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Practitioner's Essay

We Make the Spring Rolls, They Make Their Own Rules

Filipina DomesticWorkers' Fight for Labor Rights in New York City and Los Angeles

Ariella Rotramel

Abstract

This article provides a multidimensional examination of Filipina domestic workers' efforts to promote workers' rights nationally and globally. Through their own experiences as transnational workers, Filipina activists were able to translate their knowledge of labor dynamics into practical and effective tactics such as the demand for labor contracts as an industry standard. Combining ethnographic research and interviews conducted with New York–based Filipina domestic worker activists with primary and secondary sources from Los Angeles, recent advocacy work in New York is compared with efforts in Los Angeles and California more broadly. Key points of comparison—demographics and organizing histories, geography and usage of public space, and political contexts and legislation—illuminate significant divergences and continuities between the two regions.

The marchers participated in the first National Domestic Worker Congress, forging alliances with workers from across the country and taking to the the streets to support the proposed New York State Domestic Workers Bill of Rights (see Figure 1). Domestic worker rights organizing within the United States and globally has become a leading example of a multiracial women-led labor movement. New York's Domestic Workers United (DWU) emerged as a leader in promoting successful strategies and network building, developing out of Committee Against Anti-Asian Violence (CAAAV): Organizing Asian Communities' *Kalayaan* [Freedom] Women Workers' Project. (*Kalayaan* is a common name under which Filipinas/os have organized globally for women workers' rights.) CAAAV's Women Workers' Project (WWP) was

Figure 1: On June 7, 2008, National Domestic Workers Congress Lead March for the New York State Domestic Workers' Bill of Rights (*New York Times*).

initially led primarily by Filipina domestic workers but incubated into DWU, a multiracial organization that has succeeded in changing local and state labor laws and coordinating domestic worker rights organizing across the country. Immigrant women generally have played crucial leadership roles in DWU, which has reported that 99 percent of domestic workers in New York City were foreign-born and 76 percent were not U.S. citizens (Domestic Workers United and Data Center, 2006, 10). Through their efforts, domestic workers in general and, more specifically, the Filipina workers in New York and Los Angeles analyzed here have countered popular assumptions that they are satisfied with their conditions or too isolated to change them.

Because U.S. domestic workers are denied the right to organize and lack many other labor protections, they have generally had access to few legal means to protect themselves. Moreover, until the efforts of groups such as DWU, domestic workers were often dismissed as "unorganizable" by unions because of the highly gendered, private, and isolating character of the job (Mercado and Poo, 2009, 9). Household employment produces situations in which workers are not able to claim the value of their work, offering a striking repetition of the public/private division that so long led to the undervaluation of domestic labor, paid or unpaid. However, the dual processes of feminization and casualization of

work in the United States, in conjunction with women's increasing visibility within labor and feminist movements, has produced new opportunities for women to organize. By using a range of tactics, such as "[mobilizing] public opinion, political action, and community organizing," women are working within, in alliance with, and outside of unions (Cobble, 2007).

Although street protests like the one shown in Figure 1 publicly expose domestic workers' frustrations with their ongoing exclusion from a range of federal labor protections and civil rights laws, their turn toward activism is often based in personal experiences that spill beyond the individual workplace. On a Saturday morning during the spring of 2009, I met with CAAAV's WWP organizer Carolyn De Leon and five WWP members at a coffee shop on Manhattan's Upper East Side. All six were initially drawn to the project because of their own negative experiences as workers or their concern for friends and other women in their community. In 2004, Nancy Vedic's employer attempted to forcibly send her back to the Philippines when he terminated her employment after she complained about working conditions, which included ninety hours a week for two to three dollars an hour. She was able to escape at the last minute when De Leon and other members met her outside her employers' building, quickly taking her bags when her employer went back inside for a moment and escorted her to De Leon's apartment. With the support of CAAAV's WWP, Vedic brought a lawsuit against her former employer for back pay that gained local news coverage (Casimir and Shin, 2004, 8). Similarly, Nita Asuncion, after working for a family for seven years in Hong Kong and for seven more years in the United States, was fired. Her employers offered to send her "maybe one hundred dollars, maybe one hundred and fifty dollars a month" if she went back to the Philippines. These experiences drew both women to CAAAV's WWP, but they continued to participate because they recognized that their experiences were not unique. As Asuncion stated, "We make the spring rolls, they make their own rules." This comment received resounding laughter from the group, suggesting their familiarity with a dynamic faced by Filipina domestic workers in cities around the globe.

