

Domestic Workers' Rights: A Matter of Ethics

Contributed by [Rabbi Barry Dov Lerner](#)

Source: Foundation for Family Education, Inc.

By Marjorie Ingall, The East Village Mamele My childhood Sedarim involved a slight disconnect. Perhaps yours did, too. Here we were, a big tableful of upper middle class white folks, reclining on pillows around a beautifully set dining room table, discussing our history as slaves... while Mrs. Dyer, our cleaning lady, bustled about in the kitchen, ladling out the matzoh ball soup and scrubbing the haroset-smearred dishes. A lot of us employ minority women in our homes — not just as Seder helpers, but as house-cleaners, nannies and elder care providers. Many of these helpers are immigrants, just as our people once were. These women come from the Caribbean, Asia and Latin America rather than Russia and Germany, but they want the same American Dream our grandparents did. Our great-bubbes and -zeydes often began their lives as Americans working in low-wage jobs too. And unfortunately, like our ancestors who sweated in places like the Triangle Shirtwaist Factory, these immigrants have very little protection from exploitation. Domestic workers are exempt from protection under most labor laws. Most of us want to treat our employees humanely, but unfortunately, that's not universally so. Every few months a story breaks about someone holding an immigrant woman as a virtual slave, paying less than minimum wage, forcing her to work horrid hours. Two years ago, a Long Island couple held two Indonesian women as prisoners in their home, beating them, slashing them with knives, working them day and night, making them sleep in closets and never allowing them outside except to take out the garbage. And for every Grand Guignol horror story like that one, there are thousands of small-scale tales of dehumanizing, un-mensch-like employer behavior. Yes, even among Jews. That's why Jews for Racial and Economic Justice campaigns for fairness toward domestic workers. Its program, Shalom Bayit, or "peace in the house", is based on the notion that justice begins at home. As Jews, people who've historically been active in the union movement, vocal about the need for fair and safe workplaces, fierce in our pursuit of justice on behalf of oppressed people in America and throughout the world, we need to look into our own kitchens and living rooms to make sure we're being good employers. I've heard too many stories of people (yes, tribe members!) trying to underpay nannies, letting them go with little notice and no severance, expecting them to be on constant call. That's why I think it's cool that JFREJ, in partnership with Domestic Workers United, an association of immigrant women in the home-care labor force, helped pressure the City Council to pass New York's first legislation to protect domestic workers' rights. Now they're aiming to pass a Domestic Workers' Bill of Rights in the New York State Senate. These rights would include wages of no less than \$12 an hour (\$14 in 2010); at least one day off per week; up to 12 weeks of family and medical leave; paid sick-days, vacations and holidays; advance notice of termination, and severance in accordance with number of years worked. The bill seems realistic in its scope — it doesn't address the immigration status of domestic workers, and doesn't require anything massively financially untenable. It seems particularly appropriate to take a hard look at our own domestic-helper-related practices when Passover rolls around. After all, this holiday wouldn't have happened without the efforts of Shifra and Puah — two midwives, the contemporary equivalent of domestic workers — who saved Jewish male newborns. And then we have Miriam, and Pharaoh's daughter, who had their own big roles to play in the story of Jewish liberation from slavery. So JFREJ has produced a Haggadah supplement that draws parallels between our people's experiences in Egypt and domestic workers' current struggles. (There's currently a link to it from JFREJ's home page at jfrej.org.) The supplement includes a question from a kindergartner: "What does it mean to be a slave? Is it like being the cleaning lady who doesn't speak English?" Often, when our kids say innocent things that feel racially insensitive to us, our instinct is to hush them immediately, to brush their comments away and to bobble the teachable moment. If a kindergartner at a Seder only interacts regularly with one person of color, the one who mops his family's floors and doesn't speak his language, it's no wonder he's jumped to certain conclusions. But educating him doesn't mean hastening to stammer, "Consuela isn't a slave! Ha ha! Someone fill the fourth cup, fast!" You owe it to the kid and to the planet to

provide a diverse picture of our country. We now have a bi-racial president from a multiracial and multicultural family. Being insular doesn't play anymore. The issue of treating people of color respectfully as well as with economic fairness is the subject of a whole other column. But I can't tell you how many clueless, if well-meaning, comments I've heard about the fundamental suited-ness of entire ethnic groups as sitters. "I'd only hire a Filipino nanny!" one acquaintance of mine gushed. (Note: People who say things like this never know they mean "Filipina.") "They're so caring," my acquaintance continued. "That's why there are so many Filipino nurses." I've also heard, more than once, "Jamaicans are good nannies for boys, because they're the best disciplinarians and they play very physically." And "Tibetans are the gentlest by nature. They're Buddhist so they're very loving." (Tibetan nannies, in certain NYC communities, are huge status symbols. They make you look gloriously enlightened. They're like human prayer beads, or a red string bracelet with legs! And I'm told you can pay them less than you do other ethnic groups – huge bonus!) Guess what, parents? Humans are individuals. No group is "by nature" anything. Hey, stop counting your gold coins and controlling the media and listen to me. Hiring someone to take care of your children is perhaps the most important decision you make as a working parent. This person cuddles, feeds, changes and disciplines the people you love most in the universe. How can you nickel-and-dime someone who has such a vital role in your family's functioning? How can you view a caregiver as an ethnic signifier with given personality traits, instead of as a human being? The people who take care of our children are real heroes today, and in the Passover story. Write to Marjorie at mamele@forward.com.