault and forced servitude. Although U.S. laws should protect them, domestic workers find that they are often excluded from legal protections or that the laws are not enforced.”¹⁰

International Labor Organization

“Domestic work is undervalued in monetary terms and is often informal and undocumented. It tends to be perceived as something other than regular employment, as not fitting the general framework of existing labour laws...As a result, the domestic employment relationship is not specifically addressed in many legislative enactments, thus rendering domestic workers vulnerable to unequal, unfair and often abusive treatment...Domestic workers’ conditions [will] not improve unless there is concerted action to improve the legislative framework.”¹¹

The Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) ensures a worker's right to minimum wage and overtime. But the law is confusing in its determination of whether domestic workers are entitled to its protections. The FLSA's provisions entitle domestic workers who earn at least \$1,700 a year to fair wages and hours. But there are two exemptions applicable to domestic workers: casual babysitters and companions for the elderly and infirm are *not* eligible for minimum wage and overtime. There are also exemptions for some nurses. Live-in workers are entitled to minimum wage, but are *not* entitled to overtime pay. By granting minimum wage protections but not overtime, live-in workers are more susceptible to being overworked and underpaid.

National Labor Relations Act

The National Labor Relations Act (NLRA) protects workers' rights to join unions and otherwise engage in collective activities to improve their working conditions. However, The NLRA specifically excludes domestic workers from its protections. In addition to being left unprotected by the NLRA, the reality is that domestic workers are often isolated and decentralized—few are hired through organized employment agencies. This lack of networking between domestic workers means unionization or other organizing efforts are very difficult as a matter of practice, while being unprotected as a matter of law.

The end result, according to the National Labor Relations Board, is that “employers [of domestic workers] generally can make unilateral decisions about most personnel actions, including discharge,”¹² due to the absence of workplace contracts or collective bargaining agreements.

People v. Al-Turki (2006)

- Al-Turki was convicted in Colorado court of false imprisonment, theft, criminal extortion and unlawful sexual contact with his Indonesian housekeeper. He was sentenced to 28 years.
- He paid the live-in worker \$1500 for 4 years of work
- His employee endured physical, psychological and sexual abuse for four years.
- He withheld her passport to keep her from leaving
- She provided domestic help for 12 hours a day, seven days a week, without any time off. When not working, she was confined to an unheated basement and never allowed to leave the house.
- In his defense, Al-Turki claimed that his religion and cultural heritage allowed for treating domestic workers in this way, and that western norms and laws should not override his cultural heritage.

Occupational Health and Safety Act

Health and safety regulations fall largely under the Occupational Safety and Health Act of 1970 (OSHA). The goal of the act is to rid the workplace of known hazards; for example, hospitals must dispose of used needles properly and label the disposal containers. However, OSHA regulations specifically exclude domestic workers from workplaces health and safety protection, “as a matter of policy.”¹³ As a result of this exclusion, domestic workers can be forced to endure significant occupational health and safety hazards, without proper safety equipment, training, or legal remedies in the case of injury or sickness. Common hazards faced by domestic workers include using toxic cleaning chemicals, heavy lifting, working long hours without breaks, and using sharp utensils, power tools, ladders, etc. Unfortunately, federal law provides no legal remedies for domestic workers facing these substantial workplace hazards.

Anti-Discrimination Protections

The Civil Rights Act of 1964 prohibits discrimination in areas such as employment and public accommodations and facilities. Title VII of this act bars employment discrimination on the basis of race, color, religion, sex, or national origin. However the law only applies to employers with fifteen or more employees, effectively denying most domestic workers these anti-discrimination protections, as their employer are unlikely to have fifteen domestic workers. Other civil rights legislation, such as the Americans with Disabilities Act and the Age Discrimination in Employment Act, have similar limitations in their definition of a covered employer.

Furthermore, the Immigration and Nationality Act, which prohibits citizenship or immigration status discrimination in the hiring or firing of employees, limits its scope to employers who have more than four employees. Though the statute prohibits employers from treating individuals differently based on their citizenship status or national origin, most domestic workers do not enjoy its protections.

The Case in Colorado: Even Fewer Legal Protections

There are several states, Colorado among them, that specifically exclude domestic workers from state worker protection statutes. Colorado law exempts domestic employees from state minimum wage rules, overtime pay requirements, or mandatory meal and rest period breaks. Further, Colorado's worker's compensation laws exclude persons who do domestic work about the private home of an employer if such employer has no other employees and if domestic worker employment is not the essential trade, business, or profession of the employer. This workers compensation exemption does not apply if the domestic worker is regularly employed by a single employer on a full-time basis, but the ambiguity and exemptions in the law make it very unlikely that domestic workers will proactively take advantage of workers compensation protections, even when they are entitled to them.

"Exploitation of domestic workers is legalized and institutionalized in this country."

— *Linda Abad, Filipino Domestic Worker*¹⁴

Movements to Extend Protective Legislation to Domestic Workers

The inadequate state of legal rights for domestic workers does not have to continue. In fact, there are many state-level and international efforts to broaden protections for domestic workers.

New York: In 2010, New York passed the nation's first Domestic Workers Bill of Rights, which was long pushed by advocacy groups like Domestic Workers United and the National Domestic Workers Alliance. This new law extends important new legal protections to New York's approximately 200,000 domestic workers, including: full rights to overtime pay even for live-in domestic workers, one day of rest per week, three paid sick days, personal days, or vacation days each year, and protection from employment discrimination. The law also requires state officials to begin a study of the consequences of extending collective organizing rights to domestic workers. Further, this bill covers all domestic workers except those working on a casual basis as a minor or persons who are employed by a family member; thus, a wide range of domestic workers from babysitters to cooks are included. Perhaps the most important aspect of this bill is that there are both civil and criminal prosecution possibilities for violators, thus holding employers accountable for their actions.

California: In 2006, a Household Workers Rights Bill was vetoed by Governor Schwarzenegger in California. This comprehensive bill included rights to worker's compensation, an annual cost of living increase, five hours uninterrupted sleep under adequate conditions, and the ability to cook one's own food for domestic workers,

including live-in workers. Yet Governor Schwarzenegger vetoed the basic protections in this bill, stating that “This bill would require overtime pay for personal attendants who are nannies. Removing [the overtime] exemption would dramatically increase the costs of these attendants and potentially drive employment underground.”¹⁵

Maryland. Montgomery County in Maryland (featuring cities such as Chevy Chase and Bethesda) has passed legislation providing basic rights to county domestic workers, and enacting a maximum \$1000 per penalty fine for violating these rights. The bill ensures minimum wage, payment for all hours worked, paydays twice a month, overtime pay for more than 40 hours worked, worker’s compensation, and a written contract for domestic workers that work at least 20 hours a week for at least 30 days. There are also several specifications beneficial to live-in workers, such as requiring private sleeping quarters. Limitations of the law include the facts that persons licensed by the Maryland Board of Nursing, au pairs and immediate family members are not protected under the bill.¹⁶

International Efforts. As domestic worker abuses occur worldwide, international organizations like the United Nations have sought to report such abuses and create better policy. The International Labor Organization of the United Nations has long worked to insure that international labor standards apply to domestic workers (such as the right to collectively organize, anti-discrimination rights, child labor rights, and the right to be free of forced labor). However, many member nations (including the United States) do not wholly adopt these international labor standards in their own labor law (for example, America does not grant domestic

“Domestic workers form a significant part of the working population and, given their vulnerability to dangerous, discriminatory and abusive working conditions, they warrant special attention rather than exclusion.”

- International Labour Organization²⁰

workers collective organizing rights). A UN Human Rights Committee concluded that the civil and political rights of domestic workers are systematically violated because of inadequate legislation protections and non-enforcement of existing laws.¹⁷ The UN International Labour Organization’s report on domestic workers, *Decent Pay for Decent Work*, notes that domestic workers often do not qualify for social benefits like social security because employers fail to comply with reporting and taxation requirements, and the workers never amass retirement benefits.¹⁸

Human Rights Watch has also documented abuses of domestic workers with special visas, particularly those who are employed by diplomats. Diplomatic immunity has been a point of contention for human rights advocates because, in cases like *Sabbithi, et al. v. Al Saleh (2009)*, diplomats were accused of trafficking and abusing their workers, but charges were dismissed because of immunity. Further, in *Hidden in the Home*, Human Rights Watch notes that visas are typically revoked upon loss of employment, thus deterring workers from leaving abusive situations.

Recommendations to address this problem include allowing temporary visas for workers who have left an abusive environment and extending the visas to new employers.¹⁹

To more fully define the rights of domestic workers, and to prompt nations to better protect those rights, the ILO is now working to have an international convention adopted that would better insure decent work for domestic workers worldwide, by spelling out domestic worker rights and pushing for the formalization of domestic work through such techniques as national minimum wage and overtime legislation and requirements for workplace contracts. All too often, workers are subjected to varying and inadequate laws and visa policies when working away from their home country. By announcing standards at the international level, the rights of domestic workers will be strengthened, in part because workers may come to better understand these rights.

Immigration Law and Domestic Workers

“Threatening an immigrant with deportation could constitute the threat of legal coercion that induces involuntary servitude.”

-- Justice O'Connor,
Delivering Opinion in *U.S. v. Kozminsky*

- While only 9% of Coloradans are foreign-born, 40% of domestic workers surveyed are foreign-born.
- Most Colorado immigrant domestic workers are from Mexico (25% of all survey respondents), but workers hailing from 25 different countries completed the survey.
- 18% of Colorado immigrant workers have been asked by an employer to turn over their passport while they work.
- 46% of immigrant workers who reported workplace abuse noted that they endured the abuse partly because their immigration status makes it difficult to protest workplace exploitation.