Because of the international scope of Filipina employment in domestic work, transnational practices are key to analyzing their organizing in New York City and Los Angeles. Workers often share

migration experiences whatever their location, particularly in light of U.S.-Philippine state relations and labor policies. Thus activists collaborate under large umbrella organizations such as the General Assembly Binding Women for Reforms, Integrity, Equality, Leadership, and Action (GABRIELA) and the recently formed National Domestic Workers Alliance. Nonetheless, local contexts inform different histories and current activities in Los Angeles and New York City. Combining ethnographic research and interviews conducted with New York–based Filipina domestic worker activists with primary and secondary sources from Los Angeles, I compare recent advocacy work in New York with that in Los Angeles and California more broadly. Efforts on both coasts are read through the ongoing experience of Filipina domestic workers as transnational laborers and the growing efforts on national and international levels to promote domestic workers' rights. Key points of comparison—demographics and organizing histories, geography and usage of public space, and political contexts and legislation—illuminate significant divergences and continuities between the two regions.

Overview of Domestic Workers and Filipina Labor Migration

The content of "paid domestic work" has become more nuanced as activists and feminist scholars have looked to domestic workers for a sense of the day-to-day realities of the industry. In 1990, "the job description for a 'domestic helper/cleaner'" used by the International Labor Organization (ILO) provided a seemingly precise list of tasks while failing to accurately represent the realities of this type of work (Anderson, 2000, 15). Workers repeatedly state that they do "everything" or, alternately, "there is nothing we are not told to do" (Anderson, 2000, 15). Moreover, the ILO omitted whole areas of labor, such as caretaking. In Hong Kong, researcher Nicole Constable encountered largely Filipina "'domestic' workers employed as secretaries, clothing or architectural designers, accountants, beauticians, manicurists, nurses, waitresses, dishwashers, medical technicians, cooks, salespersons, messengers, hawkers, factory workers and researchers" (1997, 44). She concludes that without efforts to counter the preference of employer rights over their employees in practice and enforcement, legal and policy-based efforts are insufficient (1997, 153–54). Thus at the heart of questions about making positive change is the role of

regulation that continues to be gendered, classed, and raced across the globe and that devalues these workers and their labor.

In recent years, feminist activists and scholars have succeeded in garnering the attention of institutions such as the ILO to explore "the complex interplay between non-governmental organizations, multilateral lending organizations, local women's groups, and national state policies" (Litt and Zimmerman, 2003, 163). By 2010, the ILO had developed a much more nuanced understanding of domestic work that was reflected in its efforts "to establish a first-ever international standard ('convention') to protect the rights of domestic workers" (Parks, 2010). Former DWU staff member Claire Hobden wrote a 2010 ILO publication about that organization's Domestic Worker Bill of Rights campaign, thus establishing DWU as a legitimate partner in shaping the ILO convention. In June 2011, the ILO successfully adopted its 189th Convention on the Rights of Domestic Workers, which includes provisions for workers' rights to organize and the regulation of hours and minimum wage, among others. Importantly, groups like Human Rights Watch pointed to the contradiction in the United States' approach as it led support for the convention while failing to ratify it federally (Yoshikane, 2011).

