



Lessons From the Movement to Enact and Implement a Bill of Rights for Domestic Workers in Seattle

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On the afternoon of July 23, 2018 an otherwise routine meeting of the Seattle City Council became a joyous celebration as domestic workers and advocates watched a unanimous vote to pass a Domestic Workers' Bill of Rights establishing comprehensive labor standards for domestic workers in the city. Stipulations about basic work conditions may seem like standard labor protections, but the Seattle Bill of Rights was path breaking in extending minimum wage rules and rights to mandated rest and meal breaks and paid vacation time to long unprotected domestic workers like nannies and maids.

Urban policymakers and labor organizers alike should learn from the enactment of this bill that it is time for national conversations on labor rights to turn to domestic workers, who have for too long been overlooked and excluded from basic workplace protections.

Activist Mobilization for Domestic Worker Rights

The struggle for domestic worker protections is not new. Activists in Seattle drew on a tradition of mobilizing for the rights of workers who serve as nannies, home care workers, maids, and other jobs done in the privacy of the home. And eight different state governments have recently passed similar domestic worker labor standards. Activists in New York State led the way, lobbying for and winning their own Domestic Workers' Bill of Rights in 2010. Their legislative and activist framework, shaped in large part by the newly-formed National Domestic Workers' Alliance, became a guide for domestic labor activists across the nation. In the years since 2010, Hawaii, California, Massachusetts, Connecticut, Oregon, Illinois, and Nevada enacted similar laws. Legislation in so many states has clearly brought the issue of fair and equitable treatment for domestic workers to the national agenda.

Although the Seattle law was the first Domestic Workers' Bill of Rights passed at the city level, the efforts that put it on the Council's agenda followed a familiar pattern. Representatives from the National Domestic Workers' Alliance established relationships with local non-profit groups like Working Washington, Casa Latina, and the Seattle Domestic Workers' Alliance, all of which mobilized on behalf of the historically vulnerable workforce by featuring the voices of domestic workers themselves. Women of color and undocumented women, who make up the lion's share of the domestic worker population in Seattle used personal narratives and appeals to the city's progressive reputation to sway the public and the Council. Local labor unions also joined the broad coalition lobbying on behalf of the bill, and City Council Member Teresa Mosqueda championed the measure through a lengthy deliberation and research process. These strategies displayed the spirit of a new modern labor movement in Seattle and beyond.

A New Way to Regulate

Given that most domestic labor happens in the private realm of the household, regulating the industries in question has been notoriously difficult. In the months leading to the bill's passages, the Seattle Council held in-depth listening sessions with workers, employers, and other shareholders, to define innovative solutions to problem presented by the industry's unregulated and decentralized employment structure.

The city ordinance calls for the formation of a "Domestic Workers Standards Board," an entirely new regulatory body that will meet quarterly to establish best practices for educating workers about their rights and enforcing the new standards. Although this board will work with the city's existing Office of Labor Standards, stakeholders from across domestic labor industries, including domestic workers and activists, will now have a seat at the table. And the board will help city officials understand how to apply the bill of rights to specific kinds of workers in the Seattle community, and allow future revisions and improvements in the Domestic Workers' Bill of Rights. Because domestic workers are often isolated or operate under informal contracts, this body can enhance oversight and ensure that the regulations continue to be adjusted to meet the needs of workers and employment realities.

How Domestic Workers Got Written Out of Previous Labor Laws

Maids, nannies, and caretakers need this new kind of legislation because previously domestic workers have been effectively written out of laws that provide similar protections to workers in other, more traditional industries. Signed into law by Franklin Delano Roosevelt in 1935, the Wagner Act codified rights like collective bargaining and strike powers for many private sector employees. Although the act represented a turning point for U.S. organized labor, it had limited scope. Agricultural and domestic workers were excluded from the new law's protections. As a result, these two industries escaped oversight by the National Labor Relations Board, even though they employed about half of the nation's total workers. Those industries also offered some of the only employment opportunities available to African Americans in the 1920s and 1930s, especially in the South. Racially coded exclusions bolstered the Wagner Act's chances of gaining support from southern Democrats, who were then powerful gatekeepers in Congress.

What is Next for Domestic Workers?

Now, almost a century later, the estimated two million domestic workers in the United States are still overwhelmingly women of color, many of whom came to the United States from impoverished countries. Although domestic workers might not have the benefits of tools like trade unions or collective bargaining, Seattle's Domestic Workers' Bill of Rights proves that non-traditional organizing can extend protections to these overlooked workers. Grassroots campaigns asking city counties to act to protect multiply disadvantaged workers represent a promising way forward in the current moment of shrinking labor unions and growing industry power.

Through intertwined national and city-level movements, domestic workers and their advocates can enact and devise innovative ways to enforce Domestic Workers' Bills of Rights. They can create new legal protections to ensure meaningful improvements in the lives of the maids, nannies, and other care workers on whom so many Americans depend.