Immigrants are susceptible to being discriminated against or threatened because of their legal status. There are many cases of employers confiscating the passports of immigrant workers, threatening to fire them and report them to the USCIS immigration officials so as to revoke their visa (a work visa requires a worker to keep employment), and threatening to report undocumented workers to officials whenever they complain. There are some laws seeking to protect workers from such abuses. Under the Victims of Trafficking and Violence Protection Act (2000), for example, it is illegal for an employer to confiscate documents, such as a passport, so as to prevent human trafficking and forced labor. In cases such as *US v. Alzanki (1995)* and *Ramos, et al v. Hoyle (2009)*, threats of deportation and the confiscation of the employee's passport led employers to be found guilty of holding their domestic workers in involuntary servitude.

Yet the legal system is not always protective of immigrant domestic workers. One problem is that a domestic worker's visa status is only maintained as long as she maintains employment. As a result, any domestic worker who leaves an abusive work situation, or is involuntarily fired, is at risk of losing her work visa. It is entirely up to the Department of Homeland Security (DHS) to determine whether such a worker can remain in the United States to pursue a legal remedy when she complains of workplace abuses. Even if she is allowed to seek a remedy, DHS can still deny her work authorization, thus making it impossible for the worker to afford to stay in the United States, since she would not be able to work legally, nor access any public assistance due to her non-visa status.²¹

The Supreme Court has placed undocumented domestic workers in particular vulnerability to workplace exploitation, as the Court has recently allowed deportation of workers reporting abuses and has denied awards of back-pay to undocumented workers who had worked for months without receiving their promised pay (*Hoffman Plastic Compounds, Inc. v. NLRB, [2002]*). As a result, undocumented workers are almost wholly at the mercy of their employers, who are allowed to report any worker who complains to the USCIS, and therefore often endure profound abuse without any legal remedy.

In such ways, immigration law works perversely to undermine the well-being of domestic workers, tacitly condoning workplace exploitation.

A Domestic Worker's Story: Immigrant Exploitation

“I was fragile. I kept thinking that he's capable of doing anything, and he could've called immigration officials and lied about me...so I dropped my request to be paid what I was owed.”

“I am originally from Peru. I have a degree in Audio-Visual Communication and did marketing work in Peru, but a family member in California was sick and needed care, so I moved here. My visa was originally for three months, but I had complications in extending my visa to help my family member, and soon had over-stayed my visa and became an undocumented immigrant. I originally started work in the US with a real estate company (doing marketing), but when the economy went bad, I lost my job and started out doing domestic work as a cleaning person. I cleaned houses with another woman. We even cleaned her daughter's house (I found this out after it was done), but the woman refused to pay me for cleaning that house, since she thought it was silly to charge her daughter for the cleaning.

“In July 2007, I found an ad on Craigslist for a live-in nanny in Centennial. I cared for two children and cleaned the house. I had my own room in the basement. They even let me bring my cat. But I felt isolated because I didn't know anyone in Centennial. I worked from 9 am to 6 pm and had holidays off. I was to be paid \$800 for the first month; then my pay would increase to \$1000, then later to \$1200--but I didn't have a contract. This pay schedule didn't happen though, because the wife quit her job and asked me to continue my work, but for half the pay. I reluctantly agreed because she said that when she got a new job, the pay would increase back to \$800 and she would repay me for back pay. I also had no other options; if I quit, where would I go?

“I was paid \$200 every 15 days for 5 months while the wife was unemployed. The wife eventually got a job, so I expected my pay to increase, but it remained at \$400. After about two months, I asked the wife about my pay and told her that she owed me \$3,000 for the time that she was only paying me half. She became very upset and kept asking why I would ever ask her about this; she seemed insulted. The following morning, the husband yelled at me after finding out my discussion with his wife. Then he said, *‘even if I had \$3,000, I wouldn't pay you.’* He said that he had more important things to spend money on, like his car and children. During this time, I noticed that they began hiding mail and other documents from me. One day, I came to the house and found an eviction notice from the city on my door, stating that I (and the whole family as well) had 3 days to move out. The husband had told me before that they were having financial problems, so I guess they were not able to pay the rent any more. Luckily for me, I found an apartment to rent and another nanny job on Craigslist.

“The next family seemed very nice. I was a nanny for their two children and did housekeeping. I worked Tuesday to Saturday, 9:30 am to 8:30 pm. I would sometimes get home later, too. I felt that I did not have a life—not even friends—because I would go straight to sleep after coming home. I did not get paid overtime; pay was \$435 every week. Sometimes I didn't get paid on time or in whole for extra work they asked me to do, and it soon added up to about \$1400 that they owed me. Although I asked for the money regularly, I never received it. Finally, I had to find a different job because of the situation. The husband was extremely upset by this and viewed this as a betrayal because he thought I was family. I would text him about the money he owed me for my work, but he began to accuse me of harassment and threatened to get the police involved. I was fragile after that; I kept thinking that he's capable of doing anything, and he could've called immigration officials and lied about me. I didn't feel safe in my own home, so I dropped my request to be paid what I was owed.”



Hours Worked and Wages Earned

Tens of thousands of domestic workers every day provide vital services for Coloradans, taking care of children and the elderly, preparing meals, caring for family pets, running errands and cleaning houses. And yet this domestic workforce, so vital to maintaining the quality of life for so many Coloradans, is often devalued and subject to profound workplace abuses, including subminimum wages, withheld wages, long hours without breaks, and no overtime pay.

Part of the reason for the vulnerability and abuse is that domestic work is generally “women’s work,” in that the vast majority of America’s domestic workers are women—and women have a long history of workplace abuse and exploitation. Many of these women are also non-white, and often they are immigrants—making them doubly and triply vulnerable. These workers remain devalued and poorly paid, and they rarely receive basic workplace benefits like paid time off, overtime pay, or even breaks during the workday.

A 2010 report by the International Labour Organization found across the world that “Paid domestic work remains virtually invisible as a form of employment in many countries. Domestic work does not take place in a factory or an office, but in the home...They do not work alongside other co-workers, but in isolation behind closed doors...Domestic work typically entails the otherwise unpaid labour traditionally performed in the household by women. This explains why domestic work is undervalued in monetary terms and is often informal and undocumented.”²²

Conditions are no different in America. As reported by New York’s Domestic Worker’s United groundbreaking report, *Home is Where the Work Is*, the average domestic worker “is vulnerable to exploitation and mistreatment because she has little control or negotiating power or legal protection to ensure fair and equitable working conditions.”²³ Similarly, our Colorado study has found low wages, long hours, and lack of breaks, holidays, or overtime pay—workplace rights violations that are endemic across the domestic worker workforce.

- 41 % of Colorado domestic workers earn less than minimum wage (\$7.25 an hour).
- 20% of domestic workers earn less than \$5.40 an hour.
- 18% of domestic workers work more than 50 hours a week.
- 85% of workers who work more than 50 hours a week receive no overtime pay.
- 55% of live-in domestic workers are commonly asked to work additional hours each week, without additional pay
- 47% of domestic workers say they do not receive time off for holidays or vacations.

CRAIGSLIST DOMESTIC WORKER AD:

Hello. We have a nine year old son that we need to have someone watch, mostly M-Th 6:30a-5:30p. He is a very active boy and loves to go, go and go. He loves to play hockey, ride bikes, swim, skate board, walk, hiking, and much more. If you are willing to do these things with him, this is great. We also ask while you are in our home you pick up after him. We have three dogs that need watched over as well. They love going for rides and hikes. During the school year we are looking for someone to take him to school and pick him up and help him get his homework done. He is involved with hockey. Sometimes we will ask you to meet us at the skating rink on his game nights.

We pay \$20 a day.

Long Hours & Low Wages

A domestic worker’s work-week is often long and demanding. One third of Colorado domestic workers work substantially more than forty hours a week. Eight percent work more than sixty hours a week. Many workers that we surveyed reported frequent ten hour workdays, for six or seven days every week.

The pay for these long hours is typically very low. Forty-one percent of Colorado domestic workers earn less than the minimum wage (\$7.25 an hour), and a full 20% earn less than \$5.40 an hour—far below the federal and state minimum wages. Just 24% of all domestic workers earn what can be considered a living wage in Colorado--\$11.25 an hour or more.

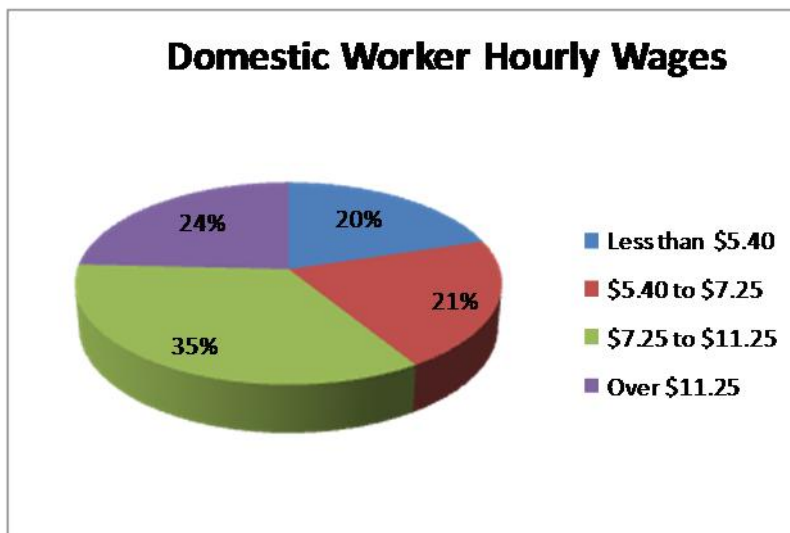
In addition to earning very low wages, many domestic workers do not even get paid for all the hours they in fact work. Though domestic workers tend to work long work weeks, for very low pay, they often find themselves doing additional work for no pay at all. For example, domestic workers report that employers sometimes come home late from work without paying the domestic child-care employee additional wages, or they ask the worker to shop for food for the week to make meals, without paying the worker for that time. A full 43% of domestic workers report that they are expected to work additional hours without extra pay, and 13% of these workers report that this situation happens frequently.