Although there have been positive developments at the international level, the experiences of Filipina domestic workers must be understood through their relationship to the Philippine state. The Philippines, a former Spanish and U.S. colony, is a leading world exporter of workers, functioning as a "labor brokerage state," with domestic work constituting a key sector (Parreñas, 2000; Rodriguez, 2008). In 1992, approximately two million Filipinas/os worked overseas, and by 2003, the number had ballooned to more than seven million, representing about 9 percent of the Philippines' population (Constable, 1997, 32). As Robyn Rodriguez delineates in *Migrants for Export*, the Philippines increasingly depends on the exportation of labor and subsequent remittances to shore up debts incurred under structural adjustment. Thus the state has sought to transform labor migration into a patriotic act, naming workers Bagong Bayani (New Heroes) as it seeks to maintain migrants' strong identifications with home (Guevarra, 2006, 524). Gender has figured strongly in the latest migration, producing particular responses from the Philippines government and other actors (Morokvasic, 1984; Schwenken and Eberhardt, 2008).

Anna Guevarra argues that domestic workers' purported "'vulnerabilities' are shaped by a formation of a gendered moral economy linking family, religion, and nationalism with ideals of economic competitiveness and entrepreneurship that seemingly leads to the disempowerment of Filipina workers" (2006, 523). Such practices ostensibly aimed at protecting and improving the status of domestic workers actually undermine women. Political agendas reinforce an idealized Filipina laborer, working hard abroad to provide monetary support to family members and the Philippine state. "Gender-sensitive" training, such as the Pre-Departure Orientation Seminar, teaches future Filipina care workers the importance of remittances to family along with lessons on interacting with employers (Rodriguez, 2010, 105, 108). Rodriguez explains that building women's "confidence" ends up training workers to be "good and ultimately compliant workers" (2010, 108). Such training demonstrates the state's investment in securing a global image of Filipinas as possessing an innate "warmth and care" (Rodriguez, 2008, 797). This perception positions Filipinas as well suited for domestic work in global cities such as New York City and Los Angeles where "the consumption practices of high-income professionals," whose households function without a traditional wife, generate a demand for such labor (Sassen, 2009). As a result, Filipina domestic workers navigate the international division of reproductive labor and its national permutations in the Philippines and in the United States, Hong Kong, and other countries where they work.

Demographics and Organizing Histories

> Sitting in Nedicks
> the women rally before they march
> discussing the problematic girls
> they hire to make them free
> —Audre Lorde, "Who Said It Was Simple" (1997, 92)

Audre Lorde's poem evokes the continued gulf between feminists with class privilege and women working in industries such as domestic work. As Rhacel Parreñas argues, rather than confronting the gender norms that continue to tie women to reproductive and domestic labor, women employers depend on economic inequalities as they shift such work to other women. (2008, 17). For Filipina domestic workers involved in "the international transfer of reproductive labor," "[m]igration is [thus] a movement

from one set of gender constraints to another" (Parreñas, 2008, 16; Schwenken and Basten, 2008). The dynamics noted by Lorde are key to Filipinas and other immigrants' experiences of contemporary domestic work under globalization. The occupation is shaped in the United States by shifts in the global economy and earlier migrations that produced the gender, race, and class norms cemented within the domestic work industry. Although the racial etiquette developed most notably under slavery continues to be pervasive in employer-employee interactions, changes in U.S. immigration policy and the results of global restructuring during the late twentieth and early twenty-first centuries have significantly shifted the racial and national composition of this workforce (Romero, 1992, 89).

Low- and middle-income Filipinas/os in the United States are concentrated in areas where Philippine communities developed before 1965, such as Los Angeles, the Bay Area, Stockton, Delano, Monterey, Oxnard, and San Diego, all in California (Chua, 2009, 19–26). More recently, Sacramento has also seen growth in the Filipina/o community. In these areas, Filipinas/os cluster in particular areas; while in New York and New Jersey, they live in neighborhoods dispersed throughout the area. Overall, however, the Los Angeles/Riverside/ Orange County area has almost two and a half times the number of Filipinas/os found in New York and New Jersey (434,781 vs. 176,902) (Chua, 2009, 8). Peter Chua states that nationally, "There are over 30,000 Filipinas and Filipino men employed as domestic and home care workers. . . . Eighty nine percent are women . . . 35 percent came into the U.S. only in the past ten years" (Chua, 2009, 27). Los Angeles leads the country in the proportion of domestic workers, followed by Miami-Hialeah, Houston, and New York (Hondagneu-Sotelo, 2001, 6).

Unfortunately, statistics on domestic workers in Los Angeles that specify Filipinas or Asian/American women are scarce. For example, a recent report from the UCLA Institute for Research on Labor and Employment "Why a Domestic Workers Bill of Rights?" draws primarily upon a survey of Northern California domestic workers, and includes the categories "female," "Latina," and "born outside of the United States" (Applebaum, 2010). Meanwhile Chua's statistics include Filipina service categories from the U.S. Census that may overlap with domestic work, including health services, cleaning, and personal care. Thus we cannot

state definitively how many Filipinas are specifically employed as domestic workers in the Los Angeles area and their relative proportion to other workers. Based on scholarship by Parreñas and Pierrette Hondagneu-Sotelo, as well as observations by the Los Angeles–based Pilipino Workers Center, which is active in domestic workers' organizing, Latinas make up the majority of domestic workers in the area, with Filipinas being more readily associated with elder care, which is oftentimes considered distinct from childcare or household services (Parreñas, 2000, 565).

In New York, statistics are more readily available due to a detailed DWU survey. Twenty percent of those participating in the survey identified as Asian, 65 percent as Black, and 7 percent as Latina, with only 1 percent as white (Domestic Workers United and Data Center, 2006, 10). Asian women are disproportionately represented in this population, because according to the U.S. Census, Asians make up 7 percent of the New York City population (U.S. Census Bureau, 2010). Because Filipinas predominate the Asian American segment of this labor market, due largely to government programs, it is clear that they make up a large portion of the workforce. The DWU survey also reports that 33 percent of respondents came to the United States because they were "unable to support family in home country," 28 percent had "no job options in home country," and 35 percent "had relatives/friends already working in the U.S." (Domestic Workers United and Data Center, 2006, 10). Such statements reflect the general shape of Filipina labor migration patterns today.

In Los Angeles, and California more broadly, Latina-focused domestic work organizing began more than twenty years ago and includes the Domestic Workers' Association (DWA) of the Coalition of Human Immigrant Rights of Los Angeles (Hondagneu-Sotelo, 2001, 217). An emphasis on human rights is also found in Filipina/o organizations active in the Los Angeles area, such as the Pilipino Workers' Center, and thus Filipina domestic workers' concerns may be folded into Latina majority domestic worker organizing and Filipino migrants' rights activism. In addition, long-standing groups such as Asian Immigrant Women Advocates have focused on organizing other industries such as garment manufacturing and hotels (Asian Immigrant Women Advocates, 2011). Much like DWU in New York, DWA, which initially focused on outreach and public education, developed into an "employee

organization, but it is not a typical labor union" because it provides walk-in evening clinics to support legal efforts to claim back wages and similar services (Hondagneu-Sotelo, 2001, 229–30). Californian activists were also able to draw upon a New York model, outlined in the following text, when they formed the California Domestic Worker Coalition in 2009 (Herrera, 2010).

In contrast to the history of Latina-led organizing in Los Angeles, New York's CAAAV: Organizing Asian Communities was founded during the 1980s by Asian American women and a decade later housed two domestic worker projects: WWP and Sakhi (focused on South Asian women). Asian American groups continue to make up the bulk of the partners of DWU, with the exception of Staten Island's Latina/o-focused organization, El Centro del Inmigrante (Domestic Workers United, 2011). In addition, three major Filipina/o umbrella groups attempt to address domestic workers' rights across the country. There are two Philippines-based organizations with U.S. chapters, Bagong Alyansang Makabayan (known as BAYAN-USA) that ties its efforts to the national democratic struggle, and GABRIELA, a women's group that combines antiimperialist concerns with women's rights (BAYAN-USA, 2011; Dulfo, 2011; GABRIELA USA, 2011). The third group, National Alliance for Filipino Concerns, explicitly focuses on Filipina/o issues in the United States. Part of what makes such work vibrant to activist Melanie Dulfo is the interplay among explicitly multiracial groups like DWU and those comprised of Filipina activists. Thus, as CAAAV's WWP developed during the late 1990s, members recognized that there were large numbers of unorganized Afro-Caribbean domestic workers who had befriended Filipina activists. As De Leon explained about domestic workers in New York, "[T]he majority is from the Caribbean . . . so CAAAV made the commitment . . . to organize the Caribbean workers because no one is organizing them," and thus she was hired as an CAAAV organizer to incorporate women workers across racial lines (2008). This effort began with outreach in Brooklyn and the establishment of a Steering Committee of Caribbean Workers in 2000 (Hobden, 2010; Mercado and Poo, 2009). Simultaneously, it incorporated preexisting organizations like Andolan and Damayan. This effort transformed the movement and helped set the stage for the multiracial organization, DWU.