The situation is substantially worse for workers who live in the homes where they are working. Fifty-five percent of live-in workers report being required to work extra hours without pay, and 21% of these workers say that this situation occurs frequently.

Hours Worked	% of Workers
About 40 hours a Week	30%
Less than 40 hours a Week	37%
40-50 hours a Week	15%
50-60 hours a week	10%
More than 60 hours a week	8%

Are You Paid for All Hours That You Work?	Live-in Workers	Live-out Workers
Yes, Always	45%	59%
No. <i>Sometimes</i> I am expected to work additional hours without more pay	34%	31%
No. <i>Often</i> , I am expected to work additional hours without pay	21%	10%

When you work more than 40 hours a week, are you provided increased per-hour overtime pay?	% of Workers
Yes	17%
Sometimes	17%
Rarely or Never	66%



Sources for all tables: UC Denver/ El Centro Domestic Worker Survey

No Break, No Holiday, No Pay

Most Colorado domestic workers work at least a full eight hour work day, one-third work more than forty hours a week, and 8% work more than sixty hours a week. Many of these workers do not receive regular breaks during their long work days, hardly any receive time off for vacations or sick days, and many are required to wait longer than expected to receive their pay.

In most jobs, it is expected that workers will receive regular breaks when they work long days, that they will receive some advanced notice when they are expected to work extra hours, and that they will receive their promised pay on time. Receiving a bit of time off for sick days, holidays or vacations is also a work benefit many workers have come to expect—and this time off often will be paid.

But in the domestic work field, none of these common work standards apply. Because of the traditional lack of respect for domestic work as “real work,” domestic employees are commonly given far too many tasks to complete in a single day, they find themselves working all day without a break, they rarely are given paid time off, and frequently they are not paid on time.

Consider these findings for the Colorado domestic worker survey.

- 32% of domestic workers report that they have to work long hours, without breaks or rest.
- 30% say they are commonly given too many tasks to complete in the work-time provided.
- 35% say their employer commonly expects them to work additional hours without notice, such as when the employer is late returning home.
- 47% say they are given no regular time off for vacations, sick days or holidays. Of those who do receive time off, 75% receive only unpaid time off.
- 27% report that their pay is frequently late.

Testimony from Colorado Domestic Workers

“After I had been with the family for a while, they gradually expected more work than what we originally agreed to: I’m asked to do more work, but not offered more money.”

“My boss doesn’t respect my need for my family time. I have my own daughter and husband to get home to, but she constantly expects me to stay late at work whenever she can’t get home when she promised. At least twice a week, I have to stay an hour or more late without notice. I never get paid extra for that.”

“I was given a long and excruciating set of jobs to do in just the four hours I was paid for. I was supposed to clean all the windows, fold clothes, clean the rooms very well, polish and oil the furniture, and clean up after several children—in a three story house. I would work very hard and fast to get done in four hours. I would sweat very much and breathe hard. My boss would watch and say: ‘You’re so hot!’ But she never gave me any breaks or water. When it got close to the end of the four hours, she would only say ‘work faster! Work faster!’ so that I could get everything done.”

“Every day, when I showed up for work, I was given extra duties, new jobs to finish, in addition to the work we had already agreed upon. Though I had to work longer and harder to complete these jobs, I was never paid any extra.”

A Day in the Life of “Flore”: Housekeeper and Nanny

“I felt that I did not have a life—not even friends—because I would go straight to sleep after coming home. I did not get paid overtime, so it was \$435 every week. But I had no other options; if I quit, where would I go?”

Below, “Flore” shares her regular work schedule, as a housekeeper and nanny for a family with two children.

6:30 A.M.	Wake up. Watch the news. Shower. Get ready for work.
9:00 A.M.	Leave for Work on the Bus.
9:30 A.M.	Begin Work. Make Breakfast for the Girls & Fix Their Hair.
10:00 A.M.	Start Dishwasher. Clean Kitchen. Put Food out to Defrost.
10:30 A.M.	Clean the Bathroom, Living Room and Dining Room.
11:00 A.M.	Begin Laundry (at least 2 loads). Bathe and Dress the Children.
11:30 A.M.	Fold Laundry. Clean Children’s Rooms and Second Bathroom.
12:00 P.M.	Make Lunch for the Children.
12:30 - 4:00 P.M.	Take Children to Special Activities like the Park & Go Shopping.
4:00 P.M.	Make Children a Smoothie or Snack. Begin Homework with Children.
4:30 P.M.	Practice Potty Training with Younger Child. Organize Arts and Crafts.
5:00 P.M.	Prepare Dinner to be ready at 6:30. Clean Kitchen.
6:30 P.M.	Feed Children Dinner. Clean up After Dinner.
8:00 P.M.	Begin Putting Children to Bed. Bedtime at 8:30.
8:30 to 10:00 P.M.	Parents Arrive Home During this Window.
10:00 P.M.	Leave to Take the Bus Home.
10:45 P.M.	Arrive Home.



Working Conditions on the Job

A Job With No Boundaries

- Only 19% of CO domestic workers have a formal, work contract, specifying job duties, hours, wages, or time off.
- 45% of workers are frequently not paid for all the hours they work; 27% are paid late.
- 49% of workers report abusive work conditions; 9% face physical abuse.
- 38% of workers report having their wages unilaterally withheld by their employer.
- 40% of workers report unhealthy and unsafe work conditions
- 29% of live-in workers are asked to sleep in unhealthy rooms without adequate ventilation, heat or even windows.

In most occupations, employees can expect to know the wages they will be paid beforehand, to receive a set schedule, to receive days off, to know what kind of work they will be doing, and not to be on call for unexpected work, seven days a week.

Domestic work is different. Domestic work is too often a job without boundaries, where neither employer nor employee have clear understandings of what exactly the job entails or when the workday begins or ends. Domestic workers therefore typically report unpredictable work hours, depending on the daily needs of their private employer, and report that they are constantly summoned for longer hours than expected, additional days of work, and additional tasks.

Much of the problem begins with the fact that very few domestic workers have their job responsibilities and rights specified in a formal contract. Most workers take their job after an oral conversation with their employer, making it exceptionally easy for job responsibilities to morph over time, and for hours worked to grow and shrink unpredictably. Of all Colorado domestic workers surveyed, only 19% had a written work contract. Fifty percent had an oral contract. A full 31% of workers had *neither* a written nor oral contract, leaving them with no clear understanding of their job duties or expectations at all.



Domestic Workers are commonly asked to do all manner of unexpected jobs.

“I knew I should tell her that I needed a set salary and schedule, but I felt disposable and was afraid of confrontation. Were my grievances unreasonable? I didn't know. Because my only ‘contract’ was a vague conversation during my interview—when I was my most agreeable, of course—I found it hard to stick up for myself.”

— Meaghan Winter, NY Domestic Worker, reporting in *Slate*.²⁴

Informal Work Relationship Fosters Workplace Exploitation

Domestic workers often confront an informal, lawless working environment where subminimum wages, long hours, no health care or sick leave, and arbitrary treatment are the norm. Reporting on the working conditions facing “global Cinderellas” around the world, Pei-Chia Lan observes: “because employers do not recognize domestic work as real work, they tend to impose unreasonable demands upon their surrogates (rather than treating them like ‘employees’) and ignore the contract-bound nature of employment. Without adequate social recognition and institutional protection for paid domestic service, a personalized employment relationship can only reproduce an oppressive, family-like hierarchy for these fictive-kin employees.”²⁵

Our survey of Colorado domestic workers found just this dynamic at work. “I had to clean a 3 story house,” a Colorado domestic worker reports. “The house was a mess on every level, and I also had to polish furniture and clean windows on every level. But the owner didn’t even really see it as work and would always add additional little tasks. She had grand expectations about what I could achieve in just three hours, and thought that I actually enjoyed working so hard in her beautiful house. Sometimes it’s like the more rich the employer and beautiful the house, the messier they are and the harder they expect you to work for very little money.”

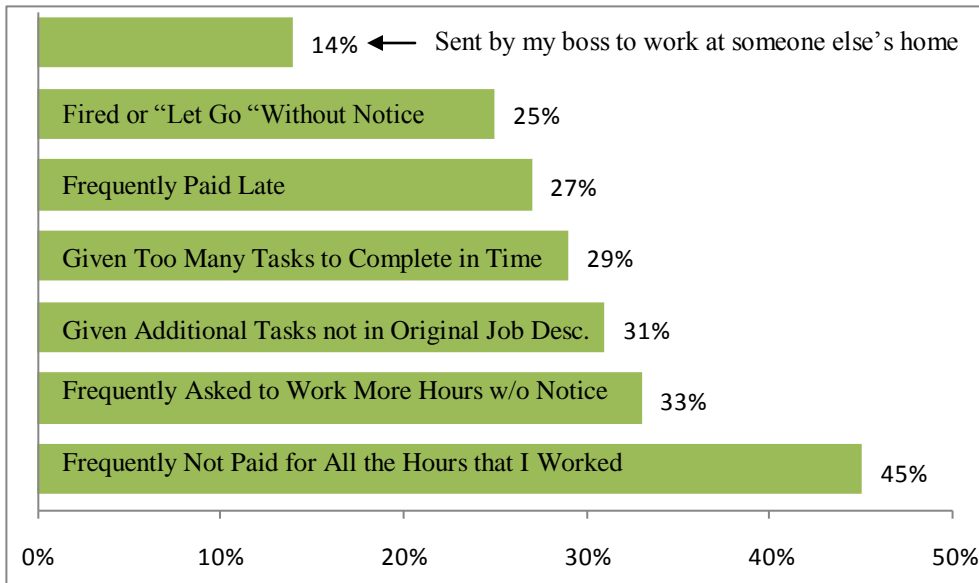
Too often, employers don’t respect normal work standards in their relationship with their domestic employees. This problem can stem from the tendency of many employers to see their employees as family friends or as informal domestic “help,” rather than as real employees. “We are seriously looking for someone to be a part of our family, not an employee,” noted one of the Craigslist ads cited earlier in this study. “If you are interested in forming a bond with some wonderful kids, being, in short, a surrogate family member, this may be for you.” But at the end of the ad comes the kicker, too often associated with this view of domestic workers as “surrogate family members” and not actual employees deserving a dignified wage: “We are not wealthy and CAN’T afford to pay you \$400 a week” (emphasis in original). The informal nature of such work, without a clear contract and in an atmosphere where the worker is sometimes seen as a surrogate family member who might enjoy or accept working without decent wages, fosters an environment in which domestic workers are commonly expected to stay late whenever the employer can’t get home in time (often for no additional pay), where they are commonly called in to work without any notice at all, or where they are given too many tasks to complete in the time they are being paid for.