Geography and Usage of Public Space

In New York, domestic workers and their allies have made direct claims to public spaces. For example, a brief vigil during the "We Built This State" march at the African Burial Grounds enabled participants to connect the current struggles of domestic workers with the experiences of free and enslaved Africans in New Amsterdam/New York City during the seventeenth and eighteenth centuries (Foote, 2004). Similarly, in order to confront abusive employers, DWU and allied organizations have organized rallies in front of institutions such as the Philippine Consulate. Taking advantage of a densely populated city with relatively accessible public transportation, activists have reclaimed public spaces through marches and protests, in addition to park outreach and lobbying efforts. These actions temper notions of domestic work as a wholly private issue in New York. In contrast, Los Angeles appears to provide many fewer opportunities for domestic workers to engage each other in public due to less adequate public transportation and the dispersal of Filipina workers throughout the state. Nonetheless, California activists may take inspiration from such efforts.

In her study of domestic workers in Rome and Los Angeles, Parreñas states that Filipina domestic workers do not find an "adequate escape from the sense of placelessness that they encounter in the workplace," and her comments affirm the tendency for such work to be deeply isolating (2008, 101). However, she notes that women do find each other in parks and on buses, and these are places that help them "forge a consciousness of a collective struggle from their shared experience of marginality," allowing them to "establish standards of wages and evaluate the fairness of their working conditions." Nonetheless, she argues that these encounters are fleeting and differ significantly from having established spaces to meet and build a movement. Although rightly cautioning us against romanticizing notions of a cohesive Filipina/o migrant community or the spaces in which workers meet, the case of New York City suggests that these spaces hold the potential to build longer-lasting relationships and serve as a crucial component in the development of domestic workers' rights movements. These public spaces have allowed workers to forge ties and support domestic worker organization among Filipinas/os community and the multiracial DWU. Even though domestic

workers' claims on public space are often fleeting, they stand in defiance of an ever-shrinking sense of "the commons" in cities.

Still, public spaces retain the complexity of all contested sites. Reflecting a broader move within feminist scholarship (e.g., Mahmood, 2005) to complicate notions of agency, resistance, exploitation, and domination, Constable and other prominent scholars have argued that domestic workers are resistant to and complicit with forms of domination. Such domination ranges from the sexist and racist underpinnings of formal labor to everyday interactions between employers and employees, amongst domestic workers, and with children in their care. Thus it is in New York City's parks that the potential and the limits of domestic organizing are on display.

In some of New York's most affluent neighborhoods, such as Manhattan's Upper West and East Sides, West Village and Tribeca, and Brooklyn's Park Slope, large numbers of women of color (Filipina, Afro-Caribbean, Black, Latina, Latin American, and Spanish Caribbean) push strollers and hold hands with white children as they take them to play in local parks. On a warm spring day in 2008, I join CAAAV organizers De Leon and Shaun Lin on the Upper West Side handing out fliers for DWU and an upcoming CAAAV WWP Filipina domestic worker health fair (Domestic Workers United, 2010a). In Central Park, a group of white women in their thirties and forties sit on blankets, eating pizza, and watching their children play below them. On one side, separated a few feet from this seemingly close-knit group is a Filipina domestic worker. She is silently eating and watching the children. De Leon takes care to stop only briefly and hand her a health fair flier rather than start up a conversation about her work situation as she usually would. Shortly afterward, another Filipina domestic worker walks over, sits on the opposite end of the group of white women and appears similarly quiet and distant.