Another problem is that employers sometimes look down upon domestic work, and denigrate the skills and intelligence of the worker herself, feeding into abusive tendencies on the job. Previous research has demonstrated that the tendency to see domestic workers as unintelligent, unskilled and naturally suited to burdensome labor feeds into a wide range of workplace abuses: “physical violence, ranging from rape to repeated slapping; overwork, including having to work for more than one household and being refused days off; non-payment of wages or a reduced salary; and poor living conditions, including lack of food and privacy.”²⁶ Other common workplace abuses include denigration of the worker’s intelligence, racial insults, and exposure to dangerous and unhealthy working or living conditions.²⁷

“My employer and me were like family at first. But then she kept expecting me to stay with her children later at night, and kept calling me in for extra days without any notice. It started to really hurt my own family when I couldn’t be home more often.

When I objected to the situation and said that I would leave if conditions didn’t improve, my boss became all emotional, crying that she thought I was committed to her family, and wondering how I could even imagine leaving her children for a different job.”

— “Adel,” Peruvian Immigrant



Colorado Domestic Worker Survey:

"Have You Experienced Any of the Following Situations in the Previous Year?"

Wage Abuse

Domestic workers face a range of wage abuses, including: exceptionally low wages, lack of overtime pay, not being paid for all hours worked, and not being paid on time. In addition, domestic workers commonly face situations where an employer will unilaterally withhold wages, claiming such things as the worker didn't work hard enough, or that the wages were needed to cover a broken item.

Have Your Wages Ever Been Withheld in the Previous Year, for Any of the Following Reasons? (38% of all Workers Chose at Least One Option Below)	
Employer Didn't Have Enough Money	14%
Employer Said Less Work was Needed that Week	11%
Employer Said I Didn't Work Hard Enough	10%
As a "Security Deposit" to Insure I Wouldn't Quit	10%
To Pay for an Item I was Said to have Broken	9%
Because I had an Argument with my Employer	7%
Other Reasons	13%

An Unhealthy and Unsafe Work Environment

Percent of Workers Facing Unsafe Work Conditions	
Live-In Workers required to sleep in unhealthy location (unventilated basement, room w/o heat or windows)	29%
Required to work long hours without a break	29%
Seriously Injured on the Job	16%
Asked to work in dangerous location	11%
% reporting at least one of these health/safety issues	40%

Domestic workers can face significant hazards, as their work often involves heavy lifting, long hours without breaks, toxic cleansers, sharp utensils, the use of ladders, etc. In 2005, a San Francisco survey found that 63% of domestic workers believed their jobs were dangerous, and 20% percent suffered a workplace injury requiring medical attention.²⁸

New York's *Home is Where the Works* is study found a similar range of unsafe domestic work situations, including: heaving lifting (17% of workers), work with toxic cleansers (16%), climbing to reach dangerous places (12%), and injurious slips (4%).²⁹ In terms of exposure to toxic cleansers, medical researchers have reported on significant hazards facing domestic house-cleaners. "From 1993 to 1997, 236 (12%) of the 1915 confirmed cases of work-related asthma identified by the four states (CA, MA, MI and NJ) were associated with exposure to cleaning products...20% were work-aggravated asthma. Individuals identified were generally women (75%), white non-Hispanic (68%), and 45 years or older (64%)."³⁰

Abuse on the Job

A large number of Colorado domestic workers face abusive conditions while working. Of all workers surveyed:

- 49% reported physical, verbal or other degrading/abusive situations at work during the previous year;
- 26% reported incidents of verbal abuse;
- 9% reported incidents of physical/sexual abuse;
- 9% of workers reported facing abuse “often.”

Abusive conditions included: workers being called insulting names, being denied water while working, physical assaults, sexual harassment, and being forced to sleep in unsanitary, unheated, and unsafe locations.

“I worked all day, with no breaks, to clean a huge house. I was always given extra, unexpected duties every day. If I couldn’t get everything done, my boss yelled at me, calling me an ‘idiot’ and an ‘imbecile.’”

— “Dana,” African-American Dom. Worker

Physical Abuse. Nine percent of domestic workers reported an incident of physical or sexual abuse in the previous year. Workers report being pushed and slapped by their employers. Sexual abuse is reported, including verbal sexual harassment, rubbing/touching female workers, and physical rape. One worker endured her elderly employer constantly ramming her wheelchair into her side while she was working, as an inducement to work harder. “I needed the money so badly,” the worker noted. “So what could I do?”

“I worked for an older woman, and she was so rude and demeaning. Sometimes I would be busy cleaning and she would just angrily ram her wheelchair into my legs or my back and yell at me to do it differently or work harder”

— “Ruby,” Mexican Immigrant Worker

“As solitary workers in their employer’s homes, domestic workers are uniquely at risk of exploitation and abuse...Unlike most other workers, domestic workers have no other employees at their workplace to turn to for support or leverage should an employer abuse his or her power...Supported by social values that devalue household work and equate it with servitude, the structure of the industry enables employers to abuse workers with impunity.”

— Domestic Workers United (NY)³¹

Verbal Abuse. Twenty-six percent of domestic workers report that they have been yelled at and called insulting names by their employer. Threats to turn undocumented workers over to the INS when they complain are common. “A lot of Americans especially don’t think immigrants deserve equal treatment and are quick to run us down,” concluded one focus group of immigrant domestic workers interviewed for this study.

“I went to work for a single man cleaning house. For a few weeks things were fine. Then it became clear that the boss expected more than just house cleaning. He began to make sexual comments and rub up against me. I am ashamed that I let him have sex with me for several months, because I needed the money.”

— “Wendy,” 34 Year Old Single Mother

Other Abuse. Forty percent of domestic workers report experiencing “other” kinds of abuse at work, saying “my boss made me feel degraded or violated” during the previous year. In a domestic worker focus group, one worker summed up a widely shared perspective that employers “just don’t value domestic work. They see our work as low-level work and make us feel small and dirty for doing it. We clean their houses, but they still think we’re worthless.”

A Domestic Worker's Story: Extra Jobs, No Extra Pay

“They Began to Expect More Work—But Would Not Pay More.”

“Originally, I was a teacher and child-care provider in Peru, so when I moved to America, I was happy to find similar work taking care of children in people's homes. My most recent job, which I had for several years, was taking care of the children for two pharmacists. They both were managers of different pharmacies, so they made a good deal of money, and they owned a very nice house in the suburbs, plus an enormous second house.

“At first, it was a good job. I started by watching their only child in my own house, which was convenient, and the hours were regular. As the months went on, things began to change, and they began to expect more and more work, but would not pay me more. For example, the family had a second child, and I now had to watch two toddlers every day, for no extra pay. At one point, the wife became pregnant with a third child, and asked me to come to her house and take care of the baby, as well as the other two toddlers. As I began to work at their house, the jobs increased. Now I had three children to watch, plus the dog. Also, I now had to take one boy to classes during the day. Then I was asked to begin preparing homemade meals for the family. To do this, I had to shop for food for family meals, on my own time after I got off of work. I was never paid any extra for this time.

“After a bit, I was asked to work an additional day every week at their house, but again with no extra pay. Every time I asked for more pay, especially to cover my hours shopping, I was told that I earned a model salary and that they couldn't pay more. As it was, I was earning \$1700 a month for all this work, and I worked every work day, sometimes more than 10 hours a day.

“On top of that, I was expected to work extra hours with no notice nor extra pay. They didn't respect my need to see my own family at all, and thought nothing of showing up an hour or more late, two or three times every week. I didn't have time for my own husband and children. Finally, I had to leave for a better job. I remember how the mother was so angry that I was leaving and called me nasty names. ‘You are betraying our family,’ she yelled. ‘I thought you loved my boys! And now you are only treating this like a business and leaving simply for more money.’ I found that rather interesting coming from a wealthy doctor who kept her job only by hiring me to watch her kids ten hours a day.”



A Domestic Worker's Story: Live-In Handyman

“There’s no rest for the weary.
Once I’m done with one task,
there are ten more in its place.”

“I was born in Chicago, the youngest of eight, to a devout Catholic family. When the war broke out, I enlisted and spent a number of years of my youth fighting in Vietnam. When the war was over, everyone was looking for work. Because of the GI Bill, I received maintenance training and graduated with a degree in maintenance technology from a technical institute.

When maintenance work was hard to find, I did whatever work I could find. I have been a chauffeur, housekeeper, and maintenance man. I do what I know best and that is working with my hands.

I’m currently doing home maintenance work on a property with a mansion on it. I have my own place to live in on the property. It’s about 200 square feet—a simple shed that I converted to a living apartment. There was no shower or bathroom, so I added a small one. All of the repair costs came out of my own pocket. My employer just allowed me the shelter—I had to make it livable. So I did.

There are a few other workers who are paid to do housecleaning. I primarily work as the groundskeeper/handyman for \$10 an hour, but I don’t get any overtime because of Colorado law. And, I work a lot of overtime. I have no set day off. My boss wants me to do maintenance work and everyone else’s job too. When the housecleaners don’t show up for work, I am ordered to fill in. My boss assigns me all sorts of jobs and then asks: “Do you think an old man like you can handle it?” My boss makes me work on-call, with no set days off, about 60 hours every week. I might be an old man, but there is no rest for the weary. Once I’m done with one task, there are ten more in its place. When I talk to my employer about a raise, overtime pay, a day off, or even reducing my daily tasks he will say things like “Either my way, or the highway,” because he knows he can find someone to take my place. He never listed my job responsibilities. But I didn’t think maintenance work required me to clean the house. Most employers won’t even list responsibilities because there are too many. I’ve never been verbally abused by an employer before. It is the first time I’ve been treated so badly.

So I’m just working until I can find something else to move onto. I’ve even begun to ask potential employers for references, so I know I won’t end up being treated like a work horse.

**Ten Percent of
Colorado Domestic
Workers Surveyed
Were Men.**





Families are healthier when workers have adequate time off to take care of their children, which is why America's Family and Medical Leave Act requires many employers to provide family-friendly time-off policies. Unfortunately, the law does not apply to most domestic workers, who are left without a legal right to time off to take care of their family.

Without a legal right to time off, and without the financial ability to take time off without pay in any case, many domestic workers are too often forced to "choose" work over their family needs.

Some of the negative consequences of inadequate family time are well established:

- Teens who rarely have family dinner are more likely to abuse drugs.³²
- When parents are involved, students have higher grades and test scores.³³
- Children who are read to have better language development and increased motor skills.³⁴

Consequences for Family Life

After the Work is Done

There is little discussion about what happens to domestic workers after dinner has been made, the house is spotless and the children are put to bed. What of the worker's own children and home life?

What are the effects on the domestic worker's lives when the hours are long and the pay is low? Domestic workers with families are no different than the average parent: they work to achieve a better life for their children, in hopes that their children will never have to do domestic work.

More than half of the domestic workers we surveyed (53%) had children of their own, yet the statistics revealed by this study show that the worker's desire to raise successful children is exceptionally difficult because of the hours worked and wages earned—some employees work more than fifty hours a week and almost all struggle to make ends meet. These statistics tell a troublesome story for domestic workers who commonly are expected to work harder, to put their own families second, and to never get sick.

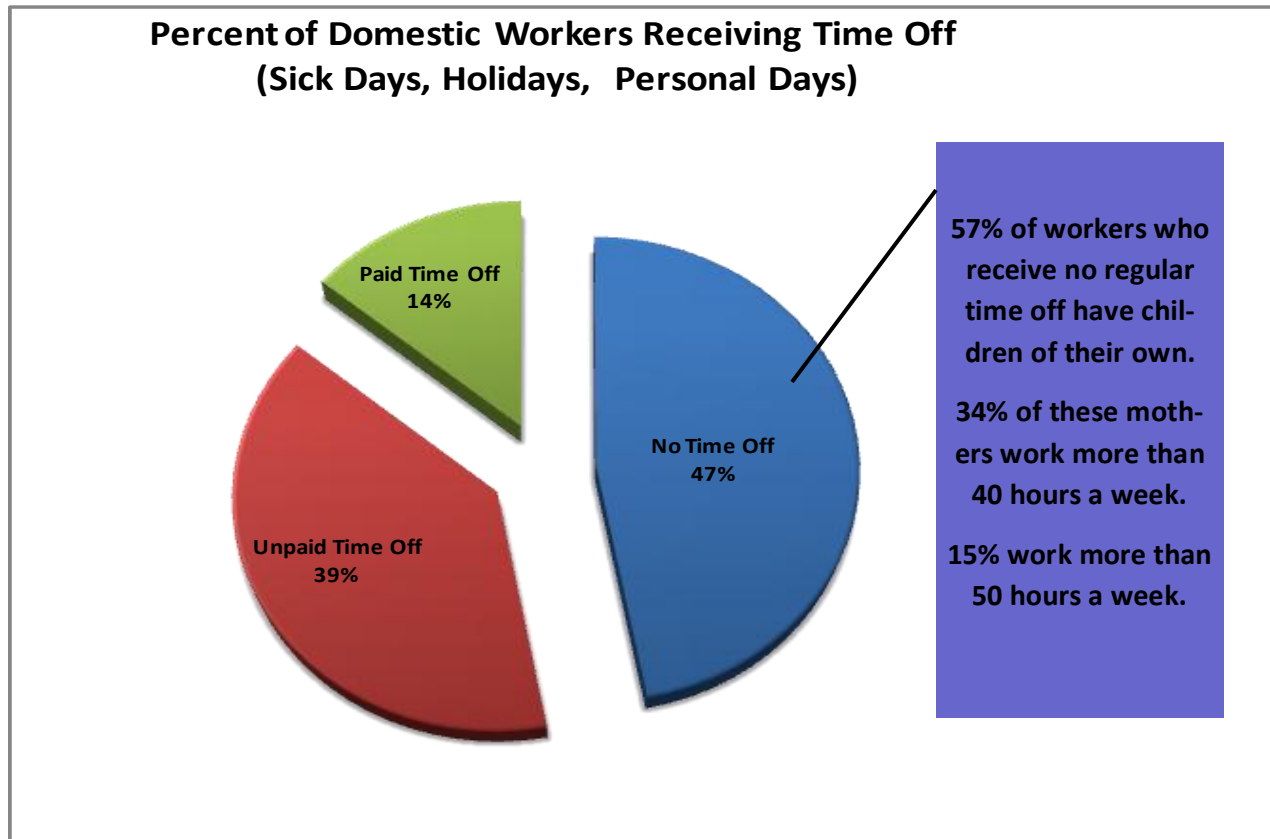
Always Out of Time

Many domestic workers (47%) receive no regular time off and 39% receive only unpaid time off. Thus, little room is left for family emergencies, illness or "simple" fatigue. All too often, workers are expected to be at their employer's beck and call, regardless of whatever life employees may have outside of work. A very troubling statistic is that of all the workers who receive no regular time off, 57% have children of their own. Fully 34% of those with children work more than forty hours a week and 15% work more than fifty hours a week. Domestic workers with children face profound challenges in taking care of their own family; most are unable to take time off and quitting a job is not simple when there are others depending on the worker for survival. That is not to say, however, that childless workers can leave their employment easily—many have their own bills and responsibilities outside of work that require them to keep working, even in a negative situation.



"Since I left domestic work, I finally get to see my family and am going to see my daughter for ten days. I haven't seen her in 8 years. I thought I'd never see my children again. And, I have a grandchild I finally get to spend time with. I've spend so much time caring for other people's children and now I finally get to watch my grandkid. I get to go to soccer games and actually get to be with my own family."

—"Julie," a former live-in Worker



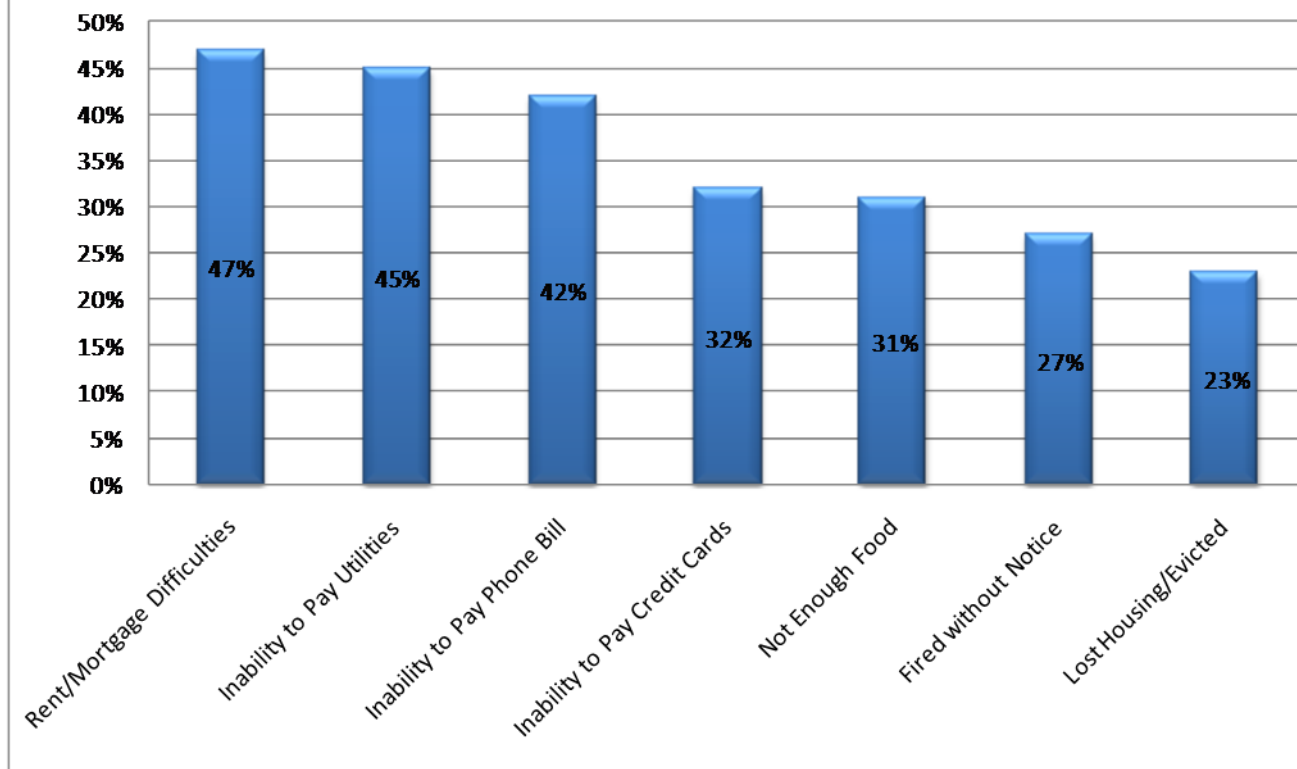
Family Financial Difficulties

An large majority (73%) of domestic workers in our study are the primary wage earners for their family, which can be very difficult considering the fact that 41% of domestic workers earn less than minimum wage. It is little surprise, therefore, that many domestic workers face severe financial difficulties, such as eviction, inability to pay utilities, or not having enough food for their family. As seen in the chart on the following page, the three most common types of financial difficulties facing domestic workers are inability to pay the rent or mortgage, difficulty paying utilities and/or struggles paying the phone bill. These financial difficulties compound the problems facing domestic workers—not only do they lack the time to tend to their own matters, some are also unable to pay for food and have been evicted from their homes. It should be noted that domestic workers who have financial difficulties typically have more than one problem—their financial problems affect every facet of their lives.