In this moment, the dissonance between the silent separation of the two domestic workers and the animated behavior typically exhibited by domestic workers in parks is striking. In these public spaces, working women often make friends as they sit together, talking and interacting with the children in their care. Scholars studying various global cities note the prevalence of domestic workers across ethnicities congregating on the job and on their days off in parks and other public areas or interacting with one

another on public transportation (Constable, 1997, 2–3; Das Gupta, 2006, 223–24; Hondagneu-Sotelo, 2001, 221). The patterns that De Leon notices as we canvass the park echo her own experiences. It was in these same city parks that she had discussed issues of pay, working conditions, harassment, and time off. Together, the workers would try to find solutions (Ontiveros, 2007).

Yet many obstacles remain, as our canvassing of the parks demonstrates. The silence we encountered was likely a response to the presence of the white employers (or perhaps their friends), a subtle, seemingly effortless form of surveillance that makes it impossible for De Leon to start a significant conversation with the two isolated domestic workers. Nor did the women talk to each other. As they sit on opposite ends of the picnic blankets, De Leon opts to quickly hand them fliers and we move on. Though this is typical of the general difficulties encountered in labor organizing at workplaces, there is a qualitative difference within the setting and dynamics of domestic work. As the white women enjoy a sunny day in the park, they can simultaneously oversee the labor of other women. Although the employers may forget the presence of domestic workers (Lugones, 1990, 504; Parreñas, 2008, 98), the comfort with which they participate in a form of labor discipline echoes the ease that the feminists of Lorde's poem feel as they commiserate (Chen, 2009). New York's parks provide a visible space to organize domestic workers, as it also highlights the dynamics between workers and employers that also go on within U.S. homes.

Political Context and Legislation

In "Navigating Multiple Modernities," Genzo Yamamoto and Daniel Kim argue "immigrants potentially bring . . . visions that engage commonly accepted understandings with American society perhaps to critique, perhaps to learn from, but ultimately through such engagements to enrich" (Yamamoto and Kim, 2010, 152). Through the work of CAAAV's WWP and DWU, Filipina and other immigrant domestic workers critiqued, learned from, and enriched New Yorkers' understanding of household labor. Most importantly, these workers collaborated with allies to question and successfully challenge their exclusion from labor laws. The efforts of DWU drew from the knowledge and experiences of early members of CAAAV's WWP. For instance, Filipina domestic workers in Hong Kong were used to mandatory contract agreements with

their employers. Although the Hong Kong contract system is far from perfect, De Leon and other Filipinas who worked there before moving to New York City observed the differences. In the United States, as De Leon states, "A lot of people are just getting hired through word of mouth, [and] everything is [based on a] verbal agreement." Thus, although there is a global problem of employers making their "own rules," Filipinas in CAAAV's WWP noted that informal contracts and verbal agreements not backed by any governmental policies carried more risks for laborers. According to De Leon, they then conducted research, resulting in the production of a contract model that to included major points such as work hours to help employees and employers be clear on their agreements. The idea of a contract thus became part of CAAAV's WWP and DWU organizing with individual workers and then part of workshops. Finally, it developed into a central component of their efforts to set labor standards through Local Law 33 and the statewide Domestic Workers' Bill of Rights.

CAAAV's WWP and DWU have been active been across a range of arenas from local legislation and alliance building to pushing for changes in state, federal, and international regulations and in the cultural understandings that deny workers respect and rights. They were explicitly excluded in New York State's labor laws before passage of the Domestic Workers' Bill of Rights in July 2010 (NY 1 News, 2010). The bill of rights is the greatest legislative success of DWU, thanks to the formation of a broad multiracial coalition that included DWU, CAAAV, and allies. To achieve this victory, DWU analyzed earlier labor legislation, such as the National Labor Relations Act (NLRA), which protects private industry workers from "discrimination based on union-related activity or group action" but explicitly excludes workers "employed in the domestic service of any person or family in a home" (National Labor Relations Board, 2010). The only other workers excluded from protective legislation based on their occupation are agricultural laborers. Both types of labor were central to American slavery and continue to be sites of exploitation for many people of color, immigrant and native-born.

Although the NLRA rejected domestic workers' right to organize, the Fair Labor Standards Act (FLSA) of 1974 added some regulation of their working conditions. The FLSA sets the federal minimum wage, maximum hours, and overtime for many

employees. Currently "casual" employees, such as "babysitters" or "companions" for the sick or elderly are completely excluded, while live-in domestic workers are included but are exempted from the overtime pay requirement (U.S. Department of Labor, 2010). Additional federal laws such as the Occupational Safety and Health Act exclude domestic workers as "a matter of policy" while Title VII of the 1964 Civil Rights Act bans discrimination based on "race, color, religion, sex, or national origin" but applies only to employers with fifteen or more employees (Occupational Safety and Health Administration, 2011; U.S. Equal Employment Opportunity Commission, 2011).

New York State's Labor Law 12 (NYCRR § 142-2.2), like the FLSA, differentiates between live-in and non–live-in domestic workers and treats them unequally. Non–live-in domestic workers "are entitled to overtime at a rate of one and a half times their regular rate after 40 hours of work in a week," while "live-in domestic workers are only entitled to overtime at a rate of one and a half times the minimum wage and then only after 44 hours of work in a week" (New York State Department of Labor, 2011). This example is striking, as it seems counterintuitive that workers who are at least hypothetically available to work twenty-four hours a day are required to work an additional four hours before they can receive overtime based on a wage that may be less than what they make regularly.

The 2003 passage of Local Law 33 regarding domestic workers compelled employment agencies to provide a "a written statement indicating the rights of such employee and the obligations of his or her employer under state and federal law," including information about minimum wage, paid overtime, and unemployment insurance to potential workers and employers (Mercado and Poo, 2009, 11; New York City Council, 2003; New York City Department of Consumer Affairs, 2010). In comparison to the limited city law, which did not address domestic laborers working outside of agencies or raise work standards, the New York State Domestic Workers' Bill of Rights included such provisions. However, it does maintain the troubling differentiation between live-out and live-in workers in the case of overtime. Finally, the law established reporting on "the feasibility and practicality of domestic workers organizing for the purpose of collective bargaining" (Domestic Workers United, 2010a). This is a key consideration for

future organizing efforts by groups like DWU as it could enable state workers to exercise a right specifically prohibited in the federal NRLA.

During October 2005, as New York activists were pushing their bill of rights, domestic worker rights activists gathered from across California and formed a statewide coalition to pursue legislative demands. In November, coalition representatives met in Los Angeles with State Assembly Member Cindy Montañez, and she agreed to sponsor a "Nanny Bill" including overtime protections and fines for employer abuse. In early 2006, the Assembly Bill (AB 2536) was introduced in Sacramento and spring lobbying efforts led to passage of the bill the following summer in the Democratic-majority Assembly and Senate. However, because the bill was seen as potentially a hot topic tied to immigrants' rights, Republican Governor Arnold Schwarzenegger vetoed the measure (Coalition for Human Immigration Rights of Los Angeles, 2006). When the New York bill passed in 2010, California had introduced a new resolution. "The bill's sponsor, Tom Ammiano (D-San Francisco) [declared] 'New York is ahead of us and I really hope we can catch up to them'" (Ramos-Chapman, 2010). Claudia Reyes from Mujeres Unidas y Activas in the Bay Area, one of the earliest organizations to work with domestic workers, agreed, saying "that what happens in New York will help domestic workers in California in 2011 and 2012. It's historic legislation. And it proves that it's possible" (DiNovella, 2010).