Healthcare: Necessary But Out of Reach

In the world of domestic workers, society sends a harsh message: never get sick and if medical assistance is necessary, most costs will be strictly out of pocket. The reality is that the majority of domestic workers forego adequate healthcare simply because domestic work has traditionally been a part of the informal economy, and does not come with healthcare benefits. In our study, 94% of survey respondents did not receive healthcare benefits. Without any healthcare benefits, it is of little surprise that 65% of workers report having skipped needed family medical care in the last year—including care for their children—due to an inability to pay for services. When domestic workers do seek health services, they often must rely on public services because they do not receive health benefits from their job. The most common way of receiving medical care for domestic workers from a public hospital such as Denver General (40%) or from an emergency room (26%).

Percentage of Workers Facing Serious Financial Difficulties within the Last Year



Long-Term Family Consequences of Informal Domestic Work

An overwhelming majority (84%) of domestic workers report that their employers do not withhold income or social security taxes. Though in the short-term it may seem beneficial to both the worker and employer to avoid such taxes, it can be harmful to the worker in the long-term. An immediate disadvantage to the domestic worker for not reporting income to the government includes the loss of documentation of an employment history, which is often needed for items such as a car loan, apartment rentals, and credit cards. The worker also loses access to the Earned Income Tax Credit, which can be a substantial benefit to low-income workers. Not reporting domestic employee income, nor withholding taxes, can also be risky to the employer; in the event that the Internal Revenue Service discovers this illegality, employers could be audited, fined and even jailed for their tax avoidance.

There are longer term, and more dire, consequences to the domestic worker. Without W-2 forms and reported income, domestic workers may not have access to government programs such as Social Security and Medicare. The *Wall Street Journal* has recently reported that the slumping economy means nannies are increasingly likely to be laid off and then file for unemployment benefits, drawing the scrutiny of tax regulators which places their benefits at risk and puts themselves in legal jeopardy for not reporting income. Furthermore, according to the Social Security Administration, a worker must report at least \$1,120 yearly to earn the minimum number of credits needed for social security retirement, disability or survivor benefits. If a domestic worker's income is not reported by her employer, and social security taxes therefore not paid, the worker may never accrue the necessary credits to qualify for social security benefits when they reach retirement age. Without the safety net that government programs like Social Security provide, the difficulties faced by domestic workers multiply—retirement with a modicum of security will be nothing more than a dream.

A Domestic Worker's Story: Isolated from Her Family

“I spent so much time with that family that I never got to see my own family and I missed out on raising my granddaughter.”



A gathering of domestic workers and some of their children at El Centro Humanitario

“I worked a job as a pet nanny for a doctor and her boyfriend. I was hired to watch two dogs and for housecleaning. I was given a place to live in the house and I slept on a couch in a small room in the basement. There was no heat and I got scolded by my employer’s boyfriend for turning it on. I cooked on a hot plate and tried to remain out of sight.

My employer’s boyfriend did not want a housekeeper and made that very known to me. I would have to clean the 3800 square foot house at very odd times. He couldn’t be upstairs when I was cleaning and my employer worked nights at the hospital so I’d have to wait until she was awake. I would get yelled at if I made too much noise—even running the vacuum—making it impossible to get work done in a timely manner. I was always cleaning it seemed. I had to do all the housecleaning and all pet care, laundry, grocery shopping and even had to prepare dinner each night. I worked about 70-80 hours a week and didn’t receive any overtime or payment. My compensation was primarily a place to live.

I was eventually fired for ‘not running fast enough with the dogs.’ I’m an older woman and this job was physically too demanding. I’m no Mary Poppins. I’m not a miracle worker. I just clean houses. Conditions for workers will never improve if employers can’t see them as human.

In any case, I was tired of being disrespected and the forced invisibility; I wouldn’t have wanted to stay there anyway. I spent so much time with that family and others I have worked for that I never get to see my own family and then I miss out on raising my granddaughter.”

— “Julie,”

Reporting on her work providing live-in housecleaning and pet-care services



Interlocking Oppressions: Race, Immigration Status & Language

“The labor market for domestic workers is racially stratified. White European or American workers tend to occupy well-paid, professional, nanny positions. In contrast, ‘racial-ethnic’ women more often hold lower status and lower pay jobs...[as they] are commonly defined as ‘unskilled’ regardless of their qualifications.

“Domestic service has been associated historically with discourses that assert household workers’ biological or ‘natural’ inferiority by sex, lineage, national origin, class, and/or race.

“Accompanying this pattern is a popular discourse that defines Latina immigrants as particularly well-suited for domestic work...I found employers commonly expected these women to be ‘natural mothers’ who would be content with a subservient household role.”

— Kristen Hill Maher, “Natural Mothers” for Sale, in *Immigrant Life in the U.S.* (ed., D. Gabaccia & C. Leach)³⁷

Throughout this report, the challenging workplace conditions facing domestic workers have been documented. As difficult and abusive as these conditions are for *all* domestic workers, the reality is that on every dimension, conditions are substantially more challenging and abusive for *immigrant and non-white* domestic workers. Scholars call the “interlocking matrix of oppressions” faced by non-white and immigrant domestic workers “intersectionality,” which simply means that certain categories of workers are more likely to face abuse than others.³⁵ In practical terms, “intersectionality” means that the white, English-speaking domestic workers we surveyed received higher wages and experienced much better working conditions than did the non-white immigrant workers whose first language was not English. This stratified treatment makes it doubly troubling that standard workplace protections against ethnic and racial discrimination do not apply to domestic workers.

Domestic workers face oppressions related to their race, national origin, and language. Non-white, migrant, and/or Spanish-speaking workers face what Stiell and England call an “interlocking, relational system of oppression” that is far beyond what white, English-speaking workers face. The chart on the opposite page demonstrates that non-white, immigrant and primarily Spanish-speaking domestic workers are far more likely to face abuse than their white, citizen, English-Speaking counterparts. While 30% of native-born domestic workers earn less than the minimum wage, 56% of immigrant domestic workers earn this wage. While more than half of white domestic worker live-ins have living expenses deducted from their pay, 67% of non-white domestic worker live-ins have living expenses deducted. And while 35% of native-born domestic worker live-ins do not have a private sleeping area (instead sleeping with the children or in a common area), 61% of immigrant workers face this arrangement.

“There is evidence that strongly suggests that paid domestic work has become racialised. Key to the process of racialisation is the ideology that a domestic worker’s relative worth is judged relative to the poverty (or wealth) of her country of origin.

“European women seem to be accorded more prestige than ‘third world’ women. Moreover, it seems that Europeans may receive higher pay, better treatment, and be regarded as ‘nannies’ in the strictest sense of doing mainly childcare. ‘Third world’ women may receive less pay and be treated less well, while being deemed ‘domestics’ who are expected to do extensive housework as well as childcare.”

— B. Stiell and K. England (2007)³⁶

“The immigrant women take the jobs no one wants. I know the type of abuses I went through, and can’t imagine how much worse it is for them”

— CO Domestic Worker, white, female, with ten years of service

Percent of Domestic Workers Experiencing the Following Conditions					
	White	Native-Born	Non-White	Immigrant	Primarily Spanish Speaking
Paid Less than Minimum Wage	27%	30%	49%	56%	59%
Wages Regularly Withheld by Employer	33%	33%	41%	48%	55%
Work Over 50 Hours a Week	15%	13%	19%	25%	21%
Pay is Regularly Late	16%	22%	33%	32%	35%
Regularly Not Paid for All Hours Worked	39%	36%	50%	54%	61%
Receive No Regular Time Off	42%	36%	49%	59%	69%
Required to Work Long Hours Without Breaks	20%	25%	37%	39%	30%
Regularly Experience Verbal or Physical Abuse On the Job	40%	42%	54%	59%	64%
Live-Inside the House Where They Work	19%	20%	30%	37%	43%
If Worker is a Live-In: Does Employer Deduct Living Expenses from Pay?	46%	55%	67%	67%	75%
If Worker is a Live-In: Does Worker Have to sleep with the children or in a common area (as opposed to having a private sleeping area)	38%	35%	54%	61%	62%
Has Worker been forced to sleep in unhealthy locations (e.g., no windows, no ventilation)	6%	6%	10%	11%	14%

“Citizenship, race, ethnicity, class and gender continue to mark the boundaries of domestic service...Within the occupation, one finds a wide range of salary, job expectations, employee-employer relationships and living arrangements for live-in employees...Workers are sorted by their vulnerability and privilege along a continuum of work activity that falls under the occupation of domestic service.”

— Mary Romero, Maid in the USA, Introduction: Tenth Anniversary Ed.³⁸

Sources of Interlocking Oppression

Legalized Discrimination. For the most part, it is not illegal for employers to discriminate against domestic employees. Federal law protects many workers against discrimination based on race, national origin, religion, sex, disability or age—but these laws only apply to employers who employ multiple workers, usually 15 or more. This means that virtually every domestic employee working in a private home is not protected from such discrimination. Because of exclusions in federal and state anti-discrimination law, prospective employers are free to pay non-white workers less than they might pay a white worker, are allowed to provide immigrants with different working and living conditions than they might provide to citizen workers, and can expect longer hours with fewer breaks from their non-white or Spanish-speaking employees—without any fear of legal reprisal. *New York Times* reporting has found that hundreds of domestic workers in New York City are denied jobs every year due to the race or national origin, with worker ads commonly reading such things as “No Jamaicans,” or “Mexicans need not apply,” and domestic worker agencies referring white workers to the better job positions.³⁹ Due to such discrimination (which allows employers to restrict the kinds of jobs available to different demographic groups and to treat employees differently based on their race, ethnicity, language or gender), researchers have found that lower quality domestic jobs are typically offered to immigrants, or to workers with a Spanish accent, while higher quality jobs are offered to white workers and native English-speakers.⁴⁰

Precarious Employment Position. Non-white, immigrant domestic workers face a substantially more precarious work position than do white citizen employees. The precarious work position begins with the fact that there are restricted alternatives available to non-white immigrant workers, who find it hard to quit even an abusive job, due to difficulties in finding a job elsewhere or in another profession. The fact that 25% of foreign-born women in America are engaged in domestic work speaks to the difficulty these women face in shifting occupations.⁴¹ Immigrant workers are especially vulnerable in that their work visa is often tied to their ability to maintain employment, and so they naturally fear deportation should they complain or leave even an abusive employer. Often, immigrants face threats from some employers to report “troublemakers” to immigration officials for deportation. As found by one scholarly study: “*Undocumented care workers do not have the power to refuse work that is demanding for fear of deportation or losing their primary, and often only, source of income.*”⁴² Adding to their sense of powerlessness, fully 18% of immigrant workers in the Colorado survey have been asked at least once to turn over their passport to their employer as a condition of securing work—making them even more vulnerable to workplace abuse and exploitation. Though such a passport request is illegal, immigrant workers often feel they have no alternative, and in any case they may not have a clear understanding of their legal rights. Finally, immigrant workers commonly face an extreme level of isolation in the community. Domestic workers who live in the home are especially removed from friends and family.

These conditions work together to create a situation whereby employers can take advantage of the immigrant domestic workers’ precarious position. Because of their unique and delicate (often undocumented) immigration situation, immigrant women have fewer prospects in the labor market than white women and non-immigrant women of color. As a result, undocumented and immigrant domestic workers are subject to exacerbated levels of abuse, settling for whatever work they can find, enduring verbal and physical abuse, and, in extreme cases, submitting to sexual harassment and assault. In our survey, we found the following patterns:

- 56% of immigrant workers reported that they endured abuse because they needed the money (versus 29% of citizen workers)
 - 25% of immigrant workers reported that they endured abuse because they didn’t understand their legal rights (versus 5% of citizen workers)
 - 14% of immigrant workers reported that they endured abuse because they felt isolated and without friends (versus 4% of citizen workers)
-

Cultural Bias. Underlying much of the heightened exploitation and abuse faced by non-white, immigrant workers is the cultural tendency to devalue domestic work, even while non-white, immigrant women are seen as “ideally suited” to this devalued work and undeserving of higher pay.⁴³ Even though the responsibility for domestic work has changed over the years—from slaves to black women domestic servants to recent immigrants—something of the old “master-slave” relationship has remained as domestic workers (especially when non-white) are seen as perfectly suited to cleaning the dirt of others, and incapable of other kinds of work.

Many domestic workers in our survey certainly see this cultural bias operating against them. Of all immigrant workers surveyed, 54% felt that their immigrant status contributed them being exploited as a worker, 34% felt their race played a role, and 30% felt that their limited English skills contributed to employer abuse. One immigrant worker interviewed for this study believes that “A lot of Americans think that just because workers are immigrants they shouldn’t receive the same pay. Most employers pay more when someone is documented or a citizen, and those who aren’t are exploited.”

“The paid domestic worker, even when she does the same work as the wife/mother/daughter, is differently constructed. The domestic worker, whether ‘cleaner,’ ‘nanny,’ or ‘servant,’ is fulfilling a role, and crucial to that role is her reproduction of the female employer’s status (middle-class, non-laborer, clean) in contrast to herself (worker, degraded, dirty)...This is important to our understanding of the ‘slavery’ of domestic work and helps explain why domestic work is so often undertaken by racialized groups...Racist stereotypes intersect with issues of citizenship and result in a racist hierarchy which uses skin color, religion and nationality to construct some women as being more suitable for domestic work than others.”

— Bridget Andersen,

*Doing the Dirty Work: The Global Politics of Domestic Labor*⁴⁴

Asked of Immigrant Workers: "If You Have Experienced Abuse, Which Factors Contribute to You Putting up with the Situation?"	
I need the money and don't have other options	56%
My immigration status makes it hard to protest such a situation	39%
I am uncertain of what my rights are on the job, or how to enforce them	25%
I have limited English Skills	23%
I don't have many friends or family members in the community to help me	14%

Asked of Immigrant Workers: "If You Have Experienced Abuse, Which Factors Do You Believe Contributed to the Abuse?"	
My Immigration Status	54%
My Race or Ethnicity	34%
My Language	30%
My Gender	15%



Recommendations

The Need for Action

As this report documents, Colorado domestic workers suffer profound workplace exploitation and abuse. They work in a lawless environment where work contracts are rare, minimum wage and overtime violations are the norm, and verbal/physical abuse are common. Working in the isolation of private homes, without fellow employees or adequate legal protection to rely upon, too many domestic workers endure such abuses for months or even years, concluding “*what else can I do? I need the money.*”

But these inhumane working conditions can be changed. Across the nation, in states like New York, Maryland and California, legislatures have risen to the challenge and passed new acts to protect the rights of domestic workers. New York has led the way, passing the nation’s first “Domestic Worker Bill of Rights” in 2010, which guarantees workers a right to overtime pay, time off every week, vacation time, and anti-discrimination protections.

It is time for Colorado to recognize the reality of domestic worker abuse and to pass adequate legislation to protect this vulnerable population. In addition, conscientious employers can take voluntary steps to better respect the rights of their workers. Finally, workers themselves can take proactive steps to better protect themselves on the job.

“The domestic work industry—where workers are in separate households, far from their own communities makes domestic workers uniquely vulnerable to labor abuses and even physical abuses...Relying on their employers for food, phone, shelter, and—in the suburbs—transportation, live-in domestic workers are particularly at risk. This creates a dramatic power imbalance that is unique to the domestic work industry. They will continue to lack the leverage to negotiate fair conditions with their employer.”

— Domestic Workers United (NY)⁴⁶

Statement of NY Governor David Paterson, upon signing the nation’s first “Domestic Worker Bill of Rights”

(July 1, 2010)

“Today, both houses of the Legislature passed legislation that truly deserves to be called historic. It would make New York the first State in the nation to enshrine in law the basic rights of a class of workers that has historically and wrongfully been excluded from such protections: the domestic workers who care for our children, clean our homes, and provide the elderly with companionship.

“Their work is of incalculable value, yet our laws have failed to recognize it. This bill would change that, and serve as a model for such change on a national scale.”⁴⁵

Recommendations to the State of Colorado

The State of Colorado can play a fundamental role in raising the level of respect for domestic work. In order to achieve this result, Colorado legislators should pass legislation recognizing domestic work as “real work,” deserving of the same protections and dignity as other work.

A vital step for Colorado officials is to follow the lead of New York and encode new domestic worker rights into law. Currently, Colorado law exempts domestic employ-

ees from state minimum wage rules, overtime pay requirements, or mandatory meal and rest period breaks. The state should remove such exclusions and should apply basic wage, overtime, and minimum break standards to domestic workers, who need and deserve basic workplace rights just as other workers do. Federal minimum wage law applies to domestic workers, as do aspects of federal overtime law, so Colorado could make the same standards clear in State law without unduly burdening employers. Domestic workers commonly work over 50 hours a week, and many work seven days a week with no scheduled days off—such workers deserve at least a minimum wage, a day off each week, and the possibility of accrued vacation or holiday time off.

Adequate legislative protections for Colorado domestic workers would include:

- Minimum wage standards and required overtime pay for domestic workers.
- Required days of rest each month; at least one day each week.
- A requirement that domestic workers can accrue paid personal days, sick days and holidays. Required allowance of unpaid family and medical leave.
- A requirement that employers provide their domestic employees with a written contract concerning work duties, rights and responsibilities.
- Require employers to provide written notice of termination 2-3 weeks before a worker's final day of employment.
- A legislative declaration that immigrant domestic workers should be protected from loss of their work visa and deportation while they are involved in cases involving the investigation of employer abuse.

Colorado could take large steps towards improving the lives of domestic workers by including such worker rights in state legislation, enforcing existing laws when they are violated by employers of domestic workers, and encouraging workers to come forward and remove themselves from abusive workplace situations.

Recommendations to Employers of Domestic Workers

The fact that labor law currently opens up domestic service for exploitation doesn't mean that employers must benefit from the State's omission. Conscientious employers can lead by example, voluntarily setting dignified standards for their domestic workers and treating workers just as the employer seeks to be treated in their own profession. In some cases, employers might not have fully considered nor realized the substandard wages they may be paying, nor the excessive burdens they may be placing on their workers in terms of hours worked or lack of days off. To address such problems and to foster better conditions of domestic workers, employers should take the following steps:

- **Regular and Fair Pay.** Any payment below minimum wage (\$7.25/hr) is substandard and contributes to diminishing the value of domestic work. Wages should also be paid on time.
- **Standard Workday and Paid Overtime.** The standard workday is 8 hours. Any time worked beyond that should be paid an overtime rate—1.5 times the regular rate. When calculating the day's tasks, be considerate of the time a worker actually needs to complete the tasks. If the work you expect to be done requires extra hours on any given day, then extra compensation should follow,
- **Regularly Scheduled Breaks.** Federal labor laws grants any worker working longer than a 5.5 hour shift to receive a 30 minute break, and requires a one hour break when a worker works over 7.5 hours a day. Domestic workers should be granted the same break schedule.