Two organizations, Pilipino Workers Center (Los Angeles) and Filipino Advocates for Justice (Oakland), are part of the current coalition pushing this legislation (National Domestic Workers Alliance, 2011). The proposed California bill, however, does not include as many protections as the New York bill. As former CAAAV's WWP organizer, Poo summarizes,

> the bill in California included overtime pay and a day of rest. . . [in contrast to New York's inclusion of protection from] discrimination, from harassment, inclusion in disability laws, inclusion in overtime laws at your regular rate of pay. (Poo and Francois, 2010)

The current optimism for a new California law underscores the strength that activists feel as they forge networks across the country that allow them to share tactics and offer support. In this

case, New York offers a more "labor-friendly" environment than California. This results in part from the fact that DWU worked with a progressive wing of the New York City Council and, throughout years of lobbying, gained widespread support from Albany lawmakers despite a series of political crises in the state capital. Moreover, Democratic Governor David Patterson had publicly staked out positions that emphasized equal rights protections. With Democratic Governor Jerry Brown replacing Schwarzenegger in 2010, activists may find a more receptive audience for their demands despite California's ongoing economic and political crises.

In June 2011, California domestic workers' rights organizations celebrated a major step when the California Senate Labor and Industrial Relations Committee approved the bill. They stated: "While current exclusions for domestic workers are confusing and leave well-meaning employers vulnerable to liability, the standards AB 889 provides will create clarity and strengthen [to] an industry which is vital to many Californians" (Pilipino Workers' Center Southern California, 2011). Maria Reyes of organizing ally Mujeres Unidas y Activas agreed as she argued that the taking up of such legislation was one step closer to gaining workers' rights (Pilipino Workers' Center Southern California, 2011). However, by August 2011, the bill stalled as the "Senate Appropriations Committee voted to keep our bill in the suspense file," according to the California Domestic Workers Coalition (2011). Despite this setback, activists in California and across the country have turned to the messaging tied to the recently released mainstream film *The Help* to gain greater support for their cause.

Advocacy work for Filipina domestic workers' rights is crucial for addressing the occupational inequalities they face as well as responding to their particular experiences. Confirming academic scholarship, advocate Katie Joaquin summarizes,

> There's a growing demand in the U.S. for caregivers because of the baby boomers reaching their elderly years. . . . The Philippine government knows this and works to meet the demands of the elderly by exporting labor to fulfill those needs. (Maharaj, 2011)

Although the recent ILO convention suggests that there may be progress at the international level to address workers' rights, the lack of support from the U.S. federal government requires a

range of approaches. The efforts discussed in this article suggest the continued need for activism that utilizes multiple approaches and aims to address how migration and conditions in the U.S. domestic work industry impact the daily lives of Filipina workers. Combining coalition building with community-specific organizing has been crucial to developing strategies and pursuing change. As New York– and California-based activists demonstrate, with dedication, ingenuity, and alliance work, they are able to challenge long-standing assumptions about the industry and those it employs, building a movement that may ultimately change workers' lives in the United States and across the globe.

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Ariella Rotramel received her PhD in Women's and Gender Studies at Rutgers University. Her research explores women-led community organizing efforts in contemporary New York. She highlights activist collaborations addressing domestic workers' rights, housing inequalities, and environmental justice.

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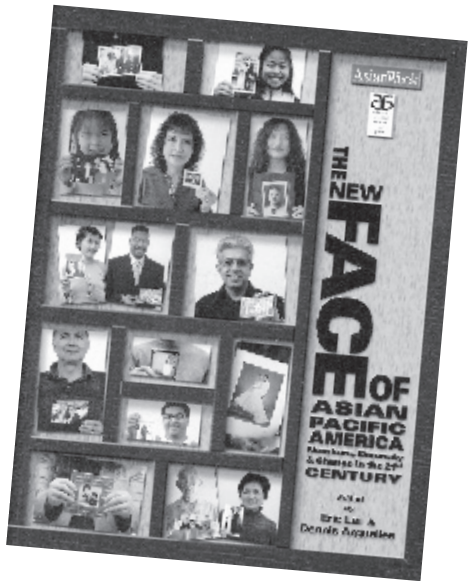

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