- **Standard Benefits.** Domestic workers are people with families. They catch colds. They attend to ill family members. They have emergencies. They celebrate holidays. Providing paid time off for holidays and sick leave promotes respect for domestic workers and creates a more professional and productive working environment. Also, assistance with health insurance and reimbursement of labor-related expenses (such as if a worker must drive her own car to do shopping for her employer) promotes respect for domestic work.
- **Clearly Defined Job Description.** It is a good business practice to have a written contract, clearly specifying job duties and worker rights and responsibilities. By writing down clear work expectations and presenting them to the worker, employers can avoid future pitfalls related to changes in job responsibility or misunderstanding about work duties.
- **Pay Taxes.** Filing a 1040 tax form for your employee can be of benefit to both you and the worker. Filing this form increases the employers' deductions on their own taxes and thus reduces the taxable income of the employer. For the employee, filing this tax form and taking out appropriate income, Medicare and Social Security taxes means that employees can qualify for tax benefits such as the earned income tax credit and future Social Security benefits. And, for workers applying for citizenship, there are compelling incentives for declaring wages because immigration officials request several years of tax returns for consideration.

Recommendations to Domestic Workers

Since the government doesn't adequately guarantee domestic worker rights, it is often up to workers to protect themselves. Domestic workers can take proactive steps to better defend their own rights, and to step out from behind the strollers and the closed doors of the home to join with other workers in protecting their rights and dignity.

- **Ask for a Work Contract.** Before beginning work for an employer, ask that the terms and conditions of employment be put in writing. This contract should clarify wages, work schedule, holidays and vacation time, personal and sick days, health benefits, length of employment, and termination notice procedure. The contract should also explicitly state job responsibilities and expectations so there is no confusion between you and your employer. An employer unwilling to consider such a written contract should raise a warning flag in terms of how he or she may treat employees in the future.
 - **Keep Records.** Write down the hours you worked and the duties you had on a daily basis. Keeping accurate records will protect you from missing payments and from miscommunication with your employer. Also, take note of paydays and how much you are paid. Keep any receipts, paychecks, or handwritten records of cash paid to you.
 - **Speak Out and Join With Others.** You are more likely to have your rights respected if you discuss problems with your employer. You can also gain knowledge of your rights and support in facing your challenges by joining with other domestic workers who have come together in advocacy and discussion groups such as the domestic workers project at El Centro Humanitario, where new members are always welcome.
-

From the Poem, "Domestic Work"

By Natasha Trethewey (1937)

All week she's cleaned
someone else's house,
stared down her own face
in the shine of copper-
bottomed pots, polished
wood, toilets she'd pull
the lid to--that look saying

"Let's make a change, girl."

"Let's make a change, girl."

At El Centro, Natasha Trethewey's words are an inspiration. We are committed to improving the working conditions facing Colorado's domestic workers, and we hope the troubling facts revealed in this study might inspire others to join us in making that happen.

Already, domestic workers at El Centro have come together to form an energetic "Women's Project"—a circle of women who meet regularly at El Centro to support each other in their challenges, inspire each other with their wit and stories, and plan together how to transform their lives. Out of that women's project, a number of worker owned-cooperatives have been born, the most notable of which is the thriving "Green Cleaning for Life" cooperative, owned and operated by Denver domestic workers, who are building assets and changing their lives through this social venture.

One of our next steps will be legislative advocacy, working to translate the knowledge of domestic workers, and the hard truths of this study, into new policy to improve the lives of Colorado domestic workers.



*Worker owners of the El Centro-assisted "Green Cleaning for Life" co-op;
Standing together to improve the lives of Colorado domestic workers*

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Appendix: CO Craigslist Domestic Worker Postings

“Seeking Girl Friday: I'm looking for an energetic, creative, smart and organized person to help me with some odds and ends...somebody to watch the kids, clean house, run some errands, and help out with my business doing miscellaneous tasks from filing to computer work.”

— Craigslist, 2010-07-14

Insight into the life of Colorado domestic workers can be gained by reviewing some of the worker ads placed on Craigslist. Because Craigslist targets people who are savvy with internet posting sites, the ads on Craigslist are not representative of all domestic worker jobs (many domestic workers find jobs through friends and informal networks, not through formal job searches on the internet)—but still the ads are suggestive of the kinds of challenges experienced by Colorado domestic workers. On the next two pages, the text of selected Colorado Craigslist domestic worker ads is reproduced, giving a picture of the challenging, multi-faceted, and alternatively rewarding and abusive working conditions facing domestic workers. In these ads, employers have the highest expectations of their domestic employees, and lay an exceptionally demanding range of work tasks at their feet. While some of these employers seem committed to the rights and dignity of their workers, others openly advertise that their domestic employees will earn substantially below minimum wage. Expected hours commonly run over 40 hours a week; rarely is overtime pay mentioned.

SUPER-NANNY, ARE YOU OUT THERE?

Date: 2010-05-04

We have a beautiful little girl who is 2 years old, and we are looking for an experienced, creative, loving nanny. Extensive experience with preschool-aged children is required. We are looking for someone who is patient, fun-loving and kind, is a non-smoker (and does not live with a smoker), won't use television to keep our daughter preoccupied, **enjoys doing simple art projects, and can create a magical garden in our backyard with our daughter this summer, is open to doing errands, light housekeeping and household chores (tidying the house, laundry, etc.) as well as preparing simple meals**, is organized, does not use drugs or alcohol, has a safe driving record and a reliable vehicle with appropriate insurance, is infant CPR/first aid certified, is punctual, and is a good communicator.

An important part of this position will be **to help us create a fun, creative, and dynamic curriculum rich in play to engage our daughter and all of her senses. Knowledge of Waldorf and Montessori philosophies is a plus.** Our daughter is extremely smart and we want someone who will help her discover the world, who will actively engage her in activities and take her on outings (museums, zoo, parks/nature, music and art classes, etc.).

NANNY, FULL-TIME

Date: 2010-04-27

Looking for a fun, energetic and responsible nanny for my three children ages 12, 10 and 8. **Summer hours are Monday thru Friday 8:00AM until 6:00PM (sometimes even 7:00 PM) in the evening.** A safe car and driving record is a must as you will be taking children to and from many activities during the day. Must be extremely neat and organized. **Must be willing to do light household chores including dishes, laundry and grocery shopping, etc. This position also include making breakfast, lunch and often dinner.** This individual will become a key part of our family. Compensation: \$12 per hour

NANNY

Date: 2010-06-10

We have a nine year old son that we **need to have someone watch mostly M-Th 6:30am-5:30pm**...We also ask while you are in our home you pick up after him. We have three dogs that need watched over as well. They love going for rides and hikes. We are looking for someone to take him to school and pick him up and help him get his homework done. **We pay \$20 a day.**

PERSONAL ASSISTANT/NANNY

Date: 2010-06-03

I am looking for a very organized and personable assistant who will help with both professional/office and personal/household related responsibilities. **I am looking for assistance with scheduling and travel arrangements, documents, spreadsheets, presentations, email/internet support, light bookkeeping, errands, coordination of meetings , assisting with phone calls. On a personal/household side this position would include carpooling to school and after school activities with children, light housekeeping, laundry, homework.** Standard hours are Monday–Friday during normal business hours, but varies slightly and will include a few overnights each month. **This position pays a competitive salary, includes paid holidays and vacation time and offers a comprehensive benefit program (i.e. health insurance, 401K...).**

FULL-TIME NANNY

Date: 2010-06-22

Energetic, loving, and qualified woman needed to engage 3 wonderful children (1 year olds and 4 year old) in our home along with associated household chores (laundry, meals, cleanup). **This is a full-time position (50-55 hours per week).** Candidate must have the creativity to engage toddlers and preschooler simultaneously and requires a truly energetic person who is ready to take the kids on outings or have structured and free play around the house.

NEED A BABYSITTER

Date: 2010-06-21

Need childcare in my home. **7:30 to 4:30 Mon-Friday...I can only pay \$250.00 a month.**

NANNY

Date: 2010-06-23

I am looking for someone to be here **2-4 nights a week Mon-Thurs. from 5:30-10:00.** I need someone to be here without fail and be involved with my children. They will have dinner fed to them and I will cook enough for you too. I just need someone to play with them and bathe them and put them to bed at 8:00. They are 4, 2, and 1 they are very easy to get along with! **I am living on a limited budget, only being able to afford \$80-100 every 2 weeks.**

SEEKING SURROGATE GRANDMOTHER

Date: 2010-06-20

We are a family in need of someone to be a part of our girls' lives. They are in a variety of different activities at different times and places. We are looking for someone who can be more than a simple driver/babysitter. We are looking for someone who will be interested in the things that the girls do, someone who will listen and talk with them, someone who would like to come to performances and be a part of our lives. This is not a supremely time intensive job; we won't be using you 40 hours a week. **If you are interested in forming a bond with some wonderful kids, being, in short, a surrogate family member, this may be for you. We are not wealthy, and CAN'T afford to pay you \$400 a week,** so if you feel you can do this for a reasonable hourly rate, or salary, please get in touch. **We are seriously looking for someone to be a part of our family, not an employee.**



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**2260 California Street
Denver, CO 80205
303.292.4115**

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Xcel Foundation

Mission

***El Centro Humanitario promotes the
rights and well-being of day laborers
and domestic workers in Denver
through education, job skills training,
leadership development, united action
and advocacy.***

***Our goals are to develop a sense of
community and self-sufficiency among
workers and to foster worker ownership
over El Centro Humanitario.***

Section of Mural on Side of El Centro Humanitario's Building
Designed and Painted by Students of Escuela Tlatelolco
Guided by Escuela's Art Instructor, Brenda Cleary

